



**Legislative Assembly
of Ontario**
Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 25 June 2001

Lundi 25 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY
OF ONTARIO

Monday 25 June 2001

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Lundi 25 juin 2001

The House met at 1845.

ORDERS OF THE DAY

APPOINTMENT OF INTEGRITY
COMMISSIONER
NOMINATION DU COMMISSAIRE
À L'INTÉGRITÉ

Hon Chris Stockwell (Minister of Labour): I move that, an humble address be presented to the Lieutenant Governor in Council as follows:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of the Honourable Coulter Osborne as Integrity Commissioner, as provided in section 23 of the Members' Integrity Act, 1994, SO 1994, chapter 38, to hold office under the terms and conditions of the said act commencing September 17, 2001.

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the Minister of Labour from Etobicoke Centre.

Hon Mr Stockwell: Mr Speaker, I presume we're in rotation at this point in time, so I don't need to split my time. The nod came from the—

Interjections.

Hon Mr Stockwell: We're in rotation. OK, thanks.

I'm honoured today on a rare occasion, to appoint an officer of this Legislative Assembly. You don't get an opportunity many times to appoint someone as learned and knowledgeable, as reasonable and fair as someone of the esteemed level of the Honourable Coulter Osborne as Integrity Commissioner. The members opposite know, I suppose, full well the importance of this particular office. For those watching, the office is manned—I guess "manned" is a dated term—the office is taken by people who oversee and review questions of integrity, the financial statements and the disposition of holdings of cabinet ministers, for all members of the Legislative Assembly.

I'm happy to say that I think we have a majority of members of this Legislative Assembly who endorse this particular appointment. I'm not happy to say that it's not unanimous. It's too bad, frankly, that we can't find some unanimity when it comes to this appointment. Sometimes the Environmental Commissioner or other appointments can be political by nature, and I understand the politics of them. The Integrity Commissioner, I would have hoped,

could have been seen as apolitical. I know anyone who would go into the office would hope to see an apolitical appointment, but it's not unusual, I suppose, in the kind of environment we are in today to have the NDP oppose. It's discouraging.

I think their House leader and the leader of the third party have chosen an awkward and inappropriate time to express dissent. I think we as a government—and I will say as a tip of my hat to the members of the Liberal caucus that they have been equally as responsible and reasonable in trying to find an appointment for the Integrity Commissioner. I suppose what happens is that as caucuses get smaller and smaller, you find the vociferousness of opposition becomes more inflated and larger. I suppose this is collectively for the nine members opposite, eight shortly, their ability to flex their limited political muscle. It's something that is disturbing and certainly not something I'd want to see as a position that would be used generally in the future.

To speak to this particular individual, it goes without saying obviously that this is an individual who is highly respected, someone who is revered by all members of the public. I think his track record in the legal world, as well as his time sitting as a judge, is beyond reproach. He has been involved in many interesting cases in the past, many somewhat controversial decisions, clearly a gentleman who's prepared to take some decisions that are not seen widely as run of the mill, you know, between the lines, which I think we like in an Integrity Commissioner. We know full well that should a member of this House refer something to the Integrity Commissioner, they would like to know that the decision they're getting, the review they're having, is being reviewed by an impartial third party who will provide sage and thoughtful advice and decisions. I feel very comfortable with this appointment.

I would be remiss in not mentioning Justice Gregory Evans as well. He's currently serving as the Acting Integrity Commissioner. In my time as Speaker I had an opportunity to work with Mr Evans. He is a formidable person who is very well respected, and I personally had a lot of time for him. He was interesting, engaging, thoughtful and did a wonderful job. When we found ourselves in the situation of having to find a temporary Integrity Commissioner, we reached out to Mr Evans again, who's not the youngest man, and he did us a great service. I look to all members of this House to endorse the respect we have for him that he stepped in to fill a breach, and a breach for us as well. I think he did a good job, as when he was the permanent Integrity Commissioner. In a lot of respects he kind of bailed us out, and I

don't think that should be left unsaid. I know all members of this Legislature will wish him, for the second, third, fourth or fifth time, I'm not sure, a very happy retirement and a very fulfilling life, because he offered us, in my opinion, exemplary public service.

You don't go into this business looking for the money, as we are so well aware of, and clearly these individuals—

Mr Steve Peters (Elgin-Middlesex-London): Do you qualify for a pension or not?

Hon Mr Stockwell: No, I don't have a pension. I only wish my pension payout had been in the neighbourhood of those of my friends on the front benches opposite; it wasn't. I know they will spend their money prudently and keep the economy moving in Ontario. I caution members that when you have members sitting on the front benches as wealthy and independent as they have, to be very careful. We shouldn't heckle on those pension-like issues.

I will say that he didn't get in it for the money. I don't think any of us gets in it for the money. With that kind of reputation, experience and intelligence, they could go out into the private sector and earn piles, oodles more money than they would being the Integrity Commissioner. We are lucky we could attract such an individual.

I want to tell you that we're lucky too to have two House leaders come together and reach an agreement. I tip my hat to the member for Windsor and the government House leader, the Minister of Education, that they could work together and find common ground to attract an individual such as Justice Osborne to this job.

Again I want to say I'm profoundly disappointed—I won't go on; I don't think this should be a long debate and I won't be but a minute or two more—it's not unanimous. It's discouraging. I think it's depressing and unreasonable. It speaks to the problems we have systemically in this place when we have to take three or four days to debate renaming Sir Wilfrid Laurier. That probably speaks more volumes to the kind of difficulties we're having here.

I blame very specifically the member from Niagara. He is probably the number one reason we have these kinds of impasses. I blame the leader of the NDP, because he actually put him in that position of some authority that has created this kind of difficulty. It's disappointing for me. It's disappointing, I'm sure, for Justice Osborne too. It's been difficult for Justice Evans. It's been difficult for our House leader. I'm sure it's been difficult for the opposition House leader as well.

I would only ask in these final moments before this debate continues and after the rotation to the third party that they think very quietly and very thoughtfully about what they're doing here. I think they're performing a great disservice to the people of the province. I think they're performing a disservice to Justice Osborne and to the Integrity Commissioner's office. I would only caution them that these kinds of things have a way of coming around and biting you in the ankle in future.

I will say to the members opposite that any of these particular positions that were enunciated and put forward by their government were adopted unanimously by this House. I sat in the third party and, let me tell you, there were controversial appointments that we could have tried to make hay on and we chose not to because we have to work together in some ways, and one of those ways is when we're trying to appoint officers of the Legislature. I don't know of any more important officer to appoint than the Integrity Commissioner, because that commissioner reviews our own personal and intimate financial dealings.

I say to the public out there that when you go in as a cabinet minister or backbencher to report on your financial situation to the Integrity Commissioner, you have to have a great deal of respect and belief that this information won't be shared. You have to have a very honourable person in there because you're not only declaring about your own personal financial situation. In my situation, I'm declaring about my personal financial situation, the financial situation of my wife and the financial situation of my two children, which I think many people in any job would find profoundly intrusive.

When I first got to this place I found it incredibly intrusive. I ran for public office and came to this place and, upon winning the election and sitting in this august chamber, I was told I would have to declare my financial situation to the Integrity Commissioner and, ultimately, I found out, not just I but my wife and my children. So it's a rather disarming situation to put yourself in.

When you get into cabinet, it's even more difficult. I look to the members opposite. I know the member from Renfrew was in cabinet. I certainly know the leader of the third party and the member from Sudbury were, and the member from Niagara was in cabinet for a brief stay. They were going through the same kind of process. You need somebody in this position you can trust and whom you have a great deal of respect for.

I speak for the Conservative caucus here. I don't think there is anyone in our caucus who would contradict my comments. We have great faith in Justice Osborne. We have a great deal of faith in his ability and we're very proud as a caucus to move his appointment as Integrity Commissioner. We will support it, and he will work for the benefit of the public and, maybe more importantly in this office, for the benefit of the members of this Legislative Assembly. I am very proud to be the one who moved his appointment.

Mr Dwight Duncan (Windsor-St Clair): I'm pleased to join the debate, or the discussion I think is more appropriate, of this appointment.

I want to take the few moments I have to address three issues: (1) the person who will be selected by this Legislature to be the Integrity Commissioner; (2) the process under which that came about; and (3) a few other issues that I think need to be addressed with respect to the Integrity Commissioner.

The Honourable Associate Chief Justice Coulter Osborne has had a long and distinguished career in the law in this province. In addition, he has been associated

with amateur athletics on a national and international level. He is a distinguished jurist, someone who has brought enormous integrity to all of his work. He has served previous governments—most notably in the late 1980s he served the Peterson government on a commission on automobile insurance—and I think has been generally recognized throughout the province for his very distinguished contribution in a whole range of fields.

Mr Justice Osborne currently is the associate chief justice of the Ontario Supreme Court. The fact that he has come forward and offered himself as our Integrity Commissioner I think is a great thing for all of us. The Minister of Labour spoke in terms of the importance of the appointment not only as individual members, because we do all have to disclose our personal affairs, we also count on the Integrity Commissioner to rule when we make allegations against other members or we ask for the investigation of certain things. We all know there is another bill today that will give the Integrity Commissioner another role.

Dalton McGuinty has proposed that when he becomes Premier in two years, the Integrity Commissioner will also be charged with making a determination with respect to the nature of partisan political advertising. So this is an extremely important role that demands the confidence of all members of the House in the process.

We have been fortunate to have been served on an interim basis by Justice Evans. Over the course of the last six years I have had the opportunity, as all members have, to meet with him to discuss my own disclosures, but I've also had the opportunity, as I know many have, to discuss other issues with him. He is extremely interesting. "Interesting" is the best way to describe him. He's an intelligent human being who has tasted a variety of life and has lived it to the fullest, and even in his 88th year continues to contribute enormously to this institution, to our Legislature. For those who haven't, I strongly suggest you sit down with him and just listen for a couple of hours to somebody who is truly a great jurist and a wise person in the tradition of Solomon. I think we all owe Justice Evans a debt of gratitude as well.

1900

With respect to the process, when it became apparent that we needed to find a permanent Integrity Commissioner, the three parties met and discussed it. Mr Osborne's name came up, and it seemed like a worthy appointment. We on this side, the official opposition, were able to say to the government, "Look, we'd be willing to proceed with his appointment." It is difficult to get a judge, let alone a Supreme Court judge, to sit in what is a very important position to this House and to the taxpayers of this province. When his name came forward, we did our due diligence, we looked at the background and said, "You just couldn't do any better than this."

There is an important question that the third party will raise, who are not apparently supporting this appointment. They will raise the question of the process by which we select officers of the Legislative Assembly. I say it is an important question; there's no doubt about it.

We do not have a standard process for the appointment of officers of the Legislative Assembly. In the last couple of years we appointed the Environmental Commissioner—I should say, the government did. The government used its majority against the strong opposition of the official opposition and the third party. That was a very controversial appointment. We appointed the chief electoral officer last year, and I think all of us agreed at the time that that process worked very well. There was one representative of each party involved in a hiring process that was executed, and we came to agreement and concurrence on a single candidate.

Unfortunately, those practices haven't been applied evenly over the years. Indeed, the Liberal government of David Peterson appointed Gregory Evans Integrity Commissioner without consulting the opposition of the day. I think it's a valid point and I think it's something this House should look at and all members should be concerned about, because the officers of the Legislative Assembly must not only be totally non-partisan, they must be seen to be non-partisan and they must enjoy the confidence of all members of the House in order to fulfill their obligations.

The government offered a debate on that when we discussed the appointment of Mr Osborne. We in the official opposition would have participated well in that debate and would have looked forward to it. It is my hope that before the next time we have to appoint an officer of the Legislative Assembly, in fact this kind of debate will happen. I would like to see a process that's more clearly defined.

In the absence of that process to date, and given the nature of the candidate that we've had come forward, it's our belief that now is not the time to draw the line in the sand. We've got a candidate who, I think, is universally acclaimed. We have somebody for whom we thought there was going to be unanimous consent with respect to the appointment, and so we're pleased to proceed with that appointment and recognize that this doesn't lend itself to partisan sniping or snipping and it ought not to be blocked unnecessarily, because I think there is consensus with respect to the man's integrity and his ability.

So we are left with an unanswered question, and we'll be pursuing that, and that is, how do we formalize a process for appointing officers of the assembly that rightfully ought to be done in as non-partisan a fashion as we can, and hopefully consensus can be arrived at in those appointments? Mr Justice Osborne, I think, represents exactly what we need in this assembly as an officer of the assembly, more particularly as our Integrity Commissioner. I know many members of our caucus have had dealings with him in the past. We are comfortable with that appointment. We look forward to his appointment; we are pleased to support his appointment. We will continue the debate with respect to a formalized process. Frankly, one of the challenges to a process is that there are different ways to do it. In some eventualities, one way may be superior to another, but we do need to have a way of ensuring that these appointments are done in as non-partisan a fashion as possible.

We are of the view that Mr Justice Osborne will serve this House and accordingly the people of this province well, and are pleased to support his nomination as Integrity Commissioner for the Legislative Assembly.

Mr Peter Kormos (Niagara Centre): I want to tell you, New Democrats regret this debate as well, because we don't think this is the sort of matter that should be the subject matter of debate in this chamber as a result of this type of motion after the history that's unique to this particular scenario.

New Democrats, of course, recognize the important role that the Integrity Commissioner has played and will continue to play, not only in terms of the assembly and in terms of the members of this assembly, all 103, but in terms of the public interest and protecting and defending that public interest, because at the very heart of the Members' Integrity Act is, I submit to you, the broad-based issue of public interest.

New Democrats acknowledge the incredible contribution that Judge Evans has made to the office, and his successor, Judge Rutherford. Judge Evans, who is a man of many years of experience—well, he's a man of many years, quite simply put. He wouldn't mind any of us saying it. As a matter of fact, he'd probably insist that that's the first observation we should make, in view of the fact that he's entitled to some retirement years, although I've got to tell you I'm skeptical about him ever entering a real retirement. I've known him long enough, in a variety of capacities, and he's prolific. He was a prolific writer of judgments, he was a prolific source of anecdotes about the law and the courtroom and he was prolific in terms of the offspring he and his wife had, several of whom I know, some particularly well.

Judge Evans's appointment, when the Office of the Integrity Commissioner was very young and when this assembly had not yet begun to adopt some uniform procedures for the appointments to those positions of—what have they been called?—servants of the assembly, non-partisan positions where it's not a matter of being hired on by the government, but it's a matter of serving the whole House and all of its members. Look, the standards set by Judge Evans and, yes, Judge Rutherford, are standards of profound neutrality and commitment, on their respective parts, to maintaining the integrity of the Office of the Integrity Commissioner.

I am loath to reflect on the history of that office without observing the contribution of both Judge Evans and Judge Rutherford, and Judge Evans, in his case, prepared as he was and is to step in and fill in on an interim basis until this assembly had chosen a new Integrity Commissioner.

There are a couple of wrinkles, though; one that I will speak to is that one of the new burdens of the Integrity Commissioner is going to go far beyond the application of the Members' Integrity Act as it exists now. Please, members of this assembly, the Integrity Commissioner that this assembly chooses—assuming, dare I assume, that Bill 82 is going to become law. I was a little more optimistic before today, but you know—and if you don't,

you know now—that the government has served a notice of motion with respect to Bill 82, the MPPs' salary increase bill. You know that, right? It's the bill that delegates to the Integrity Commissioner the setting of MPPs' salaries.

Well, that bill has now been referred to in a notice of motion that we're all too familiar with, and that is a time allocation motion whereby the—it's interesting, it was the government that sent the bill to the justice committee—

Interjection.

Mr Kormos: It was. Well, it was. The Speaker gave the government a couple of kicks at the can. Again, I have no quarrel with the Speaker. The Speaker was trying to make sure the government had it right. The Speaker, and I'm paraphrasing now, said, "Are you sure? Is this what you really—think about it before you"—the Speaker did. The Speaker accommodated the minister moving Bill 82 to the justice committee.

1910

I couldn't have been more pleased. For the briefest of moments I thought, "By God, the government's prepared to do the right thing," because once Bill 82 was in justice committee—and you should know that last Friday I wrote to the Chair of the justice committee and I asked the Chair, because I'm a member of that committee, to please set up a subcommittee meeting ASAP, as soon as possible, because the New Democrats wanted to propose at the subcommittee meeting that the bill, Bill 82, referred to the justice committee as it was by the government, be subject to hearings, public hearings. The New Democrats, by letter to the Chair of the justice committee, asked for a speedy meeting of the justice committee so the bill could go to committee and be the subject matter of public hearings through the course of the summer. Bill 82 is inevitably intertwined with the motion we're discussing tonight.

The argument made on behalf of Bill 82—and understand the New Democrats don't support Bill 82. There are a number of reasons why New Democrats don't support it, and you heard that from every single member of this caucus. Every member of this caucus stood in his and her place in the time available to them and explained to this assembly and to their constituents and to the public at large, people across Ontario, why each of those New Democrats opposed Bill 82. As I say, there were a variety of reasons put forth, but at the end of the day New Democrats were clear in their expression of concern about Bill 82 as it stands.

The argument, you see, the contra-argument, is old. Bill 82 creates this arm's-length relationship with, in this case, the Integrity Commissioner, who will set MPPs' salaries. Well, I'm sorry, and one of the things that is most regrettable about having to debate this motion this evening is that, I put to you, this assembly, if it passes this motion, discredits that arm's-length relationship. That's what causes us the greatest of concern. Quite frankly, it's my submission to you that it puts a cloud over the named appointee, who is—and again I have no

hesitation in telling you that in every respect New Democrats are familiar with him by virtue of his reputation on the bench—an honourable and integrous person. There's nothing bad that New Democrats can stand here and say about Judge Osborne, and we wouldn't purport to, we wouldn't try to; it would be mere folly to suggest that in any way, shape or form. That's not the point. That's not the issue.

You see, acknowledging that prior Integrity Commissioners had been appointed in any number of ways, it's clear that this assembly has the capacity and the interest, and in fact has demonstrated its eagerness, to utilize a process for the appointment of other officers, servants of this assembly, who are indeed impartial not only in substance and fact but in every sense of the word and in any impression that it might leave.

I tell you, members of this Legislative Assembly, that you are doing, in my submission to you, an incredible disservice to the office of the Integrity Commissioner and to the named appointee by virtue of moving and voting for this motion this evening. That position is incredibly important. Every position where the named person, the person doing that task, is a servant of this assembly, is an officer—is a servant of the assembly, most appropriate—is an incredibly important one.

The Ombudsman—and I tell you, this province has had an incredible history of outstanding Ombudsmen, not two ways about it. Our most recent Ombudsman, Clare Lewis, is no exception.

I was very fortunate, because I assisted my colleague from Trinity-Spadina on the committee that he served on, the three-party committee that chose Mr Lewis from among a slew of very good candidates, a slew of outstanding candidates. You know exactly what I'm talking about, because there were Conservative government members on that committee and there were Liberal members as well. The committee worked darned hard and it worked long hours with assistance from civil service staff here at Queen's Park in advertising the position of Ombudsman, in receiving applications, in screening those applications, in interviewing the applicants. An even harder task was reaching a final decision. The decision, it was agreed upon by that committee, had to be, yes, unanimous.

You see how incredibly important that is that there be three-party agreement? But not only that there be all-party agreement, in this case three-party agreement, but that that agreement be arrived at after a fair consideration of all of the people who seek the job, who have equal opportunity, fair access to the job.

Once again, is the named appointee someone about whom anybody could or should or would say anything negative? Of course not. The appointee named in this motion is not the issue; the process is the issue. The manner in which this has reached the floor of this assembly is an even bigger issue, and I'll speak to that too.

Acknowledging that in the past the position had not been filled by way of that process, but understanding that

this House, the members of this Legislature, have demonstrated an eagerness to assume a truly impartial, neutral, fair selection process for similar positions—the Ombudsman, Clare Lewis; the Environmental Commissioner—and I appreciate the position of the Environmental Commissioner. This government marred that process, because our member Ms Churley from Toronto-Danforth, as it's called now, worked hard on that committee, as did a whole lot of other members, and it would have been preferable had the government members of that committee not used their clout, their superior numbers—if nothing else but superior numbers—to impose that position. Quite frankly, though, we've seen some remarkable things from that Environmental Commissioner, I tell you that.

But once again, that was a process whereby it was open to any Ontarian or, quite frankly, any non-Ontarian to come forward and apply for that position. They did; there were numerous applicants. I put to you that just as in the case of the Ombudsman, the list of applicants was as outstanding a list of Ontarians, and perhaps from time to time people outside of Ontario, as you could ever want to see apply for a position or a job as was applied for. Again, this Legislative Assembly and its members seemed to have had no quarrel in adopting that process. As I say, it's regrettable that the government, in the instance of the Environmental Commissioner, chose to use its clout, its superior numbers—and I'll say again, if nothing else—to impose its will on the committee.

The best possible process is one that's transparent, one that's fair, one that's open, one that permits the greatest possible number of people who are in any way, shape or form qualified to apply for the position and one—and this is most fundamental—in which there is all-party agreement.

1920

Members of this House should know that back on April 23, shortly after becoming House leader, I had occasion to write to the Speaker. This was when I became aware that government and Liberal House leaders were becoming increasingly anxious about appointing an Integrity Commissioner without going through any sort of process, without soliciting invitations from people across the province, and that they had in mind one particular person, with whom I had no quarrel, nor do any other members of my caucus. But they were prepared to do it whether or not there was all-party agreement. I find that extremely troubling. I found it extremely disturbing that the government and Liberal House leaders were prepared to roll the clock back to a time that preceded even the Judge Evans appointment by virtue of all-party agreement, where they were prepared to roll the clock back to the point where at the end of the day it was going to be effectively—I've got to say it—a backroom deal between each other.

The concerns of the NDP caucus—the concerns of our leader, Howard Hampton, and the concerns of all of us here in the NDP, certainly myself—I shared the caucus's concerns that this was not the way to approach a job as

important as this one. The public had to be assured, if the Integrity Commissioner is going to have the respect of the public and not just of the members of this assembly—I think, again, that members of this assembly, I have no hesitation in suggesting, have demonstrated respect and regard for our Integrity Commissioners, to the final one. But the public has to trust it. The public has to believe that commissioner is truly independent. The public has to believe like they've never believed anything before that that Integrity Commissioner is completely neutral. The public has to understand that that Integrity Commissioner owes nobody anything, that he isn't beholden to anybody.

That's why there has to be three-party agreement, and that's why there has to be, in our submission to you, a process like there was with the Ombudsman and like there was with the Environmental Commissioner.

Take a look at the Ombudsman. That process worked outstandingly. I can't recall whether you were on the committee or not, Speaker. I know some of your colleagues were. I remember being there with Rosario Marchese, the member for Trinity-Spadina, and, along with you, listening to these applicants as they were interviewed, reading their CVs—their curricula vitae—reading the synopsis of the results of the interviews that had been undertaken before these applicants got to the committee, the interviews that had been conducted by personnel people from the civil service, and reading the report by those civil servants who had interviewed them.

Amongst the applicants were men and women from a diverse set of backgrounds. I think I speak for most, if not all, the members of the committee when I say there were significant numbers of those people who could have done the job. But the committee's task was to find the best one among a group of bests, and also to select an ombudsman who was agreeable to all parties and would therefore enhance the Ombudsman's position with that patina—far beyond a patina, that deep, deep sense of independence, neutrality and thus legitimacy in the eyes of the public. You see, it doesn't do any good to vest any individual with the incredible power and authority that the Ombudsman has, that the Environmental Commissioner has or that the Integrity Commissioner has, unless they are seen to be true neutrals and seen to be truly independent, in addition to being true neutrals and being truly independent.

New Democrats became aware that there was this passion on the part of the government and the Liberal Party to circumvent that process, and we became concerned about it. We wrote to the Speaker, because at the end of the day it's the Speaker who effectively, in a peculiar way, supervises this, although it's not the Speaker who makes the decision. We called upon the Speaker to use his authority, to the extent it existed, to try to ensure that a candidate wouldn't be appointed in what amounted to a behind-closed-doors session.

I appreciate that the debate here is open door. I also appreciate that the government called it at 6:45 tonight instead of calling it at 1:30 this afternoon when the press gallery was active and vibrant and lively and awake. I

understand. I know there are some distinct advantages to evening sittings, especially midnight sittings. There are things you can do here at 6:45 pm that you wouldn't think of doing at 1:45 pm, aren't there? There are things you can do at 9:45 pm that you wouldn't even think of doing at 6:45 pm. I understand. I suppose that's called strategy on the part of the government, or a tactic used in the course of implementing a strategy. I understand that tactic, and I suspect—I'm sorry; I shouldn't be so coy—this isn't the first government to use it.

But I find it troublesome. The problem is that it adds to the cynicism that may well exist about this appointment. Not only was it not the result of an open process where any Ontarian could apply, it wasn't the result of any sort of tripartite agreement, and when the motion was brought, it was brought—I was going to say “in the dark of the night,” but this being summertime, there's still some sun. But I've got to tell you, it's in the twilight of the day.

Come on, you know what I'm talking about. One of the most valuable assets and resources the public has here is an ever-contracting press gallery. I say “ever-contracting” because their numbers drop as the media—newspapers, radio and television—restructure and have fewer and fewer journalists working here at Queen's Park. So again, I hope the government realizes this doesn't help.

I suppose that some would say, “Kormos, why are you raising all those issues? All you're doing is reminding people of it.” Trust me, Speaker. Please, have some regard for what I am about to tell you, and that is, I don't gotta tell people those things; people figure that sort of stuff out all by themselves. As I say, when folks out there witness this motion tonight, introduced and debated in the twilight of the day, and when they realize the debate is about appointing the individual who, pursuant to Bill 82, is also the person who is going to provide MPP salary increases, supposedly at arm's length, I suspect that many people out there will find this as unattractive a process as I do.

Let me put some analogies to you. In the old days—before my time and before yours—here at Queen's Park when judicial appointments occurred—quite frankly, the reforms took place into the 1980s, and I have nothing but applause and great respect for Attorneys General who implemented those reforms, and New Democrats were involved in some of those reforms.

1930

But in the old days judicial appointment was, again, a name and a couple of phone calls and the right connections and so-and-so, and inevitably it was a man and equally inevitably he was white, and for a long time he was a male white and didn't have a name like my last name or like the surnames of a whole lot of other people here, that is to say something other than the most Anglo of names. That changed, thank goodness, over the course of years. The change occurred to the point where judicial appointments—again, it's a very similar thing, isn't it? The public must be assured that not only are judges

neutral and impartial and not beholden to anybody but they don't appear in any way, shape or form, even by virtue of their appointment, to be anything less than neutral or anything less than impartial or anything less than not beholden to anybody.

The manner of judicial appointments has changed dramatically in the course of even—what?—the last 25 years. I dare say probably 25 years. It's no longer knowing—I should be careful. The process is still intact, because in the old days there was no process. If you were well enough connected, you made the phone call, somebody made more phone calls and before you knew it the order in council was passed. But now what happens when there's a judicial vacancy? Come on, you folks know. There's advertising across the province. There's a description of the opening or of the openings that are available. There's an identification of the fact that it may be a Bill 8 community where the French language is imperative in addition to the English language. There is an identification of the fact that it may be in a part of the province where we have significant aboriginal communities so that maybe that sensitivity, or background even, would be useful and desirable.

Then there's a process. You know what happens. There are people out there, inevitably lawyers—because that's what you need, to be a member of the bar to become a member of the bench—who write their letters and receive application forms. Those application forms are filled out. There are references. There are interviews. There are recommendations as a result of that process, which is conducted in a very neutral, even-handed way, and then there's a short list prepared. In an ideal world, candidates who have gone through that process find themselves at the end of the day appointed, unless there is motivation—and this is irrelevant to this debate—from somewhere or somebody that would cause them to overlook the short list and try to circumvent it, try to go in the back door where you can't go in the front door.

Does that process mean that prior to that process there weren't integrous and neutral judges appointed? Of course not. I'll be the first to say that, because I suspect I know a good whack of those judges who were appointed before that process was implemented. Do you know what I'm saying, Ms Martel? That's not to say that those judges were less partial or less neutral. Some may have been, but I'm not about to go further in that regard. We have always been blessed, and Judge Osborne himself, although as I understand it a federal appointment, not a provincial one, as a judge has insofar as I'm aware an exemplary reputation. What more can I say? Again, as capable as any and typical of the outstanding bench that we enjoy in this province, those provincial appointments as well as. I have no hesitation in saying that.

I have disagreed with many judges in my lifetime for many different reasons, but I am hard-pressed—as a matter of fact, I can't tell you about any experience with any judge in this province that in any way impacted on my strong suggestion to you that we are blessed with one of the strongest benches, one of the strongest judiciaries

anywhere in the world. Our appellate court is a model for appellate courts. That's why you hear me from time to time take great offence at government members who get into judicial accountability and want to do evaluations of judges and that sort of thing. These people have no appreciation of how blessed we are in this province in terms of the quality of the bench. Again, Judge Osborne is part of that bench and he had a significant career as a federal appointment to the bench here in Ontario.

But I talk about judges because, you see, once again the manner in which judges are appointed has changed dramatically over the course of the relatively recent past. The reason it's changed is to bring integrity to the process as well as to the position and, no, New Democrats won't support this process.

Were this, let's say, an interim appointment to accommodate Judge Evans, who I suspect once again—Judge Evans's eagerness to fill in when we needed an interim was not objectionable to anybody, certainly not to New Democrats, and were the government proposing an interim appointment, New Democrats would probably have to reconsider—and I suggest to you we would—and take a far different approach to the appointment of but an interim Integrity Commissioner, because that has to be done quickly, there's some urgency to it, and it isn't for the five-year term with the prospect of successive terms, as indicated. I suspect that an interim Integrity Commissioner would deal only with those things that are of immediacy and urgency.

Understand that this appointment that is put forward by way of this motion today is the appointment that will reconsider MPPs' salaries over the course of his next five years and any subsequent terms to that. Where is the arm's length? You see, folks who support Bill 82, members of this assembly who support Bill 82—not New Democrats—Conservatives and Liberals who support Bill 82, their argument is that it creates an arm's-length relationship, isn't it? That's the argument, and it's an argument. New Democrats don't agree, but it's an argument. But by doing what you're doing with this motion, you're defeating the arm's length. That's what's scary, that's what's disturbing, that's what's frightening and that's what New Democrats object to.

One of the brief speakers to this appointment suggested—and I don't know the history. My caucus colleagues have not seen a CV from the named appointee. I suspect that my leader and I—my caucus mates are probably pleased for me to point out that Howard Hampton and I are the only two lawyers in the caucus—have some familiarity—

Mr Gilles Bisson (Timmins-James Bay): Very pleased.

Mr Kormos: Mr Bisson says they're very pleased for me to make that observation. We have some familiarity with Judge Osborne by virtue of reading decisions, and of course Judge Osborne's contribution to the insurance debate back a good chunk of time ago now. But my caucus colleagues haven't seen a CV, and I suspect that your caucus colleagues haven't seen a CV either, nor have yours.

It has been suggested—and this is a direct quote as I wrote it down. If I'm wrong, somebody will surely correct me, and if they're reluctant to correct me, I invite them to. But a speaker prior to me said that Judge Osborne's name "came up." I haven't got the slightest idea what that means. Was there a reference by someone else to the fact that "he showed an interest"? Was that the reference? Again, I don't know. How did his name come up? Were people playing Scrabble and they just happened to have the right letters in their tray? I don't know. Again, it's not to disparage Judge Osborne in any way, but you say his name "came up."

1940

Then I've got to go to this inevitable, irresistible inference, and that is the enthusiasm which was displayed for the appointment. I wonder whether commitments were made. I do. I don't know; I wonder whether commitments were made—not to suggest anything inappropriate or whether commitments were made, let's say, prematurely to the point that there would have been some significant embarrassment or loss of face had things not progressed as they should have.

I've never talked to Judge Osborne about this appointment and I'd be loath to. I don't think that's the way it's done, and if anybody else had suggested to me that they had an interest in the position, I would have said, "Fine, that's it. I don't want to talk to you any more. Give my staff person your name, your address, your phone number and fax machine and e-mail and those things, and when the process commences we'll make sure you're notified of its commencing."

I don't think it's kosher to be involved in such a way that could taint the process. We folks get increasingly familiarized with that every time—you know enough not to call a judge on behalf of a constituent, don't you? I have the names of some federal colleagues. One now of—I like him; he used to be a Conservative, now a Liberal. You mention "judge" and he says, "Never called him." The last time I saw him I said, "Judge"—"Never called him." It was almost a Pavlovian response. We know enough that you don't do that, you can't do that, and we should know enough not to make promises we can't keep, especially when they involve—

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Mike Farnan said it was OK to write one, though.

Mr Kormos: We know what's inappropriate, and I just can't understand why anybody would want to have private conversations, when one is a member of this assembly and when one understands that the person with whom you're having that private—I'm not saying you can't say hello to people in the elevator if you're friends with somebody, but you shouldn't be talking about the position. That's my view. That's just my view. Boy, oh, boy, I could be out of step with everybody in here again, and I understand that. But it's my view that you don't do that, and at the end of the day it could be that all 102 other MPPs disagree. It won't be the first time.

The New Democrats made it very clear in the letter to the Speaker back on April 23 that we objected to the selection process the Conservative and Liberal House leaders were proposing, and that is in effect appointing an Integrity Commissioner behind what amount to closed doors. I'm sorry, there's no other way to put it.

The motion is here but we know—come on, there are only nine of us. We know that unless our arguments are incredibly persuasive—even then we know that this business is one where the motion is designed to pass. I suspect that we will hear very little from either the government or the official opposition during the course of the debate around this motion. We heard precious little during the course of opening addresses, when the Minister of Labour, who introduced the motion, spoke for but a fraction of the hour that he had available to him. Secondly, the opposition House leader spoke for but a fraction of the time available to him.

Interjections.

Mr Kormos: Please, we're talking about a very serious matter. Yes, New Democrats are standing up and repeating the proposition that we put to the Speaker on April 23, and that is that this is a very dangerous precedent. You see, it isn't even in accord with selection of officers, servants of the assembly, prior to the Ombudsman and Environmental Commissioner, because in those earlier instances there was all-party agreement. There were times when the government threw its weight around. I know, the Environmental Commissioner; the government threw its weight around again then too. But those are serious breaches of protocol.

One of the things this government has demonstrated very clearly is its capacity to show disdain for the opposition. One of the problems is that to date very few of the members of the government caucus have ever served in opposition. Some will have their opportunity; others will have their chance to observe from afar.

We were enthused by the appointment of Clare Lewis and the process and the unanimity of that choice, the all-party agreement and the way it was achieved. It was, yes, among other things, a consensus. I certainly see consensus as two different things. You've got low-quality consensus, where you toss so much out that there's very little substance left. But there is—and it's a harder process; it's a much more formidable task—high-grade, high-quality consensus. The appointment of Clare Lewis, I tell you, was a consensus that was a hard-developed one, but it was a high-grade one. You didn't have to toss a whole lot out the window to arrive at that consensus.

We told the Speaker, and we copied the House leaders from the Conservative and Liberal parties, and we told the Speaker, as I told the House leaders on April 23, that the process we needed to follow is the same one that applied when we selected the chief electoral officer. We said that the matter should go to an all-party committee where candidates would be interviewed, reviewed, properly vetted and where a decision would be rendered after these steps had been taken. We made it quite clear that anything less is unacceptable.

I, on behalf of my caucus went further, and in that letter to the Speaker, with copies to both the government and Liberal House leaders, said that this has nothing to do with the merits of any of the candidates for Integrity Commissioner and everything to do—everything—with following accountable and justifiable and transparent procedures. This is all about the lack of accountability, the lack of justification and the lack of transparency in this process.

It's why we can't support the motion. We are not going to be a party to a selection process veiled in the secrecy of a backroom deal, and it was a backroom deal. The fact that it was doesn't in any way serve the office of Integrity Commissioner well, nor does it serve the appointee named in this motion well. The backroom dealing is an insult to both the office of Integrity Commissioner and to the person named in this motion. I regret that both are being sullied by virtue of the agreement between the government and Liberal House leaders to avoid that process which could have been accountable, justifiable and transparent.

1950

Once again, I've made reference to the appointment of judges in the province. There was a time when there was very little process other than knowing the right people. There are people here who understand that, and that's not to say that all the judges or any of the judges appointed during that time lacked integrity or neutrality or talent.

Mr Garry J. Guzzo (Ottawa West-Nepean): Good for you.

Mr Kormos: Well, it's true. But, as you know, sir, in the recent past of two to three decades, that process has changed dramatically. I mentioned this a few minutes ago. I very much want you to hear it, because now when there's a vacancy for a judicial appointment there's an advertisement placed in any number of places, and people are invited to apply. Anybody can apply, and anybody does, but there's a process whereby those applicants are screened and they're interviewed by independent people and independent bodies, and then there's a short list made. That is then put to the cabinet for appointment. That's a good process, because there is accountability and there is justification and there is transparency in that process. That process doesn't exist in this motion tonight.

Mr Guzzo: You didn't like the judicial council?

Mr Kormos: Well, exactly the point. That was the old days. We've moved beyond that, and again that's not to say that any of those people appointed by that process were any less but for the process, because judges appointed in that process had to live with the inevitable suggestion, "You know why so-and-so made that ruling, because of so-and-so." That's why the process was changed. That's why there was a process introduced, so that no judge had to live under that cloud of somebody, wink, wink, nudge, nudge, saying, "You know how that judge got his or her job." It's one of the fundamental and very good reasons why the process was improved.

Look at what we're doing to Judge Osborne. Look at what you're doing to Judge Osborne. I suggest to you,

should this motion pass, you are clouding his status as Integrity Commissioner in a way that doesn't have to be. New Democrats are trying to avoid that out of the most basic sense of what's fair, what's just and what is best going to serve the office of the Integrity Commissioner and, quite frankly, not only the members of this Legislature—we're the least important considerations when it comes to the office of the Integrity Commissioner—but in fact the public of this province, some 11 million Ontarians mentioned earlier. Public interest is what that office is all about.

How can you argue that the salary increase is arm's length when the appointment is so intimate? At the end of the day—and it appears by virtue of the time allocation motion that Bill 82 is going to pass, sooner rather than later, that it's not going to go out to public hearings the way New Democrats have demanded, that it's not even going to get to committee, where we were so pleased to see it. At the end of the day, there is going to be a salary set by an Integrity Commissioner, and not just once but over and over again. If any of you genuinely thought you were resolving some problems about MPPs' salaries, I'm telling you, you've compounded the problems by the manner in which you appoint this commissioner.

I wrote to the Speaker on April 23, with copies to the Conservative and Liberal House leaders. When writing to the Speaker, I indicated that I appreciated his role as a neutral moderator on issues of this nature. I requested the Speaker's intervention, knowing full well that the Speaker had very limited powers to intervene, because at the end of the day it's all about putting a motion before the House by the government House leader. If a deal had been struck between the government and the Liberals before that motion was put, that motion was going to pass sooner rather than later.

I asked the Speaker to please use his persuasive powers to have the matter of a new Integrity Commissioner go to a tripartite, an all-party committee, like the appointment of the Ombudsman, like the Environmental Commissioner, like the electoral commissioner went to. I pleaded with the Speaker, knowing full well that the Speaker had limited powers. Once again it's all about: the government moves a motion, strikes a deal with the official opposition, and then it's a done deal. I asked the Speaker to use whatever powers, persuasive powers, and even coercion that he could for the sake of openness and accountability. I indicated quite clearly that we won't settle for anything else, and we won't.

Imagine my surprise when I learned in a newspaper column that both the Conservative and Liberal House leaders, as the newspaper column related it, had written to the Speaker indicating their preferred designee without copying the New Democrats, without telling us of their plans to roll ahead with their scheme. To be fair, the government House leader, when I confronted her with it, acknowledged that it had happened, that it had taken place, and that's the way it was going to happen. There was absolutely no interest I seeking—the government's

interest and the Liberal Party's interest in seeking three-party agreement was, "Say 'agree' or else we'll do it without your agreement." I suppose that's one style of consensus. "Agree or else we'll do it without your agreement." Down where I come from we call that certain things that I'll leave down where we come from, because you're liable to find them unparliamentary.

That prompted another letter. Quite frankly, it prompted incredible concern on the part of the NDP caucus and its members. On June 20 I wrote a letter to the Speaker and spoke of what was an unseemly alliance between the Conservatives and the Liberals forming behind closed doors, and that's what it was. Look, had it not been for a Toronto Star columnist printing about it, I'm confident the New Democrats wouldn't have found out about it until the motion was served on us by virtue of notice of motion, because it was kept secret. It was kept secret, it was kept surreptitious, it was kept in the dark very consciously by the government and Liberal House leaders. I wrote to the Speaker on June 20 this year talking about, yes, the unseemly alliance between the Conservatives and the Liberals forming behind closed doors to force the appointment of a new Integrity Commissioner.

I referred to my earlier letter, April 23, copies of which had been sent to the Conservative and Liberal House leaders, where on behalf of my caucus, the New Democratic Party, I strenuously objected to this scheme, this secret process. I reminded the Speaker that in earlier meetings with other House leaders I had persistently advanced the NDP's firm position of the appointment following the same open process as other legislative appointments. I made it quite clear that the New Democrats are going to oppose the Conservative-Liberal drive to appoint their recommended candidate in secret, without due public process. I expressed that I was suffering even greater concern when I learned about the secret correspondence between the government House leader and the Liberal House leader and the Speaker, indicating their desire to proceed with this matter by way of the motion tonight.

I am concerned about secret deals being made between the Conservatives and the Liberals. I believe the public should be concerned about secret deals being made between the Conservatives and the Liberals. I believe that those interested in any element of credible parliamentary process should be concerned about the secret deals between the Conservatives and the Liberals. I suggest to you that it has become symptomatic of a new style of politics in Ontario, one that doesn't serve the parliamentary process well, one that doesn't serve the people of this province well.

2000

New Democrats don't want these secret deals, and I tell you, there was a secret deal made about this motion tonight—and the avoidance of a public and accountable and justifiable and transparent process for the selection of Integrity Commissioner. New Democrats oppose this motion because we believe that it's important, to maintain

the ongoing legislative tradition that's being developed, to retain the level of transparency and arm's length that was inherent in the appointment of, for instance, Judge Clare Lewis as Ombudsman.

Look, I understand that for one reason or another, some people may not want to undergo the scrutiny of a committee process. I understand that. Some very outstanding people have undergone that in any number of committee processes with respect to any number of appointments, none of them any less or more significant than the Integrity Commissioner's appointment, and none of them tied in as closely as this appointment is with a bill like Bill 82, whose proponents, whose advocates—the Conservative and Liberal caucuses—say creates an arm's-length relationship, when in fact what's happening tonight reduces that from arm's length to, I suggest to you, in fact very intimate.

Again, am I suggesting that Judge Osborne has been co-opted? No. But I am telling you that it's not enough for Judge Osborne to have integrity; the process has to have integrity, because, you see, some of us know Judge Osborne a little better than the general public does. The public has to have confidence in the Integrity Commissioner, just like the public has to have confidence in the Ombudsman. My goodness, the public has to have confidence in the Ombudsman. I believe that the process that the New Democrats insisted upon with respect to the Ombudsman, participated in, and that Conservatives and Liberals participated in, enhances the integrity of the Ombudsman, gives him legitimacy, credibility, makes it possible for him to do the job in the way it was intended that he do it.

You're doing the exact opposite with respect to the Integrity Commissioner; you're clouding a process that ought to be pristine and that every member of this House should want to make pristine. It's not good enough to say, "But we did it that way before." The fact is, we shouldn't be doing it that way any more, we shouldn't, and we've demonstrated that you don't have to do it that way, that there is an integrous way to do it. There's an accountable and justifiable and fair and transparent way to do it, and that's by a three-party committee; that's with applications being invited from people across this province and beyond; that's with a consideration of all those applications, with interviews, with the screening process and three-party agreement. Then you've got an Integrity Commissioner who can do his or her job unfettered by any stain or any cloudiness.

It's not fair to the people of the province, it's not fair to the person you appoint as Integrity Commissioner, to build this cloud over him before he is even able to begin his task. New Democrats continue to oppose the government and its Liberal alliance and their passion for this process. We continue to insist on a fair process, a just process, one that we participated in—

The Acting Speaker: Thank you; the member's time has expired. Further debate?

Hon Mr Baird: I'm certainly very pleased to have the opportunity to rise today and speak to the motion in front

of us to appoint Mr Justice Coulter Osborne as the Integrity Commissioner. This Integrity Commissioner doesn't work for the government. That position in Ontario works for all of us, works for the Legislative Assembly of Ontario. The choice of an Integrity Commissioner is certainly very important for that reason, because it serves all of us.

I'm going to share one comment that my colleague from Niagara Centre spoke of. He said it was important that we have an Integrity Commissioner who will inspire public confidence, and I believe Justice Coulter Osborne will do just that. He's got a tremendous amount of experience, appointed on a good number of occasions by other levels of government. He was called to the bar more than 40 years ago. He practised law. He was first appointed as a justice of the Supreme Court of Ontario back in 1978. He was then appointed as a justice of the Court of Appeal for Ontario in 1990 and then appointed Associate Chief Justice of Ontario two years ago. He has had a distinguished career and I believe can inspire the public confidence that my colleague from Niagara Centre spoke about.

It's important that we get on and make this decision. There has been a good deal of discussion in recent weeks, in fact months, about this. When Justice Robert Rutherford, someone of great integrity, left the position, Mr Justice Gregory Evans agreed to come back from retirement to take this position on an interim basis. It's important that we do get on and name a longer-term commissioner so we don't call upon Mr Justice Gregory Evans to continue to fill in in this position.

The Members' Integrity Act has a long preamble, but one of the sections in it I thought was fairly apt. It said, "Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly's dignity and justifies the respect in which society holds the assembly and its members." The Integrity Commissioner plays a pretty important role in that in three important ways, I would argue. He can adjudicate formal complaints under the act and respond to those when a member raises them and brings them to his attention. They undertake a periodic review of members' filings, of their public disclosure, and will require the members to pay a yearly visit to the Integrity Commissioner, who then files public filings with the Clerk of the Legislative Assembly of Ontario. So it's important we have someone in that. That process normally takes place in August and September, so it would make good sense to get this change made and allow a new incumbent the opportunity to engage in that process, where they're able to do what is the biggest job of the Integrity Commissioner. It would be a good opportunity for them to undertake that new responsibility.

It's also important for a number of reasons. The Office of the Integrity Commissioner and the Integrity Commissioner can receive inquiries from members on a regular basis. My office and I regularly will write to or call the Integrity Commissioner and say, "Listen, this situation's come up. What do you recommend we do?"

What is it permissible for us to do? What do the requirements of the act allow?" That office will give advice and suggestions from time to time which I find tremendously helpful and that I know my constituency and ministerial staff find helpful.

I believe Mr Justice Coulter Osborne will inspire that public confidence, and it's important that the public have confidence in the system. Public cynicism has not run well for the institutions of elected officials. When I look back, in my constituency, at the members we've elected both federally and provincially over the last 25 or 30 years, people of great confidence, of great integrity, of great honesty have been elected and had the trust of people. Probably in the time since the Watergate scandal in the United States and in the successive problems here in Canada and indeed Ontario, there have been concerns brought up from time to time. We need an Integrity Commissioner to make those adjudications.

2010

I look at people in my own constituency who have been elected: Bill Tupper served as a member of Parliament for four years, served as mayor of Rideau township before that, someone who brought great integrity to the process; Walter Baker, someone who served in Parliament for 11 years representing Nepean-Carleton, brought great integrity to this process, brought great integrity to the institution of Parliament. That's what the Integrity Commissioner is seeking to do: to inspire public confidence and to undertake the reviews, to undertake the inquiries and to undertake the adjudication of formal complaints, as I said earlier, as a good sounding board.

I think we've been fortunate to have two good incumbents in my time in the Legislature, both with Judge Evans and Judge Rutherford. I know Lynn Morrison, who works as the executive assistant in that office, does a lot of tremendously hard work to assist the incumbent in that position and we're fortunate to have capable, dedicated—I don't want to say public servants because it's not a public service position—people who serve the public and serve the public interest so diligently in this regard.

I don't think there is a requirement, to the best of my knowledge, that this individual whom we appoint as Integrity Commissioner be a judge, but certainly the power that this Legislature—it was actually the Parliament previous to my being elected, in 1994, but certainly for the proclamation—has given that office demands, in my judgment, someone with something greater than just administrative experience like we would have in an administrative tribunal, a quasi-judicial body, someone who can undertake the process and can consider and properly reflect on the tremendously important matters that are put in front of him or her. Certainly someone with the kind of experience that Mr Justice Coulter Osborne has is capable of doing that. Being a lawyer is certainly helpful and the experience that he's had in a successive number of responsibilities on the bench where I think he's always performed admirably, where I think he's always performed with great distinction.

If you look at the appointments that he's received, in fact, if you look at him being appointed in 1978 by the then government of Mr Trudeau, being appointed in 1990 by the then government of Mr Mulroney, being appointed again in 1999 by the then government of Mr Chrétien, it shows that he has the confidence of people from a number of political persuasions. Every time that it's been given to him, indeed additional confidence has been given to him following that, with the success of a number of additional responsibilities or promotions. He worked in 1987 as a commissioner on the inquiry into motor vehicle accident compensation in Ontario, pointing to that fact again here in the province of Ontario.

Each year the Integrity Commissioner comes forward with a report on the dealings in his office. This takes two forms: from the yearly filings that he does, he files that report with the Clerk of the Legislature, and then he comes out with various inquiries that his office or her office, or whoever it may be in the future, has received the past year. I find those tremendously helpful as a member. I take the time and I require all my staff to take the time to read them each year and to recognize the challenges.

Sometimes it can be as simple as a letter going out on a member of provincial Parliament's Legislative Assembly letterhead as opposed to something representing responsibilities in the executive council; sometimes even identifying what's a quasi-judicial tribunal versus what is an administrative tribunal; where it's appropriate to write the minister, where it may not be appropriate to write the agency directly. It's tremendously important that we get someone of high calibre, of wisdom and of integrity to be able to make these adjudications, someone like Mr Justice Coulter Osborne, who I believe will inspire public confidence in the process.

The position obviously became vacant a number of months ago with the resignation of Mr Justice Rutherford. Judge Evans has taken on the position. It was on a temporary basis and I think it's incumbent upon this Legislature to have the kind of debate that we're having. I appreciate that my colleague from Niagara Centre disagrees with the process. Reasonable people can disagree, but at some point you've got to move forward and make a decision and get a new incumbent in place to undertake the significant responsibilities which this office holds. That's why I'm very pleased to have had the opportunity to speak to this important motion. I'm hoping that we can have a good debate this evening and that we can pass the motion and move on to other important business for the people of Ontario later in the week.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I'm pleased to rise tonight to speak to and support the resolution standing in the name of the government House leader appointing Mr Justice Coulter Osborne as the new Integrity Commissioner.

I listened to the debate, particularly the argument advanced by the member for Niagara Centre. I don't want to spend a lot of time tonight on the process, though I do recognize that in these matters I suppose process is

important. I wasn't privy to the conversations between House leaders. Quite frankly, I wouldn't expect that ever and always there is going to be unanimity. I would hope there would be a best effort to find agreement among all members of the Legislature.

But I simply want to say I congratulate the government for recognizing that in this role, an extremely important and central role to the effective operations of the Legislative Assembly and the executive council, they have chosen to nominate a distinguished Superior Court justice. I believe the Legislature did a very wise thing in 1994 by enacting the Members' Integrity Act, which, under section 23, establishes the Office of the Integrity Commissioner. But I think it is even more important that the public recognize that we as a political community, as a parliamentary community, recognize it is very important to recruit to the Office of the Integrity Commissioner someone who is learned in the law and is experienced in the senior levels of the judiciary. I think it's not only important that we recognize the significance of the role, but I think it is very important for citizens, whether they live in North Perth or in the Ottawa Valley, to look and say, "Who is the person who is supposed to arbitrate in the public interest the private and commercial affairs of members of the assembly, including members of the government?" I've always felt it is a very powerful and positive signal for that person to be a senior member of the judiciary.

A few years ago there was some discussion here about perhaps making that position a position of the bureaucratic establishment. I want to say that I think the federal arrangements are absolutely deplorable. I do not know how self-respecting members of Parliament nor how people in the federal establishment can, in the year 2001, accept the transparently outrageous situation where you've got an Ethics Commissioner who is, I understand, a public servant and who reports directly to the Prime Minister. That is an embarrassment that no self-respecting member of Parliament or member of the executive council in the dominion government should accept. I say, I hope in not too self-congratulatory a fashion, that our mechanism as set out in the 1994 legislation is obviously and infinitely superior.

What we've seen in the so-called Shawinigate affair is a perfect example of why you do not want the arrangement they have in Ottawa. Even if, in fact, Mr Wilson has gone about his business in a thoroughgoing fashion, as he probably has, who can have respect for such a decision when the so-called arbiter, in this case, is investigating the behaviour of the Prime Minister but must report his findings about the Prime Minister to the Prime Minister? It is absurd.

So I simply say I congratulate the government for bringing forward this resolution and nominating someone I know to be a distinguished member of the judiciary. I think, in Coulter Osborne, we've chosen very well. I say again to my friends in the government that I appreciate you have resisted the temptation that was abroad in the land a few months or years ago to perhaps reduce the

status of the Ethics Commissioner from that of a senior judge to someone at the department of the Attorney General or elsewhere in the public service. Not to diminish those people, in my view it is simply unacceptable that we would ask a bureaucrat, a member of the public service, to stand in judgment of honourable members, including members of the executive council, including no less a person than the first minister himself or herself. So I think we have a good appointment, I think we have an excellent appointment, and I simply want to stand here tonight and make that point. I can't speak to the process because I wasn't involved.

2020

I want to say to my friend from Niagara that I understand, and quite frankly I share the concern about asking the Integrity Commissioner to take up the cudgels we are offering him in Bill 82. It is not my position. I do not think it is a good or healthy thing for this Legislature to establish, in a sense, a commercial relationship with our father confessor. I understand that I am very much in a minority in that position, and I quite frankly am in a distinct minority in my own caucus. I think it is a very bad thing. If I were the Ethics Commissioner, the Integrity Commissioner, I would go some very considerable distance to avoid the responsibility, though I suppose at the end of the day, what can I do? I am a servant of Parliament and if Parliament says, "Thou shalt do this," what am I to do, short of resigning?

But I ask members, and I think the member from Niagara makes a very good point, what are we asking the Integrity Commissioner to do? The individual who is going to, as someone pointed out—I think it was the previous speaker, the Minister of Consumer and Business Services. Let's go to the preamble of the 1994 legislation, the preamble to the Members' Integrity Act:

"It is desirable to provide greater certainty in the reconciliation of the private interests and public duties of members of the Legislative Assembly, recognizing the following principles:

"1. The assembly as a whole can represent the people of Ontario most effectively if its members have experience and knowledge in relation to many aspects of life in Ontario and if they can continue to be active in their own communities, whether in business, in the practice of a profession or otherwise.

"2. Members' duty to represent their constituents includes broadly representing their constituents' interests in the assembly and to the Government of Ontario.

"3. Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly's dignity and justifies the respect in which society holds the assembly and its members.

"4. Members are expected to act with integrity and impartiality that will bear the closest scrutiny."

That is, I think, very properly a high-minded purpose. It is to that purpose that we delegate to the Integrity Commissioner in the public interest a very important

adjudicative role, a very important and delicate decision. Think back not that many years ago to what happened in British Columbia, where you had that rare and exceptional and incredible case of the then commissioner—help me here, Claude—Ted Hughes, confronting the Premier of British Columbia, Mr Vander Zalm, in the case that ultimately led to his retirement from public office.

I think I remember that case correctly. Poor Mr Vander Zalm didn't believe he had a conflict of interest unless it became public, as I recall that case, and so we had Mr Justice Hughes—I think he was a judge; he may not have been, but a very esteemed gentleman nonetheless who has done the work, not just in British Columbia but has advised in maybe one or two other of the Canadian provinces. But imagine a situation where you're the Ethics Commissioner or the Integrity Commissioner and you have on the line the leader of a government who has done some things that are egregious insofar as breaching the statute is concerned, if they had one, or the guidelines, if those were the rules. I think under those conditions, you want to have the most proper relationship between the Integrity Commissioner or the Ethics Commissioner and all honourable members.

So I accept the argument that contained within Bill 82 is something that, for me, is not very acceptable, either to myself or, from my perspective, the Legislature. We'll debate that, I suppose, and it has been debated in other places.

I want to say tonight that it's been my experience over the past 15 years, both as a minister of the crown and as a member of the Legislature, to have dealt with very distinguished Ontarians. John Black Aird, I remember when we were forming a government, was involved in taking us as potential candidates for cabinet through a fairly detailed exercise. Certainly Justice Gregory Evans is someone I know well and for whom I have the highest regard, someone who has counselled me on many occasions and, I felt, very constructively. Mr Justice Rutherford was someone with whom I dealt in a relatively short period of time, and I must say that in my experience with Mr Justice Rutherford, I felt well served, although there was definitely a cloud, regrettably, over the office in his last weeks, for whatever reason. I simply want to make the point that in my experience with Mr Justice Rutherford, I found him to be extremely accommodating, forthright and helpful.

I am very confident that Mr Justice Coulter Osborne will serve us with distinction, and I note, as other members have, that he has served in the public interest here in Ontario in a number of ways. I remember being in government in the late 1980s when our cabinet appointed him commissioner into the whole business of insurance and motor vehicle accident compensation.

I say tonight that I think we have an opportunity to say some things about an important mechanism. I want to say, and I'm glad the Chair of the Management Board is here tonight, and I don't want to belabour this point but I am very concerned about this Red Tape Commission, not

because I think there shouldn't be some rigorous ongoing mechanism in any government to deal with the problems, the challenges of bureaucratic tape and tangle. Most governments across the developed world are certainly seized of that. One thinks of Vice-President Gore and his initiative in Washington.

I have no difficulties with, in fact I understand entirely, the argument and the impulse that wants to get at that. As a citizen, I'm happy to support it. But the architecture that has been established in this Red Tape Commission is absolutely unacceptable if the submission the Cabinet Office has made to the privacy commission in an important decision of two years ago is to be credited. Because according to the Cabinet Office, a position that's been confirmed by an affidavit signed by the secretary of that Red Tape Commission, we now have a situation where we have members of the Legislature, not of cabinet, and now one private citizen, who according to the Cabinet Office submission have wide-ranging access across the entire waterfront of government activity.

We have had Mr Gilchrist and Mr Sheehan confirm the fact that they are seeing, on a regular basis, very sensitive insider information and they are not subject to the same conflict-of-interest guidelines that apply to ministers of the crown. I say with all due respect, we simply can't have that.

Hon Rob Sampson (Minister of Correctional Services): They take an oath of secrecy.

Mr Conway: They take an oath of secrecy, to be sure. So do cabinet ministers. But cabinet ministers are expected to take more than an oath of secrecy, as this act establishing the Office of the Integrity Commissioner makes plain. What it is cabinet ministers are specifically precluded from doing is set out in detail in this act, the Members' Integrity Act, 1994. I ask this House, are we serious? Are we really serious about leaving the door open to the kind of insider information that is clearly available on an ongoing, daily basis to these Red Tape Commissioners without, at the same time, wanting to subject those people to the kind of accountability standards and oversight that apply to ministers of the crown? I think not.

2030

I would hope that before too long the government and the Legislature address this situation, because again, we are in a business, all of us, that is not exactly esteemed in the community.

I was just thinking, as I prepared for these brief remarks tonight, look at what the Canadian public has been treated to in the last number of years. I'll say this in a completely ecumenical and non-partisan fashion. I've always imagined that one of the most antiseptic political cultures in the British Commonwealth was Saskatchewan. Look at what we have seen in Saskatchewan in the 1980s—unbelievable, tragic, a total mess, apparently: convictions, suicides, jail terms. Who would have thought it? I wouldn't have, not to the extent—it looks like a rot that went right through much of the Legislature and government.

What have we seen in British Columbia in recent times? And we've seen it in other Canadian provinces. We've seen the situation in Ottawa. I say again, as a politician, someone who's proud of being in public life, I am very concerned about the kind of injury we seem to want to visit upon ourselves. "I'm only guilty of conflict of interest if I get caught. I think I can go to work in the morning and see all this sensitive government information, most of which has a huge commercial value, and walk out in the afternoon and carry on my business."

Even if you are perfectly pure, I'm going to tell you, there are going to be people in Renfrew and Toronto and Woodstock who are going to say, "Boy, you are going to have to be superhuman to avoid the temptation to act on what it is you know." All of us here know why we have to be governed by fairly tough and sensible rules. We ought to, to the very best of our ability, go the extra step to create an environment, as this act suggests, of public confidence in all matters that we do. Of course there are going to be failings and sinners, and you know, there'll be sinners nicely distributed around the several political caucuses so we'll always be able to say, "Well, you had Patti Starr," and "You had somebody," and you know we'll cheer and clap, except the jury of the public will look at us and say, "Whom do you think you're kidding?"

I've watched good friends—I think of Darcy McKeough, one of the ablest people who ever served here, get caught with that silly little business about something involving his brother. It was entirely accidental, and he walked, in a very honourable way.

I think of our friend Runciman. Bob and I don't always agree on a lot of things, but I've a lot of respect for Bob, and I'll say one thing: it just infuriates me to this day that he had to leave this cabinet a couple of years ago over something that I know if he had anything to do with, it was all the right advice. One of our colleagues, one of your colleagues, a member of the cabinet, and he walked. Why? Because some little twit in the Premier's office wouldn't listen to what undoubtedly the Solicitor General was saying, what his own department was saying and what a lot of smart people in the government were saying.

Hon Mr Sampson: Been there, done that, Sean.

Mr Conway: Yeah. But we're the politicians. We're the ones who put our names on the bloody ballot. The question I ask, as I prepare to take my seat, is, where did this peculiar logic come from? Listen, I've made my mistakes, I've done more than my share of stupid things. I'll accept my responsibility, whether it's on Bill 82 or anything else. The people of Renfrew will know, at the end of the day, what I did and why I did it.

But I want to tell you, when I see people like the now Minister of Economic Development walking the plank for a mistake made by some unelected twit who wouldn't listen to the advice, I'm telling you, it makes me really happen to support this resolution tonight.

Ms Shelley Martel (Nickel Belt): Speaker, we intend to be here for a while. I know my colleague Mr Marchese, who has just arrived, is eager to speak, and my

colleague from Timmins-James Bay, and of course our leader will, so we're going to be here for a while tonight.

I think where I want to begin is to go back to the comments that were made by the Minister of Labour in the short time that he spoke before he disappeared. I regret the comments that he made, frankly, because I thought they were singularly unfair and not quite correct.

The first thing he said was that we were lucky to attract such an individual, and of course he was making reference to Justice Coulter Osborne. He would leave the impression with the public who are listening to the debate tonight that there was some kind of process whereby he came forward and was selected. I don't know if he did that purposefully. Maybe it was unintentional.

I'm not here to make a comment about Coulter Osborne; I don't know him. I've never had dealings with him. In the time that he was doing work with respect to auto insurance, it was my colleague Mr Kormos who would have had dealings with him, because he was dealing with insurance matters. I've had no personal involvement and no involvement with respect to cases around auto insurance with him at the time that he was doing work for the government of Ontario. So we may well be lucky to have attracted such an individual, because what I hear of him is all very good.

The problem is that the minister would leave an impression with the public that somehow he was selected out of a pool of other qualified candidates who came before members of this assembly, and was selected by them to be appointed as the Integrity Commissioner. There was no such process around this appointment, and I'll speak further about that.

The second thing the Minister of Labour said, which I deeply regret, was that the NDP, in not being unanimous with this decision, was somehow providing a great disservice to the people of Ontario because we are not unanimous in this name going forward. Again, the minister would leave the very false impression with the public watching this debate that somehow there was a process that we were party to, and that at the end of the day we just didn't like the choice of the candidate and so will not be unanimous in putting his name forward.

Again, nothing could be further from the truth, because there was no process here. What happened, if we are going to be honest about it—and I say this to both the Liberals and the Conservatives—is that a deal was struck about the choice of this candidate behind closed doors, with no kind of public process, with no kind of input. I suspect, if we really got to the heart of the matter, and I don't anticipate that we will, that a commitment was made by the government to the justice with respect to the appointment and the government went to the other two House leaders assuming there would be a rubber stamp, and there wasn't. And now here we are: the two parties, Conservatives and Liberals, will go forward with this name, and somehow the NDP is to be criticized because we don't want to be party to what was, in essence, in all honesty, in truth, a behind-closed-doors, secret process with no input—not only from the public, but no input

from other candidates. There was no other choice to be had because this was the only name that I suspect the government put on the table when it was put on the table to the other two House leaders as far back as February 2001.

2040

Let me deal with the process, because I think it's really important that the public know there wasn't a selection process here at all. We are being presented—when I say “we” I mean New Democrats and then the public generally—with what is a fait accompli. You see, what I think happened in February—and I wasn't there because I'm not our party's House leader. But what I think happened, after we had some problems with respect to Justice Rutherford—and I regret that those things occurred, but they did—there was a decision made to have Judge Evans continue on an interim basis, and New Democrats appreciate that he was prepared to serve on an interim basis until a new Integrity Commissioner could be appointed.

That's where we part company with our friends in the Liberal and Conservative parties, because I think what happened is, after a decision was made by the House leaders to have Judge Evans fill in on an interim basis until there was a new selection, the whole thing broke down. I think the government came forward with the name of Judge Osborne and said very clearly to the other two House leaders, “Here is who we would wish to appoint as the Integrity Commissioner,” and that was the beginning and the end of the process, because the fact of the matter is we've never got beyond that point.

The Liberals have agreed with the government putting forward the name of Justice Osborne, and I heard the House leader for the Liberal Party say here this evening, “Mr Osborne's name came up,” just bubbled up out of thin air, as if by magic. It was put on the table just like that. Imagine that. What a process. His name just came up. I thought to myself, isn't he lucky that his name just came up. I bet you there were a few other Superior Court Justices who would have liked their names just to come up too with respect to this appointment.

Let's get serious. His name came up because the House leader for the government came in and said, “Here's who we want to select.” That's how his name came up—nothing magical about this process. It wasn't any more complicated than that. “Here's who we want. We've already talked to him. He's agreed to take the position, and now we want your endorsement.” And we said no. We said no, not because of the individual involved. I don't know him.

Mr Rosario Marchese (Trinity-Spadina): I know him.

Ms Martel: Maybe my colleague the House leader does. Maybe he does from his days in court. I'm not sure. It doesn't matter. The point is that if you're going to have a process to select an Integrity Commissioner, who is an officer of this assembly, why would we not follow the same process that we have recently followed with respect to the selection of the chief electoral officer, with respect

to the selection of the Ombudsman, with respect to the selection of the Environmental Commissioner? What did we do in those cases? What did we do? The public needs to know. In those three most recent cases, an all-party committee was established. We had representation from the Conservatives, from the Liberals and from our caucus. Mr Marchese, who is here and who was involved in most of this, is going to speak to this process later and to how effective it was. But we have lots of time to speak tonight—

Mr Marchese: I will speak to that.

Interjections.

The Acting Speaker: Order. I don't like the cheer-leading section; it's leading to other things. I would ask the members on my right to be careful that they aren't drawn into things that they wish they weren't. I would ask the member for Trinity-Spadina, if he would like to talk, to take his seat.

The Chair recognizes the member for Nickel Belt.

Ms Martel: The member for Trinity-Spadina will speak to his involvement in these processes. But as an outsider looking at it, I can say the following occurred. An all-party committee was established. That committee then went out and publicly advertised for the position in question—paid to advertise in newspapers, had the information on the Internet, it was probably posted on the Legislative Assembly channel as well—and actually made the public aware that the position was open and invited applicants to apply. What a novel process. Isn't that intriguing? Not very complicated. Then applicants sent in their CVs, indicated their interest in the job and from there a subcommittee ranked those applicants. In all three cases, I understand, there were numbers of applications from any number of qualified people from within the province and outside.

The committee was then charged with ranking the applicants as the curricula vitae and other information came in, and the committee made a determination to interview applicants. In each of the three positions that I've described, a number of applicants were short-listed and came before the committee in a public process on the record and were questioned by members from the committee about their interest in the job, what they hoped to bring to it, what their qualifications were etc. So there was an interview process that actually took place by members of this assembly for positions for people who are to serve members of this assembly, and then decisions were made from the committee about who would be the successful applicant. That is a very open, very public, very transparent process that has occurred with respect to the three most recent appointments that we have been charged with making with respect to three officers of this assembly. That's the most recent process that we have followed for no fewer than three officers who have been selected.

So why do we have a difference in this process with the Integrity Commissioner? Why is it that neither the Conservatives nor the Liberals were interested in a similar transparent, open public process to choose the Integrity Commissioner? I don't hear a reason for that. I

haven't heard members of the other two parties say why they were not interested in having this position, that of the Integrity Commissioner, advertised, to invite applicants, to go through a screening process of their CVs, to make a decision about a short list to be interviewed, to have those interviews by that all-party committee and to make a selection that hopefully could be unanimous. Why did neither the government nor the Liberal Party want to do that in this case?

It's not enough for me to hear the House leader for the Liberal Party say, as he did tonight, that as a result of what's happened here with this appointment the government is now interested in having some discussions and some debate and dialogue about a more formal process for the selection of officers of the assembly. Well, fine and good, but why aren't we applying a public process for this appointment? Yes, I'm interested in a formal process for the future, but I'm also terribly interested in the process right now for this appointment. Let's be clear: there was more than enough time for that process to occur—more than enough time. We could be here tonight debating on a name unanimously accepted if the government and the Liberals had chosen not to go down that path of an open process.

Our House leader wrote to the Speaker, wrote to the two House leaders for the Conservative and Liberal parties, as early as April 23 and said we will not participate in the naming of a single individual that the government has brought forward for this position; we will not participate in a behind-closed-doors, process with respect to the selection of an officer of this assembly. We will certainly not do that when, in the last three appointments we've made of officers, we've used a completely different process that has been transparent, has been open, has been accountable.

2050

We made it clear to the Speaker and the House leaders then that we were not just going to rubber-stamp the name of this individual and we made it clear why. We said we would be happy to participate in an all-party process to deal with the selection of this individual. That was as far back as April 23.

If the government and the Liberals had been interested in an open process, we would have completed that process here tonight. We would have been here tonight, I suspect, after having received expressions of interest from any number of individuals, highly qualified individuals too, after having reviewed their CVs, after having short-listed them and after having interviews, and we could have no doubt come to the selection of the individual we felt was best qualified out of a field, out of a range, out of a pool of qualified candidates.

The reason I regret we're dealing with this motion here tonight is that it didn't have to be this way. We sent a signal clearly to the government and to the Liberals over two months ago that we were prepared to participate in a process that has been used most frequently and most recently in this place, and that's what we should do to get to the position of appointing an Integrity Commissioner.

We say that because, in my view, it is terribly important to be sure that the process itself has some integrity if you're to convince the public out there that this is an individual who is in the best position to look after the interests of MPPs, especially with respect to what that individual has to deal with, which is our personal affairs and the disclosure of our personal financial affairs.

It's terribly important that the public have confidence that we have selected the best candidate out of a field of candidates, and we do not have that in this case. That is not a reflection of Judge Osborne's abilities; it's a reflection of the process itself. None of us can stand and say, "We heard from a great number of highly capable, highly competent, highly qualified individuals and we selected the best one among them." That's not what we have in place. I think we do a disservice to the public, to ourselves and, most of all, to the individual who's going to get this position, because we cannot with confidence say we went through an open, accountable process and chose the best candidate from that process.

The other reason I am terribly concerned about what we are doing here tonight relates back to my comments when I spoke in opposition to Bill 82. I said at that time that if the government was adamant about having the determination of pay sent off outside this place, that is, not dealt with by MPPs, then the least the government had to do was ensure that the body that dealt with that matter was completely arm's-length from MPPs, and it is not. I raised that concern last week and I will raise it again here. A new, additional responsibility that this government will give the Integrity Commissioner as a consequence of Bill 82 is to determine and to put into effect MPPs' pay.

I remind members, this individual is an officer of this House. We, as MPPs, establish the terms and conditions of his employment and his pay. If we are going to demonstrate to the public that his determination of our pay is arm's-length, then he cannot be the one making that decision. He should not be the one. He cannot be the one. We cannot think for a moment that there won't be a public perception that it's tainted and jaded by the fact that we are here tonight going forward with the name of the individual who did not go through a public process—not at all—and he is the same one who is going to determine MPPs' pay over the next number of months.

We should be as far away from that as possible. We should not be putting ourselves in that position. It taints all of us and puts a cloud over all of us when that is the process that will deal with our pay and the process for the individual who got there to determine our pay was not a public one, was not an accountable one. I regret that we are in this position tonight, because I believe we could have had a public, accountable process if the government and the Liberals had wanted to. I regret that they didn't want to. Otherwise, I think we would have had a much different decision and debate here tonight.

Hon Norman W. Sterling (Minister of Consumer and Business Services): I just want to put on the record

what happened with the last two integrity commissioners when they were appointed. When Justice Evans was appointed as the first Integrity Commissioner of this place, the Premier of the day, I think Mr Peterson, phoned the two opposition leaders, one in the Conservative Party and one in the NDP. It was done over a phone call in five minutes. They wanted to know a little about the background of Judge Evans, and it was done in five or 10 minutes. That's essentially what happened with the appointment of the first Integrity Commissioner.

The second Integrity Commissioner, Judge Rutherford—I participated in that as the government House leader, in 1997-98. There had been a lot of discussion with the previous House leaders by my predecessor as the House leader, Dave Johnson, as to a replacement for Judge Evans, who wanted to retire. There was a lot of going back and forth and whatever. I went to Judge Evans and said, "Do you have a recommendation for your replacement?" Judge Evans recommended Judge Rutherford. I talked to the two other House leaders and they said, "Judge Rutherford is fine with us." The deal was done in about five minutes. We passed a resolution in both cases in the House, and it was done.

What I find amazing here is that we have an excellent, excellent candidate in the candidate we have here. We're very lucky to get Coulter Osborne to accept this position, to take this on as a task after his eminent career as a justice in this province. Before, the three parties were able to get together and say, "No, we don't need to go through a process. We have two excellent candidates. We can check into their background ourselves before giving our OK," and we did it. We did it by every party acting, in my humble opinion, in an adult, mature fashion and saying, "Why do we need a long process if you've got the best candidate you probably could get," or one of the best candidates, "who is willing to take on this very difficult job?" I think we're lucky to get Coulter Osborne.

The arguments put forward by the NDP that previously we had an open process for these appointments is wrong. It's just not the way it was. It didn't happen. All three parties agreed, as they across the way say, behind closed doors. But there's nothing "closed doors" about this at all. Members of the Legislature have their opportunity to vote in favour or against this resolution. They all have the opportunity to find out about this particular individual and his capabilities to do the job.

I have no problem voting for this individual. He is stepping down now and retiring from a very illustrious career on the bench. I think we're lucky to get him. I'm not sure that in this particular position you can have the kind of process you can have for the Ombudsman, for instance. It's a different position. I think it requires a different process. It requires delicate negotiations with those who might or might not step into this job, depending on how that particular process goes. In the past it worked well for the two previous commissioners. The NDP didn't find any fault with it then and I don't think they should find any fault with it now.

2100

The Acting Speaker: Further debate? The Chair recognizes the member for Elgin-Middlesex-London.

Mr Peters: Thank you very much, Speaker. It was a pleasure to see you this past week in St Marys at the Canadian Baseball Hall of Fame induction ceremonies. It was a wonderful ceremony and great to see the Speaker there representing the province. It truly was a good ceremony. Even though it's not my riding, if you've never been to St Marys and the Canadian Baseball Hall of Fame, I really urge you to go, because that sense of history and heritage is everywhere around you.

I have to make a comment to the previous speaker, the member for Lanark-Carleton. I've watched the honourable member over the years and I've always watched his attire in this Legislature. I know it's darn warm in here tonight and I'd love to open the windows, but it's the first time I've ever seen the honourable member appear before this Legislature without a tie on. But I'm going to leave mine on.

This is an important government motion we are dealing with this evening, dealing with the appointment of the Integrity Commissioner.

The Members' Integrity Act, 1994, which was proclaimed in 1995, is designed to enhance public confidence in the integrity of government by establishing standards of personal conduct for ordinary members of the Legislature such as myself and for cabinet members from the government side. The legislation provides for the appointment of an Integrity Commissioner by the Lieutenant Governor in Council on the address of the assembly. The commissioner is an officer of this assembly and is appointed for a term of five years and may be re-appointed for subsequent terms. The Lieutenant Governor in Council may remove the commissioner at any time for cause on the address of this assembly.

The act requires that every member, within 60 days of being elected, file with the commissioner a private disclosure statement containing information about the member's income, assets, financial interests and liabilities. After reviewing and discussing this statement with the member, the commissioner prepares a public disclosure statement summarizing that information. The statement is filed with the Clerk of the assembly and is available for examination by the members and the public.

On that point, I just want to stop and relate my own experience following my election in June 1999, suddenly having to start work on preparing this disclosure statement. It was quite an experience for me to really lay open everything there was about my personal financial interests.

Mr Bruce Crozier (Essex): That's because you've got so much money.

Mr Peters: I didn't have so much money. I got a great raise when I was elected to this Legislature in June 1999.

When I was elected and had to prepare this statement, I'll never forget that day of going to visit the Honourable Justice Rutherford. I visited the office at 1001 Bloor Street, the 13th floor. I walked in. If you've never

experienced before having to lay everything about your financial life on the table, I'll tell you, my bank accounts weren't very full and I had a mortgage and a car loan and I was really quite embarrassed walking in there. Look at some government members who left lucrative careers in business or industry and came to this place. Here I was, the serving mayor of the city of St Thomas, coming and laying everything on the table, and it was quite a heart-wrenching experience. But Justice Rutherford quickly put me at ease. My financial disclosure statement is now available, like everybody else's. In that respect, for all 103 of us, who come from different backgrounds and different parts of the province, the one thing each of us in this Legislature has in common is the fact that all our financial records are a matter of the public record.

The Integrity Commissioner has two main duties under the Members' Integrity Act. The first is to give opinions and recommendations to members regarding their obligation under the act. If a member seeks the advice of the commissioner regarding compliance with the act, the commissioner is authorized to make inquiries and provide the member with a written opinion or recommendation.

Again, relating to 11 years' municipal experience, the Municipal Conflict of Interest Act governed us but it was really left to your own responsibility to judge whether or not you were in a position of conflict of interest. If you weren't sure, you couldn't go to the city clerk, because the city clerk couldn't give you that advice. Then you would have to go and find a lawyer who had experience in municipal law and could give you sound information as to whether or not you might be in a conflict of interest position.

When I came to this Legislature in 1999 and learned of the Office of the Integrity Commissioner, I was very much relieved, as a member, that I had an office I could go to to get information on whether I would be in a position of conflict. It started from the very first day, with the location of my constituency office. I knew that my landlord had a number of government offices around the community and in other communities, and I wasn't sure, right off the bat, whether I would be in a conflict of interest in dealing with my landlord and him dealing with other branches of government trying to procure business for himself. The Integrity Commissioner quickly sent that letter back informing me that no, I wasn't in a position of conflict of interest, because it wasn't for personal gain.

I can think of a number of other issues too. I think every one of us have experienced in our constituencies a feeling and a perception among the public as a whole that we as elected officials have these magical wands we can wave, that we as elected officials can pick up a telephone and call a judge, that we as elected officials can call a crown attorney, that we as elected officials can intervene at various quasi-judicial tribunal hearings. Sometimes when you relay that to the public, the public doesn't accept it. They think, for whatever reason, that we're trying not to serve their needs. Again, this is where the Integrity Commissioner has played a very useful role for

me as a member in giving assurances to my constituents that, no, I'm not trying to duck the issue they have in front of me, but I do have to respect judicial and quasi-judicial processes, and that it's improper for me as a member to interfere.

There are countless times—and I know especially in my first six months of office it was probably on a weekly basis or close to it—that we were sending letters to the Integrity Commissioner asking for an opinion on this and an opinion on that. The Minister of Community and Social Services made reference not only to Mr Justice Rutherford but to Mrs Lynn Morrison, who really fields the day-to-day operations in that office. I can tell you that Lynn has been a great servant of this Legislature as well, ensuring that proper information is given to me and that I act appropriately as a minister—as a member, and hopefully as a minister some day.

Mr Rick Bartolucci (Sudbury): A Freudian slip.

Mr Peters: A Freudian slip. I'm one of those members who hasn't experienced the government side yet.

Mr Bartolucci: In 2003.

Mr Peters: In 2003. Yes, it's going to be a great year. You might be waiting a long time too. We're both in the back row, so who knows what's going to happen, honourable member.

The Integrity Commissioner has played a vital role for each of us in serving our constituents, and I think it's important that we don't lose sight of that.

The other important role the Integrity Commissioner plays on our behalf and, more importantly, on behalf of the citizens of this province, is to investigate complaints that are made. There may be times when somebody feels we have acted improperly, and it's incumbent on the Integrity Commissioner to investigate those complaints. A complaint can be made by an individual member, by resolution of this assembly or by the cabinet. When a matter is referred to the commissioner by an individual member or by the assembly, the commissioner may conduct an inquiry and must report his or her opinion to the House. If the cabinet refers the matter, the commissioner must report his or her opinion to the clerk of the executive council.

The duties and responsibilities of the Integrity Commissioner were further expanded in 1999, when the Integrity Commissioner was given additional duties under the Lobbyists Registration Act, 1998. This act requires that paid lobbyists report their lobbying of public office-holders by filing a return with the registrar. The Integrity Commissioner is appointed as the registrar for purposes of the act and is responsible for maintaining and creating a registry of all returns filed under that act.

2110

This registry is available for public inspection, and I've used it myself. As members, we're constantly being lobbied, being approached by various groups, organizations and individuals. I do check our Web site, the assembly Web site, dealing with the Integrity Commissioner, to find out whether a person is actually registered as a lobbyist. It's another useful tool.

I had an instance in my own constituency. It came to my attention there was an individual who was prepared to go and lobby on behalf of a municipality. The information I received was that that individual was going to be paid to conduct lobbying efforts on behalf of the municipality. It turned out, as I got wind of this information, that I checked the lobbyists' list, and that individual had been registered as a lobbyist but not for that municipality. I quickly and openly informed that municipality that the individual they were considering hiring as a lobbyist was not registered and I didn't think it was appropriate that the municipality would want to get its knuckles rapped for something like that. Quite frankly too, I didn't think it was appropriate that a municipality would be paying a lobbyist to deal with the government; I don't think that's appropriate in any way. The registrar is also allowed to issue non-binding advisory opinions and interpretation bulletins.

The Integrity Commissioner is required, under the Members' Integrity Act, to report annually to the Speaker. When I was elected in 1999, one of the things I very much appreciated, that had been forwarded to me as a new member of this Legislature, were previous copies of that annual report. They were a very good read, not only from the standpoint of better understanding of what some of my roles and responsibilities as a member were going to be; they also gave me some insight into some potential issues, pitfalls and roadblocks I might run into. But more importantly too, they were extremely useful to the staff in my constituency office.

I think every one of us here recognizes the important role our staff play in our constituency offices, making sure, on a day-to-day basis, that the needs of constituents, as they come into our offices, are looked after. I know that we in here, unlike some individuals federally, treat our constituents in a non-partisan manner. When you come into our office, it doesn't matter for whom you may have voted. Be you Liberal, NDP or Conservative, we're going to be there to serve you. Those Integrity Commissioner's reports were extremely valuable to my staff, because when my staff picks up a telephone, it's like Steve Peters picking up a telephone. Those reports were extremely beneficial to my staff in helping them better understand their duties and responsibilities.

I want to comment on the comments the member for Renfrew-Nipissing-Pembroke made about the federal Ethics Commissioner. I know that we take a lot of heat in this Legislature as Liberals. We constantly hear about "your federal cousins" this and "your federal cousins" that. I can tell you there are many issues where I beg to differ with my, as I like to say, distant relatives in Ottawa. One that I very much differ in opinion on—and I respect what my colleague said earlier—is how the federal government deals with the issue of its members' integrity. I think it's totally inappropriate that the federal government has a process in place where their Ethics Commissioner reports directly to the Prime Minister. At least here, within this Legislature, every one of us—all 103 of us—is accountable to this Legislature. That's one

thing that is possible as a result of us having an Integrity Commissioner for this province.

I think too we need to look back at some of the individuals who have served this Legislature and, more importantly, the citizens of Ontario in the Office of Integrity Commissioner. The first Integrity Commissioner for the province of Ontario was the Honourable Gregory Evans. Mr Evans is actually serving right now as our interim commissioner until the completion of this process. But when you look at the Honourable Mr Evans's track record—a former Chief Justice of the Supreme Court of Ontario, Mr Evans became an officer of the Legislative Assembly in 1988. Mr Evans was the first Conflict of Interest Commissioner for this province. More importantly, Mr Evans played an integral role in the development of the legislation we're discussing here this evening. It was through the efforts of Mr Evans that the Members' Integrity Act was brought into being in 1994 and proclaimed in 1995. On September 28, 1995, with the unanimous support of this Legislature, Mr Evans was appointed the first Integrity Commissioner of Ontario.

I want to speak too about Mr Justice Robert C. Rutherford, who was appointed on December 1, 1997. Mr Justice Rutherford has an outstanding track record of service to his country and to the people of Ontario. I looked at Mr Justice Rutherford's impressive military record, serving as a tank commander in the Royal Canadian Armoured Corps during the Second World War. He went on to have an exemplary reputation for his service on the bench. I'll always have fond memories of Mr Justice Rutherford and remember the first day when I walked into the Integrity Commissioner's office as a new member, shaking, a little worried about how he might laugh at me, at my dismal financial record. He didn't laugh at me. He actually put me very much at ease.

Mr Crozier: I bet you're in better shape than some of us here.

Mr Peters: I don't know. He wouldn't comment on others.

The individual we are debating tonight is Justice Coulter Arthur Anthony Osborne. He's from the Hamilton area. He was called to the bar and received his bachelor of arts from the University of Western Ontario in 1955. I'm proud to be an alumnus of the University of Western Ontario and proud to know that somebody with—we've heard lots about his credentials and his time on the bench, but I think it's important to recognize too some of the other contributions he made during his time at the University of Western Ontario. Coulter Osborne was a prominent member of the Western Mustangs basketball team, playing on three championship teams from 1952 to 1955. He won three first colours, a bronze W and a Canadian Intercollegiate Athletic Union—CIAU—crest. He continued playing basketball after his graduation from Western and was a member of the Ontario senior championship team in 1956. More importantly, he was part of the Canadian Olympic basketball team at the Melbourne Olympics in 1956. He also

competed at Western in track and field and played some football there. During the 1998 homecoming, he was honoured by the Western alumni for his contributions to the University of Western Ontario and was inducted into the W Club hall of fame.

But he went on.

Mr Wayne Wettlaufer (Kitchener Centre): Where did he practise law?

Mr Peters: He went to Kitchener. I know that; I did a little bit of research. I know he went to Kitchener and had an extremely successful career as a legalist in Kitchener. In 1978, as we've heard, he was appointed to the Supreme Court of Ontario. In 1988, he worked on behalf of this Legislature and prepared the report of the inquiry into motor vehicle accident compensation in Ontario. In 1990 he was appointed to the Court of Appeal. In June 1999 he was appointed the Associate Chief Justice of Ontario.

He had an opportunity to renew his Olympic tradition in 2000, because he was honoured by being invited to Sydney to carry the Olympic torch. He is married to his wife, Barbara, and has three children. This is an ideal candidate for the office of Integrity Commissioner. I ask for everybody to provide their support for this appointment.

2110

The Acting Speaker: Further debate?

Mr R. Gary Stewart (Peterborough): Thank you, Mr Speaker. My apologies. I was just a touch tardy.

The Acting Speaker: The Chair recognizes the member for Peterborough.

Mr Stewart: Mr Speaker, it's a very hot place in here tonight. I've been so involved in listening to both the opposition and the third party that they actually had me somewhat mesmerized—

Mr Howard Hampton (Kenora-Rainy River): It's not too hard.

Mr Stewart: That's very true. Anyway, I am pleased to stand and make comments about the possible appointment of Mr Justice Coulter Osborne, who I believe is a very highly qualified candidate. It bothers me somewhat to hear some of the debate in this House, which I don't believe is right—I don't know why he would want to listen, but possibly he may be—and it's very downgrading on our behalf to make the type of comments in some instances that we have about a man who is qualified, a man who has served this province well, a man who has the integrity to do the job. Having integrity I believe is what is required to be an Ontario Integrity Commissioner. Certainly he has excellent qualifications and is an excellent choice.

When you get the types of recommendations that we have in various places for Mr Justice Osborne, I suggest to you that his appointment would indeed do justice to this position, would indeed complement all of the inquiries that may come before him over the next many years if he is appointed. He follows in the footsteps of Mr Evans and Mr Rutherford and is definitely of the same calibre of these gentlemen.

I am most supportive of doing this. I do feel, as I said, that he has the qualifications. I think we're doing the individual an injustice by having this type of debate. It is my pleasure to support him for this position, and I look forward to all members in the House doing the same thing.

Mr Hampton: I am pleased to have the opportunity to take part in this debate because I believe this is a debate which goes to the depth of democracy. Let me explain what I mean. Let me say at the outset that this debate, in my view, has nothing to do with Mr Justice Coulter Osborne, and my remarks are not going to focus on Mr Justice Coulter Osborne. They're going to focus on what I think the public wants and expects from its Legislatures and its legislators. As I said earlier, it has to do with the broadening and the deepening of democracy. I suspect that many members of the government are not interested in this, but I suspect that many members of the public are interested in this.

The reality of British parliamentary democracy, especially where you have only one elected House, is that where a political party achieves a majority, they can, if they wish, according to the traditional British parliamentary democracy, govern almost by dictate. They can, because they will have a majority in the Legislature, pass any legislation they want. They can override long-established institutions. They can, if they wish, appoint only partisan representatives to important posts. That was the traditional British parliamentary democracy; in effect, whoever wins a majority government can have almost absolute power for a four- or five-year period.

There are those, and I suspect there are many in the government, who think that's a good thing. But in fact, if we reflect upon what's been happening in British parliamentary democracies, certainly over the last 30 or 40 years, citizens have been demanding some checks on that almost absolute power, even if it's limited to only four years. Citizens, for example, have supported the creation of an auditor's position—an Auditor General at the federal level, a Provincial Auditor at the provincial level—an auditor who is independent of the government, an auditor who does not report to the Minister of Finance, who does not report to the Chair of Management Board, who does not report to the Premier's office; an independent Provincial Auditor who reports to the Legislature and, through the Legislature, to the public. The public supported the creation of a Provincial Auditor position, an office which was independent of the government and independently selected from the government.

Similarly, the public has supported the creation of an independent electoral office or an independent electoral officer to ensure that election rules, as much as possible, would be fair, that the appointment of electoral officials would be on a non-partisan basis, that constituencies would not be gerrymandered but would be arranged and created according to population and some sort of geographic description. Again, citizens wanted independence from the Legislature and supported that check on what had the potential to be almost absolute powers by a majority government.

People supported and called for the creation of an Ombudsman; again, an Ombudsman who is independent of the government, who doesn't report to the government but reports to the public and to the Legislature; an Ombudsman who is not dependent upon the government for his or her office, who is entirely independent and can hold the government to account—independence from the government.

Then we saw the creation of the Environmental Commissioner, because people in this province believed that environmental issues were so important that they could not be left to the partisan position of the government of the day; so another independent office to provide a check on the potentially absolute power of a majority government.

Then an Integrity Commissioner to ensure that members of the Legislature themselves would not or could not in some fashion or other rise above the rules that we believe should govern our conduct, and frankly that we believe should govern the conduct of all people in a civil society; again, an independent office, not one that is beholden to the government, beholden to the Premier or the Deputy Premier or the Minister of Finance—an independent office.

These are all relatively new institutions, new bodies that have been created in the last 30 or 40 years, to provide a check on the potential of a majority government behaving in a dictatorial or an absolutist way. They all have the pedigree of being independent of the government.

Something else has happened. I think these are incredibly important developments for British parliamentary democracy. I think if you reflect on the behaviour of the current government in terms of how it has with the stroke of a pen tried to wipe out municipalities, with the stroke of a pen tried to close hospitals, with the stroke of a pen forced huge amalgamated school boards, if you actually look at the record of this government, it is important to have these independent offices, these independent watchdogs for the public.

2130

The Environmental Commissioner has, much to the chagrin of this government, caught the government breaking several environmental laws in this province. We just got another report from the Environmental Commissioner last week pointing out that this government has breached a number of environmental laws, not just once but consistently over a six-year period.

We had, for example, reports from the Ombudsman, one presented two weeks ago, where this government, if it hasn't breached the Charter of Rights in terms of equal treatment of citizens, has certainly breached the spirit of the Charter of Rights and breached the spirit by which we think all government should operate; that is, people who are similarly situated should receive similar treatment.

We have seen how these independent offices have in fact been a check on a majority government that has had a tendency to be dictatorial, that has had a tendency from time to time to behave in an absolutist fashion. These are

important developments for the British parliamentary system of democratic government and we've witnessed in the last three or four years how important these new institutions are.

Simultaneously with the creation of these new institutions, something else has happened: the public's desire that the people who are appointed to these positions should, before they are appointed, be clearly demonstrated to be independent from the government. What the public has demanded is a non-partisan public appointments process. Let's take, for example, the appointment of judges. We now have in legislation in Ontario a process for the appointment of provincial judges that establishes or is supposed to establish a non-partisan committee. That committee is supposed to advertise for candidates, and it does. It is supposed to take the applicant lawyers' applications and rank them according to experience, peer review and academic qualifications or professional achievement. It's supposed to look at a whole long list of criteria. And do you know what? Political affiliation is not one of them. Political closeness to the government of the day is not one of them.

Mr Kormos: On a point of order, Mr Speaker: I request a quorum count, please.

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

Acting Clerk at the Table (Mr Douglas Arnott): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Acting Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the member for Kenora-Rainy River.

Mr Hampton: As I mentioned before the Conservatives were unable to maintain a quorum, something that has been simultaneous to the creation of these new offices, these new institutions—the Integrity Commissioner, the Environmental Commissioner, the Provincial Auditor, the chief electoral officer, the Ombudsman—is a demand by the public that there be an appointments process that is not only objective and independent of partisan politics, but that is seen by the public to be objective and unrelated to partisan politics. So we have in the province now a judicial appointments committee that ensures that provincial judges are not appointed because they have political closeness to the government, but are appointed because in terms of their experience, their ability, their peer reviews, they are found to be of a calibre and a quality to merit appointment.

The public has also asked for a similar process for the appointment of the Provincial Auditor. We've now seen the appointment of two Environmental Commissioners. Both Environmental Commissioners that we've had in the province came through that very detailed, non-partisan, independent selection process. We have seen where the Ombudsman and the chief electoral officer have come through that process.

What I argue for is that this should become the process for the appointment of all of these important independent

officers and institutions, that the appointments process should be one that is neutral and independent and should be seen by the public to be absolutely neutral and independent, but alas the government in this instance wants an appointments process that is basically behind closed doors, that is not one where a position is advertised and where the names of candidates, of applicants are sought, where those applicants are in effect reviewed, where there are interviews, and then finally where there is a selection on the merits. The government would prefer a process that is a very closed door process. There is no advertisement, no solicitation of applicants, no review of the applications, no process for interviewing and assessing, and finally, no objective process for a neutral selection.

Part of the problem that we, the New Democrats, have is that the process that this government wants and that regrettably Liberals are supporting, essentially runs contrary to the broadening and deepening of democracy, which we are seeing not only in this province but in other provinces and, finally, with the federal government as well. Frankly, we think the process this government wants to follow is quite out of step with that broadening and deepening of democracy we are starting to see not only in this jurisdiction but in others.

There's another reason we believe there should be a totally objective, open process, and one that is perceived by the public to be totally open and objective, and that is that, if you look at Bill 82, this government will give to this commissioner absolutely unprecedented and incredible powers. I want to be very specific about what I mean by that.

It is a constitutional convention of the British parliamentary system that the only people who can order the expenditure of public money, of taxpayers' money, are ministers of the crown. Opposition members cannot institute a process that results in the expenditure of public money. Government backbenchers cannot institute a process that results in the expenditure of public money. Even the highest civil servant cannot institute a process that results in the expenditure of public money. The only people, by constitutional convention, who can order the expenditure of public money are elected cabinet ministers, elected ministers of the crown. But this government, through Bill 82, is now going to change that literally age-old constitutional convention of the British parliamentary democratic system. This government is now going to put that power in the hands of someone who is not elected, not elected by anyone and not accountable to anyone. They're going to put that power in the hands of the Integrity Commissioner. The Integrity Commissioner will have a power that only cabinet ministers are supposed to have, that is, the power to order the expenditure of public money and, with the stroke of a pen, make it so.

2140

I would suggest, and I would suggest to all the people of Ontario, that before that unprecedented step is taken, and whenever that unprecedented step is taken in the future, anyone who is selected for that office must

undergo a detailed, objective and independent selection process, because this is such a constitutional departure that this government has in mind. Yet what do we have from this government? In the very context in which they are making a radical change to an important constitutional convention, they want to rush through the appointment of an Integrity Commissioner who has not gone through an open and objective selection process. This government wants to quickly, at night, in one night, one short debate—when no one is here from the media, no one is here to report on what the government is doing—have a short debate and have the vote, a closed door, not objective, not open process.

I would suggest to you, given what this government is proposing in Bill 82, this is a very important position. This is a very, very important institution. It has powers that no other institution in a democracy will have other than elected cabinet ministers. And that is a further reason why we should not be doing what the government proposes to do tonight and what the Liberals propose to help them to do.

This whole process should have been an open one. Applications should have been solicited. Those applicants should have been ranked. There should have been a detailed interviewing process. There should have been a question-and-answer back and forth to ensure that the applicants understood the magnitude of the power and the authority which they will now have. But alas, none of that is going to happen. Big mistake, I suggest to you.

There are some other things that this government has done which I would suggest make it imperative that we should have an open process. We know that this government has some objections to the independent appointment of judges. We've heard about the Premier who has wanted one of his friends appointed as a judge in North Bay. It's been in the press that the Premier has actually held up the appointment process for North Bay because he does not like the independent, open and objective process that the judicial appointments committee now goes through. He wants to have one of his friends appointed.

If the government is bent on that, if the government is actually bent upon rolling back these new inroads of democracy where appointments are made by objective and independent processes, I would suggest to you that Conservative members and Liberal members, by supporting what is before us tonight, are in fact in the process of creating a very dangerous precedent that I believe this government would be very happy to then use to say, "If we can appoint the Integrity Commissioner quietly, through a closed process, then all these other positions—Provincial Auditor, provincial judges—should also, and can also, be appointed through a closed process, one which doesn't have openness and objectivity."

So I say to all members—I say it particularly to Liberal members—recognize the precedent that you're creating here, and recognize that this is a government that will then use that precedent for other appointments—

The Acting Speaker: Thank you. Further debate?

Mr Marchese: I ask of the good citizens of Ontario to disregard the fact that I'm not wearing a jacket tonight, because normally I do, but it's really hot in here. I don't think it has anything to do with you, Chair, or the Conservative members; nothing to do with that, I'm sure, because there are a whole lot of people suffering here wearing their garb and so on. I took my jacket off in order to be a little more at ease and to be able to share some thoughts with you.

It is now—good God—a quarter to 10 and we are all alive. When I was coming along this place at 7 o'clock in the evening I said to myself, is anybody watching? Is anybody listening to us? It seemed so desolate, the building, so quiet as you came to it. Then you meet some kind soul or some quiet soul every now and then and you say there is life around here. I know there is life on the other side of this tube. What gives me a little comfort is the fact that I know there's a sector of the population that watches this parliamentary channel. God bless. What would we do without you? Only those of you who are watching this parliamentary channel know that we work. If you weren't watching this parliamentary channel, you wouldn't have a clue what we are doing, nor would you care, nor would some people bother to find out. As far as many citizens are concerned, politicians don't work. I bless the parliamentary channel because it is the only form of connection we have with you good citizens and good taxpayers, some of you.

Mr Ernie Hardeman (Oxford): Some.

Mr Marchese: Some, because not all taxpayers are good people, necessarily. All taxpayers pay taxes, this is true, but not every taxpaying person is necessarily a good person, right? So I say "some." It is true that not all New Democrats are good people either. Not all Tories are good people either. Some of you are really bad, some are worse and some not so bad. You know that. There's some relativity in every party in terms of how good or bad we are. I just wanted to say that I find it so interesting coming here. It gives you pause to reflect on what we say and what we do here. Mr Stockwell, Minister of Labour, I'm sure you have the same reflections from time to time. I'm sure you ruminate often as you're there pensively at work. I'm sure you are pensively at work from time to time.

The debate is about whether or not the person for this position, the Integrity Commissioner position, should be appointed or should undergo a selection process which is somewhat rigorous. Given the two positions, New Democrats are saying, "We opt for an open, transparent, yet laborious process." It is worth it.

I was part of two processes that I rather liked. One was the hiring of the Ombudsman and the other was the chief electoral officer. I've got to say to you it is time-consuming; make no mistake about that. You've got to short-list a whole lot of people. Then you've got to interview each and every one of them. It is a long short list; it isn't just that someone does the short-list and they've gone through boxes of names of people and then the lucky politicians only get to interview three. No. For

the position of Ombudsman and the position of chief electoral officer, there were over a dozen people we had to interview. It is time-consuming. That's part of the job. I didn't mind it. We learn a lot about each other, the three political parties—interesting to see the kinds of things that are said or not said.

Mind you, we all have the same questions and we rotate with those questions. There may be 10, 15, 20 questions and we rotate them around the various parties. It is not as if I invent a question that is unique and/or astute or the Liberals or Tories invent their own question that is unique and/or sharp in some way or other. These are questions that are developed by the civil servants. Often the MPPs add something to those questions, so they come back with a new list of questions and then we share them. Because you see, the questions have to be uniform. They have to be uniformly asked of each candidate so we know what answers each gives to those questions.

2150

It's a neat process. It's the way it should be. I say to you, having been through those two positions, that it takes a whole lot of your time as a member of a provincial Parliament because, yes, you could be doing many other things. And yes, some people might say, "How slow, how almost irrelevant, how almost unnecessary it is." But you see, that process is very, very necessary.

So it's interesting to hear some of my colleagues in government say that Judge Osborne is an excellent candidate. No one disputes the fact that he may be an excellent candidate. Not having interviewed him, I don't know. You see, some Conservative members, good citizens, are saying to me and to us as New Democrats, "Judge Osborne is a good man. Excellent choice." While he may be, not having had the opportunity to observe his qualities in that process, I have no way of confirming or denying whether or not Judge Osborne is as excellent as you say.

It's neither here nor there. Some of you know him and some of you deem him to be excellent. That's not an issue for me. The issue is not whether he's excellent or not, because I take your word that Judge Osborne is an excellent individual and very, very fit for the job, no doubt about it. But you see when we, as New Democrats, argue for a process, the process says, "Let us discern those wonderful qualities of these individuals as we ask these questions," because under questioning you get to know the individual.

You may not get to know them fully, but you have a fairly good sense and, all things being equal, sometimes all three political parties, assuming there are no political proclivities at work, are in agreement. It happened with the chief electoral officer, where all three political parties were in agreement with the candidate that we chose.

Now, to be fair, it is very true that the Tories had someone in mind. We understand that and we know that because, good citizens, the Tories came into that process knowing full well whom they wanted. But here is what happened. The Speaker was part of the process and the

Speaker made it very clear, abundantly clear that if the choice was not a choice we all agreed on and if there were political influence on a certain individual, the Speaker would make his views very public. He would make it known that the process was not working according to the rules of the game but may have been subverted by a political party in government, subverted by the government party, because you've got the power to do it. But Liberals and New Democrats were quite prepared to denounce you in the process of selecting someone you wanted, and the Speaker was in the process and made it very clear that he would denounce the process and denounce you as a political party if you went ahead and chose your candidate.

So with that admonishing, both of the Speaker and the other two political parties, your member, who is now a minister, backed off. Clearly he had to come back to you in your caucus meeting—either to you or to whomever he went to speak to—and he said to them, "We've got a problem." I don't know what he might have said to the caucus or to the Premier or to the House Leader or to whoever may have been part of those discussions, but I know he must have gone back and said, "The candidate we have in mind isn't the right choice."

We knew that. You don't need that many instincts to sometimes know that the right candidate wasn't that individual. The Liberals knew too, and the Speaker knew that the individual they had in mind was not the right choice for us.

Mr Kormos: The process worked.

Mr Marchese: The process worked beautifully. They backed off. Why? Because the other appointments we had, the ones we had on the very short list, were superior candidates, but we wouldn't have known that. If the Tories had come into that process of selecting and appointing an individual based on their saying, "This individual is brilliant," I would never have known that the candidate the Tories had in mind would or would not have been an excellent candidate. You understand that. But having witnessed him perform under questioning, we all concluded that he was not the right person. If we hadn't had that process, we would not have known. We would have had to take your word.

Why would we as opposition parties take your word? Why would we as an opposition party say, as New Democrats, "No problemo. We are absolutely convinced that you are most astute individuals and that you would almost invariably choose a candidate who would of course be to your liking, but also to the liking of the Ontario population"? What makes you think we are so stupid as to simply accept a proposition of yours on the basis of your saying this person is very qualified, a "trust me" kind of thing? It's dumb. What Ontario citizen out there would say, "Right, the Tories want to appoint somebody, and that seems like an all right process. My God, it saves a whole lot of time"?

Mr Kormos: And maybe even money.

Mr Marchese: And money, because you wouldn't have to advertise; you just have to find someone and say,

“Hey, this guy’s good.” But good God, good citizens, would you accept that process for any hiring? We abandoned that process a long time ago. Why?”

Mr Kormos: “Hi, I’d like you to meet my brother-in-law.”

Mr Marchese: It happened in so many workplaces, where depending on who you knew, you could say, “So-and-so is my brother,” or, “So-and-so is my relative,” or, “So-and-so is from my hometown.” It doesn’t matter. It could be so-and-so from the riding association of the Conservative Party of whatever riding it is. We’re avoiding nepotism. You avoid nepotism. I’m not saying this about this individual, Judge Osborne. It has nothing to do with Judge Osborne; it has to do with the selection process. The reason we go through a hiring process in almost every workplace is to avoid nepotism, to avoid favouritism. It’s to avoid political appointments on the basis of their affiliation to that political party.

Mr Kormos: Or the appearance of it.

Mr Marchese: Or the appearance of it, quite true.

Mr Kormos: It’s important.

Mr Marchese: Equally important. That’s the argument we make. Good citizens, you may find that this discussion appears to have been protracted, for some of you, unnecessarily, but you see, this is very serious and we believe it’s serious to you too. That’s why we’re debating here at length, because we’re speaking to a process. While you have some ministers and other Conservative members saying, “Well, we did this 10 years ago,” that doesn’t make it right.

Good citizens, if you are interested in an open, transparent process where three political parties are involved in choosing the individual who’s best for Ontarians, then you would say this discussion is critical. We know it’s important to you to make sure that we, as MPPs, defend your interests. We’re not defending my interests as a New Democrat; we are defending your interests as citizens to know that we as MPPs go through a process that’s good for you, not good for me or good for some other political party, but good for you. If you Ontarians believe that taking the shortcut and having the Tories select their member, if that’s the kind of process you like, let me know, let New Democrats know, and we’ll drop the subject. But we’re not convinced you believe this is the way to go. I know that.

When this government beats up on New Democrats, they’re not just beating up on me as a New Democrat or on my colleague from Niagara Centre or on my colleague from Nickel Belt. They’re not beating up on us individually and collectively; they’re beating up on you. They’re beating up on a whole sector of the population, the collective population out there that is being shunned, shut out, diminished, almost laughed at, scoffed at. “Those New Democrats. They want some process. Why would we want to engage in this long, boring process? My God, we are adults. We are, good heavens, mature individuals. Why go through this long, laborious process when we’ve already appointed the individual? Can’t you New Demo-

crats simply silence yourselves a little bit and go back home so that we can get on with the job?”

2200

All these people have done in the last six years is appoint their buddies. Citizens of Ontario, you know that; I don’t have to remind you. Each and every time, for almost every board, almost every agency, almost every commission you can think of, with notable but minor exceptions like, dare I say, Dave Cooke or Floyd Laughren, whom the Tories mention all the time—including the Liberals. You guys are really good. You appoint one New Democrat and say, “What about Dave Cooke?” and “What about Floyd Laughren?” as if to suggest that now that they have appointed one or two New Democrats, New Democrats should simply shut up. They appoint 99.9% of their buddies and then they appoint a couple of New Democrats and of course a couple of Liberals, and then they say, “You shouldn’t be complaining. That’s not the way it works.”

We know the game. Citizens, you know the game. The game is you appoint a New Democrat and you attempt to shut them up. That’s the political game. So when they select all Tories for various boards, agencies, commissions or who knows wherever else, either ex-MPPs or just Tory members, they can say, “Ha, but what about—” as if that makes it better. Selecting 99% of people on these boards, agencies and commissions who are your friends doesn’t make it better because you select one of ours. You understand, citizens. You’ve very well aware of the game. I hope you are. So I’m saying to you, don’t be fooled.

I’ve got to say to you, citizens, the game played by the Tories and the Liberals—I don’t offend the Liberals too often but from time to time I do and they deserve it, not all the time but when I offend them, they deserve it. They engaged together with the Tories in a conspiracy that shuts out—

Interjections.

Mr Marchese: Good citizens, the Tories don’t want to hear it, but I know you do. They consorted together and shut the New Democrats out of this process. The Liberals and the Tories decided, “Do you agree? Yes, Judge Osborne, OK. The New Democrats don’t agree. Let’s dispense with the process. We don’t need a third party, we just need to agree now, you and me, and together we can do it, we can solve it. We can just say, ‘Ha,’ to Mr Kormos,” our House leader, “because we don’t need him.”

Do you understand the game, good citizens? Do you see how enraged I am that the Liberals, as an opposition party, would have engaged the Tories in this conspiracy together to say, “We don’t need a process. We do not need a transparent, open process to hire somebody that involves all three political parties.”

I’ve got to tell you, I was offended by what the Liberals did in this regard. Sorry. We do this together, and if there’s disagreement, we have to find a way to deal with it. But the way to deal with it is not to say, “We don’t need New Democrats.” I’m sorry but I’ve got to tell

most of the Liberals who are here, I didn't like what you did, because someday you'll be here too. Someday they will be here too. All these things catch up to each and every political party in time, and each party makes it worse when they engage in these kinds of activities and tactics. You shouldn't have done it. We are opposition parties and together we find the strategy to deal with a government that you know is underhanded in its ways most of the time. You know, as Liberals, most of the appointments are Conservative members. You know that.

This has nothing to do with Judge Osborne. I'm speaking generally about an open process that I think you ought to be supporting. I can't believe that you, as Liberals, would have supported a process that says that Judge Osborne is a good guy, an excellent candidate, and we don't need any process. Sorry, I disagree with each and every one of you who says we don't need that process. The Liberals say, "It could be worse. They might choose their own." If that's the case, we attack them, as we often have done, and that's what we should be doing.

The Acting Speaker (Mr David Christopherson): Further debate? The Chair recognizes the member for Timmins-James Bay.

Mr Bisson: First of all, Mr Speaker, let me congratulate you on your being in the chair. It's the first opportunity I've had to do so since your ascending to the chair, so congratulations.

Monsieur le Président, encore une autre fois on voit ce gouvernement se rassembler avec le Parti libéral, une autre fois qu'ils se rejoignent ensemble pour trouver une manière qui pourra causer une certaine relation qu'on peut dire est intéressante, une relation où, quand le gouvernement veut avoir quelque chose, ils s'en vont voir leurs petits amis de l'autre bord de la Chambre, les libéraux et M. McGuinty, et disent, « Écoutez, on veut avoir quelque chose. Pouvez-vous nous aider ? » les libéraux sont pas mal contents d'être capables d'accommoder les demandes du gouvernement.

Je trouve ça, comme député de l'opposition, très intéressant. Monsieur le Président, comme vous le savez—ça fait longtemps que vous êtes ici, comme moi—on est habitués à une relation dans cette Chambre où les partis de l'opposition travaillent un peu ensemble pour être capables de trouver des manières à contrer, à contredire des fois la direction que le gouvernement veut prendre.

Ce qui est intéressant, on se trouve asteur ce printemps—c'est la quatrième, cinquième, sixième fois à laquelle je peux penser—seuls, les néo-démocrates, opposés à un certain projet de loi. On voit des opportunités, comme on a vu dernièrement dans les débats dans cette Assemblée, où les libéraux et les conservateurs se rejoignent ensemble. Quant à moi comme député, et je pense que pour mes amis M. Marchese, M. Kormos et, M^{me} Martel c'est la même affaire, il faut se demander ce qui se passe. Pour quelle raison est-ce que les libéraux et les conservateurs veulent travailler ensemble sur ces projets de loi et sur les motions telles qu'on a ici ce soir ?

Moi, je me dis que c'est un peu ce que j'ai toujours pensé quand ça vient au choix entre les conservateurs et

les libéraux : pas une grosse différence. Un parti qui veut dire, « Nous, comme socio-démocrates, le Parti libéral de M. Trudeau », ils essayent de se faire penser—

Une voix.

M. Bisson : Pas de chance, comme dit mon bon ami M. Kormos. Moi, je regarde le Parti libéral : pas trop différent des conservateurs quand ça vient à la question d'augmentation des salaires des députés. On se trouve dans le même lit ensemble encore une fois, les libéraux à gauche et puis les conservateurs à droite dans ce lit. On se demande qui a le plus gros oreiller. Ça, je ne sais pas. Je ne veux pas regarder en-dessous de la couverture. On ne sait jamais ce qu'on peut trouver. Mais je dis vraiment qu'il faut se le demander. On se trouve encore dans cette situation avec l'appointement du « members' Integrity Commissioner », le commissaire à l'intégrité pour la province de l'Ontario. On se trouve encore dans la même situation.

Je peux vous dire que la première fois que j'ai su que ce nom était mis en avant en candidature par le Parti libéral et le Parti conservateur, j'ai dit, « Je ne connais pas ce monsieur. Je ne l'ai jamais rencontré. Si je le voyais sur la rue, autrement que sa réputation que j'ai lu à travers les papiers, je ne le reconnaîtrais pas. » Moi, je n'ai pas une opinion pour ou contre, mais quand j'ai vu que les libéraux ont voulu faire une accommodation avec les conservateurs en disant, « On veut faire cet appointement pour ce monsieur », j'ai dit, « Je m'oppose », et la raison est très simple. Je crois qu'il doit y avoir un processus qui est transparent, un processus qui dit à la fin de la journée qu'on va avoir la confiance de cette Chambre, avec tous les partis, non seulement les libéraux et conservateurs qui sont encore dans le même lit ensemble, mais les trois partis ensemble. Pourquoi ? Parce que je pense qu'il est important, spécialement quand ça vient au commissaire à l'intégrité, d'avoir la confiance totale de la Chambre. Pourquoi ? À la fin de la journée, ce monsieur ou cette madame qui est appointé est responsable pour tous les députés de l'Assemblée, pas seulement les libéraux, pas seulement les conservateurs mais aussi les néo-démocrates, et même, je dirais, les membres indépendants de cette Assemblée, dont on a une présentement, M^{me} Boyer.

2210

Je dis que c'est important qu'on a l'intégrité dans cette décision. On a besoin d'avoir un processus qui est clair et transparent. Je veux dire droit au début de ce débat qu'à la fin de la journée, peut-être que ce sera ce monsieur qui sera appointé, M. Osborne. C'est très possible. À la fin de la journée, si on avait eu un processus—je pense que c'était au mois de mars ou de février l'année passée quand on a su que c'était le choix des libéraux et des conservateurs. Si on avait commencé un processus où on aurait dit à la province de l'Ontario, « Tous ceux qui sont intéressés, appliquez, s'il vous plaît », on aurait fait ce qu'on a fait avec d'autres positions dans cette Assemblée, un processus où le monde peut faire une application, les représentants de chaque parti auraient pu regarder les CV, faire la décision de qui irait à la prochaine étape. À

travers ces étapes-là, c'est très possible que ce monsieur aurait été la personne de choix des trois partis. Il est très possible que ça aurait pu arriver.

Mais comment est-ce que je peux savoir, moi, que c'est la meilleure personne pour faire le job si on n'est pas passé à travers ce processus? Je me demande pourquoi le gouvernement est si content, si obstiné à faire cet appointment avec M. McGuinty, le chef du Parti libéral, et son caucus. Je me demande si les deux affaires sont liées : premièrement, cet appointment, et l'augmentation de salaire que le gouvernement veut passer. Là, je ne sais pas. Moi, c'est seulement une supposition que je fais. Je ne dis pas que ce soit le cas. Je ne sais pas si c'est oui et je ne dis pas que c'est non. Mais je me le demande. Je dis que c'est possible.

On a présentement en devant cette Assemblée un projet de loi numéro 82, je pense, qui dit simplement que le gouvernement va prendre, par sa majorité avec les libéraux et les conservateurs encore dans le même lit, les libéraux à gauche, les conservateurs à droite—qui a le plus gros oreiller, je ne sais pas. Regarde pas en-dessous de la couverture, parce on va que peut-être avoir peur. Mais on se demande pourquoi ils font ça, parce que le gouvernement dit que, à travers le projet de loi 82, le gouvernement va prendre la responsabilité de gérer les salaires et faire la décision sur les salaires des députés, et ils vont donner ça directement au commissaire à l'intégrité de la province. Ils disent qu'une fois que ce sera donné, ça va être totalement la décision de ce monsieur ou de la madame qui est appointé de faire la décision : combien de salaire nous, les députés, allons avoir.

C'est intéressant que ce soir on fait le débat sur la motion d'accepter l'appointment des libéraux et des conservateurs et que demain on va faire le débat sur le projet de loi 82. Je me demande, est-ce que les deux sont reliés? Je ne sais pas. Je ne dis pas oui, je ne dis pas non, mais je dis qu'il y a une question. Tout ce que je dis au gouvernement, c'est que d'habitude, quand on fait des appointments dans cette Assemblée des personnes en charge des offices de l'Assemblée, on aime aller à travers un processus un peu plus clair. Par exemple, je sais que mon collègue M. Marchese—quand on est venu pour appointer la personne responsable des élections dans la province de l'Ontario, cet appointment a été à travers un processus où les trois partis de l'Assemblée se sont mis ensemble, ils ont regardé les CV, ils ont fait des entrevues et ils ont fait une décision. Tout le monde a confiance en cette décision, en la personne qui a été appointée.

Quand ça vient au « Privacy Commissioner », on voit que le gouvernement et les partis de l'opposition, les libéraux et le NPD, se sont mis ensemble et le même processus a été suivi, et la meilleure personne qui pourrait être choisie pour la position—tout le monde en a confiance—a été choisie. Personne dans cette Assemblée, ni à l'opposition ni au gouvernement, ne peut arriver et puis dire, « On n'a pas confiance en cette personne », parce que c'était nous tous qui l'avons choisie.

C'est ça le point que je veux faire. À la fin de la journée, si on va décider qu'on va accepter que M. Osborne est la meilleure personne pour la position, il faut aller à travers un processus qui est clair, premièrement, et transparent. Nous comme députés et, plus important, je dirais, le public—parce que, à la fin de la journée, on travaille pour eux—on doit avoir confiance en la décision qui est prise. Moi, je suis opposé à faire une motion dans cette Assemblée qui veut utiliser la majorité du gouvernement conservateur, avec leurs amis les libéraux, pour faire une décision entre eux deux sur qui ils veulent faire comme appointment.

M. Marchese : C'est incroyable.

M. Bisson : C'est incroyable, ce n'est pas acceptable et moi, je ne l'accepte pas. C'est bien facile de rentrer ici—il aurait été plus facile pour nous de venir ici et de voter pour, d'une certaine façon, parce que, à la fin de la journée, cette personne-là va être appointée, puis on ne veut pas être sous le méchant regard de ce commissaire. Il aurait été plus facile pour nous de rentrer puis dire, « Oui, on est en faveur. » Mais je me dis comme député et comme personne et comme néo-démocrate que c'est important qu'on suit nos convictions. Dans cette situation, je dis que ça ne fait pas de bon sens de faire cet appointment de cette manière.

So I say to the government across the way, I really don't like the way you're doing this. From the very beginning, when this issue first came up, I felt the same way. I understood at a meeting we had among our caucus, which I believe was around March or April—I forget the exact date; sometime in the spring, or it might even have been February—that a push was on by both the Conservatives and Liberals to actually make the selection of Mr Justice Osborne as the Integrity Commissioner of Ontario. I remember at the time I was really taken aback, not because I have anything against Justice Osborne. I don't know the person. If I ran across him on the street, I wouldn't even know what he looks like. All I know is that I've read his name in the paper from time to time as a person who has been sitting on the bench for a long time. But I was opposed on the basis of this: at the end of the day, that appointment affects all of us. It doesn't matter if you're a Conservative member, a Liberal member, an NDP member or if you are the independent member, Mme Boyer. It is our Integrity Commissioner. We have to have confidence that the person who is chosen has the confidence of all of the members in the House—that is important—and is the very best person to do the job.

It might be that Mr Osborne, in a competition, at the end would turn out to be that person. I don't know. Maybe, maybe not. All I know is that all of a sudden, because the Tories and the Liberals have made some kind of a deal here, we are forcing through this appointment by way of the majority of the Liberals in the opposition and the government PCs. A decision is being foisted on the third party to select this person, even though they well know we are opposed to the process. We are saying to the government across the way, if you feel so strongly

that Mr Osborne is the number one candidate for the job, if you had started a process in February or March of last year, as we did with the privacy commissioner, as we did with the chief electoral officer and other positions such as the Ombudsman, we would not be here.

In fact, I remember when we were government, it was the same process for the auditor. The auditor was a selection process that was done with the third party, the Liberals and us. At the time, it was the Tories who really pushed to get Mr Erik Peters appointed, along with one of the members of our committee, and not because Bob Rae and the NDP were in favour of something happening. There was a process in place. At the end of the day, we understood, as a government, that you have to have somebody appointed and that all of the recognized parties in the assembly have to have some confidence in the appointment process. I say to the government across the way, it is very simple. If you feel you've got the right person and beyond no shadow of a doubt are you wrong, then prove us wrong. Hold a public process. Allow people to apply who may be interested in the job. Let's take a look at the CVs that come in. Let's short-list. Let's interview. Let's do like we've done for the other ones. At the end of the day, if Justice Osborne is the best person for the job, he will be selected. It is as simple as that.

I say, what gives here? Why are you pushing to the nth degree to have this happen? I have to say to myself, what gives here? What's going on? All I know is that it is passing strange that tonight we are debating a motion to appoint Mr Osborne as the Integrity Commissioner and tomorrow night we are going to be debating a closure motion on Bill 82, which is the pay package bill. I don't know. Are the two things related? Maybe not. I'm not saying they are. I'm not saying they're not. All I know is that the two things are passing strange, that one is happening and the other is happening right immediately after. We know, by way of Bill 82 when it passes—because again the Tories and the Liberals will gang together and make sure that bill passes; again, we will be the only party in opposition to Bill 82, the pay bill—that at the end of the day you're absolving the legislative responsibility that we have to determine the amount of money that members get paid by this assembly to do the work that we do.

Should we refer the matter to an outside commission in order to get a recommendation? I've got no problem with that. If we want to do that, let's do it. It probably makes some sense. But I think at the end of the day we, as members, should have the conviction to stand at our seats and say, "I agree, yes," on a 20%, a 30% or even as much as a 70% pay increase. That could happen. If all of a sudden the Integrity Commissioner, by way of these new powers that you're giving him, says, "I believe, because we have coterminous ridings with the federal boundaries, we have exactly the same responsibilities. We serve the same number of constituents and, in fact, are busier than federal members," it is not inconceivable that person is going to come back and say, "You should be paid the same rate as a federal member." If that's it, I think a lot of people would agree there's an argument.

The point is that I think we should have the courage to come back in this House and stand at our seats and say, "I'm either for or against the 70% increase." I would venture to guess, if members of this House and all parties had to vote on a 70% pay increase, there would be a lot of people not getting up to vote in favour. We would understand, as politicians—possibly even a majority—that 70% would be seen as quite excessive. That is the reason we, as New Democrats, have opposed this from the beginning. We get the sense, understanding how this place operates and what has been going on, that the recommendation coming back from the Integrity Commissioner, whoever that person might be at the time, is not going to be a 5% increase. If it were a 5% increase, we would have done that a long time ago. We would have voted on it ourselves. I suspect that the Integrity Commissioner is going to come back with a recommendation far in excess of 5%, and it could be as high as 70%.

I think the public, and rightfully so, is going to have extreme difficulty trying to digest such an increase. In their mind, it's not the argument, "Are MPPs worth as much as the federal members?" I think most people in our constituencies say, "Yes, we think you work just as hard as the federal members." What they're not prepared to accept is trying to roll back equity with federal members in one fell swoop, and I think we all understand that in this place. I think that's the reason the government has moved in order to push—somebody sent me a note that was kind of funny. I just read it.

2220

Interjection.

Mr Bisson: I knew Gord. I ran against him in an election. I know him quite well.

The point I am making is that I think all of us in this House understand that if it comes back from the Integrity Commissioner, the recommendation he will make will probably be higher than the public is willing to accept in one fell swoop. I disagree that as members we should give the Integrity Commissioner that kind of power to make that decision without us being accountable for it at the end. I know that's why this thing is being referred to the Integrity Commissioner. I'm almost willing to make you a pretty significant bet that that will be the case. I wonder, by way of this appointment, why we're in such a rush to appoint an Integrity Commissioner tonight, the day before we're about to have a vote on Bill 82.

I say to the government across the way, I have no argument with Justice Osborne. I don't know him. He may, in the end, turn out to be the best possible appointment we could have got. That to me is not the issue. It's not the individual whatsoever. My problem is that we have to have a public process. We're appointing an Integrity Commissioner who will be responsible for overseeing the activities of members of this assembly, no matter what party you're from. Once you walk into his office, he doesn't ask to see your card, if you are PC, NDP or Liberal. You're a member of the assembly, you walk in there, and he's going to check out what the situation is according to you as a member.

I want to make sure that all of us in this assembly are in a situation where we have confidence. Unfortunately, we tried to short-circuit the process last time, and there were some difficulties with the former Integrity Commissioner; not Judge Evans but Mr Rutherford. I'm not going to speculate as to what happened there, but the point is that we short-circuited the process, and I think some of the members of the assembly may not have been as happy as they would have been if we had had an open process. I don't think that has been said tonight, and I just wanted to say that. I say to the government members across the way: you have to have a clear and transparent process.

I know that at the end of the day the government is going to vote for this, along with the Liberals. They are going to side together on yet another bill.

Mr Kormos: Cozying up.

Mr Bisson: They're cozying up, there is no question, as my friend Mr Kormos points out. I said earlier that you really have a hard time trying to differentiate between the Liberals and Tories, because they've been voting together on so many bills in this House this spring that I can't tell the difference. If you took those benches and swung them over to the Tory side, there are a whole bunch of issues where there's not a lot difference.

They like to go out on the public trail and say, "We're the social democrats of Ontario. Vote for us. We're on the left." But when it comes to their actions in the House, they're pretty far right. It depends too, because I see McGuinty out there a lot of times talking as a right-winger, so I think it depends which Liberal is before the media. Some are left-wingers, some are right-wingers, but all I know is that they are snuggling together. I just say this is the wrong issue to snuggle together on, because at the end of the day, we all have to have confidence in what happens with our Integrity Commissioner. I don't think we should be putting ourselves in a position where, for whatever reasons—who knows?—people decide that they are going to vote in favour of this particular motion.

I say again, nothing against Judge Osborne, but I would much rather have a very public process—I shouldn't say public—a very transparent process that at the end of the day gives confidence in the selection of whoever will be the Integrity Commissioner so that not only we, as members of the assembly, but the public can have confidence in whoever is chosen.

We've done that with the privacy commissioner. We've done it with the Ombudsman. We've done it with the election return officer. We've done it with a number of other positions, and it has worked well. Why should we depart from that? Again I say, if we had started this in February, we would have had an Integrity Commissioner appointed a long time ago.

Hon Janet Ecker (Minister of Education, Government House Leader): I would just like to very quickly thank the members who participated in this debate.

The choice of Integrity Commissioner is certainly a very important one, because this person serves all the

members of the Legislature, and that's why a question like this, we believe, must be debated openly and decided upon by the members. As the member for Lanark-Carlton stated, this wasn't always the way. Tonight, however, we've debated the issue, and at the conclusion of the debate the matter will be put to the members for decision, as it should.

I respectfully disagree with the comments of the leader of the third party and some of the comments about this being a closed process, because to the contrary, all three parties were involved in the discussions surrounding the appointment of the new commissioner, and we believe it's now time to move forward. Public notice was given in accordance with the standing orders, and the requirement for a resolution of the House in favour of any such appointment is clearly stipulated in the Members' Integrity Act.

Moreover, as the member for Renfrew-Nipissing-Pembroke made clear, there's a significant difference between the appointment of an independent Integrity Commissioner, as we have here at Queen's Park, and the political appointment of an ethics councillor, as they have in the federal government. I think all of the members agree here that the Ontario model is a superior one, which ensures all members receive impartial advice.

It's our opinion that Mr Justice Coulter Osborne is a highly qualified candidate who would be an excellent choice. He was appointed Associate Chief Justice of Ontario in 1999 and previously served as a Justice of the Court of Appeal for Ontario from 1990 to 1999. In 1987, he served as commissioner on the Inquiry into Motor Vehicle Accident Compensation here in Ontario. In 1978, he was appointed Justice of the Supreme Court of Ontario's High Court of Justice.

I think we can join with all the members here to say a few words to congratulate and to thank the previous holders: Mr Justice Gregory Evans, who agreed in early March to serve as acting commissioner until a new commissioner could be appointed, and Mr Evans has certainly helped the assembly to maintain this office until such time as the new commissioner could be chosen, and we certainly thank him for that; and Mr Rutherford, who served as commissioner from 1997 to 2001 and was also our province's first registrar of the Lobbyists Registration Act. In both capacities, he served with distinction.

So it's the example set by Mr Rutherford and Mr Evans that will ensure the public continues to hold this assembly and all of the members here in high regard. It's my opinion, as a member of this assembly, that Mr Osborne would be an excellent commissioner who will assist all of us to fulfill the intent of the Members' Integrity Act.

I thank all of the members. I respect the fact that there may be some differing views, but I do thank them all for putting forward this debate very well and very articulately.

The Acting Speaker: Further debate. Further debate? Third and final call for further debate. Hearing none, I will put the question. Mr Stockwell has moved govern-

ment notice of motion number 40. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please indicate by saying "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

Pursuant to standing order 28(h), I have received proper notification from the chief government whip of their desire to defer the vote, and it is so ordered.

Orders of the day.

Mr Wettlaufer: Speaker, I move adjournment of the House.

The Acting Speaker: I have adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, please indicate by saying "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Interjections.

The Acting Speaker: Notwithstanding what's going on over there, the order of the House is clear. This House now stands adjourned until tomorrow at 1:30 of the clock.

The House adjourned at 1030.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-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
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
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	Lankin, Frances (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	Johns, Hon / L'hon Helen (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (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	Jackson, Hon / L'hon Cameron (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (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	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Davenport	Ruprecht, Tony (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (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	Cunningham, Hon / L'hon Dianne (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	Turnbull, Hon / L'hon David (PC) Solicitor General / solliciteur général	London West / -Ouest	Wood, Bob (PC)
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Durham	O'Toole, John R. (PC)	Markham	Tsubouchi, Hon / L'hon David H. (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	Mississauga South / -Sud	Marland, Margaret (PC)
Essex	Crozier, Bruce (L)	Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Hon / L'hon Brenda (PC) Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (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
Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones	Scarborough East / -Est Scarborough Southwest / -Sud-Ouest	Gilchrist, Steve (PC) Newman, Hon / L'hon Dan (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
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	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) 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, Hon / L'hon Frank (PC) Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	St Paul's	Bryant, Michael (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	Stoney Creek	Clark, Hon / L'hon Brad (PC) 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	Coburn, Hon / L'hon Brian (PC) 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)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
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	Stewart, R. Gary (PC)	Waterloo-Wellington	Arnott, Ted (PC)
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Prince Edward-Hastings	Parsons, Ernie (L)	Willowdale	Young, Hon / L'hon David (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor-St Clair	Duncan, Dwight (L)
Sault Ste Marie	Martin, Tony (ND)	York Centre / -Centre	Kwinter, Monte (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)
		Vaughan-King-Aurora	Vacant

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.

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

Estimates / Budgets des dépenses

Chair / Président: Gerard Kennedy
Vice-Chair / Vice-Président: Alvin Curling
Gilles Bisson, Alvin Curling,
Gerard Kennedy, Frank Mazzilli,
Norm Miller, John R. O'Toole,
Steve Peters, Wayne Wettlaufer
Clerk / Greffière: Susan Sourial

**Finance and economic affairs /
Finances et affaires économiques**

Chair / Président: Marcel Beaubien
Vice-Chair / Vice-Président: Doug Galt
Marcel Beaubien, David Christopherson,
Doug Galt, Ernie Hardeman, Monte Kwinter,
John O'Toole, Gerry Phillips, Joseph Spina
Clerk / Greffière: Susan Sourial

General government / Affaires gouvernementales

Chair / Président: Steve Gilchrist
Vice-Chair / Vice-Présidente: Norm Miller
Marie Bountrogianni, Ted Chudleigh,
Garfield Dunlop, Steve Gilchrist, Dave Levac,
Rosario Marchese, Norm Miller, Marilyn Mushinski
Clerk / Greffière: Anne Stokes

Government agencies / Organismes gouvernementaux

Chair / Président: James J. Bradley
Vice-Chair / Vice-Président: Bruce Crozier
James J. Bradley, Bruce Crozier,
Leona Dombrowsky, Bert Johnson,
Tony Martin, Frank Mazzilli,
Jerry J. Ouellette, Bob Wood
Clerk / Greffière: Tonia Grannum

Justice and Social Policy / Justice et affaires sociales

Chair / Présidente: Toby Barrett
Vice-Chair / Vice-Président: Carl DeFaria
Toby Barrett, Marcel Beaubien,
Michael Bryant, Carl DeFaria,
Garry J. Guzzo, Peter Kormos,
Lyn McLeod, Tina R. Molinari
Clerk / Greffier: Tom Prins

Legislative Assembly / Assemblée législative

Chair / Président: R. Gary Stewart
Vice-Chair / Vice-Président: Vacant
Ted Arnott, Marilyn Churley,
Caroline Di Cocco, Jean-Marc Lalonde,
Margaret Marland, Jerry J. Ouellette,
R. Gary Stewart, Joseph N. Tascona,
Clerk / Greffier: Douglas Arnott

Public accounts / Comptes publics

Chair / Président: John Gerretsen
Vice-Chair / Vice-Président: John C. Cleary
John C. Cleary, John Gerretsen, Raminder Gill,
John Hastings, Shelley Martel, Bart Maves,
Julia Munro, Richard Patten
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /
Règlements et des projets de loi d'internet privé**

Chair / Présidente: Frances Lankin
Vice-Chair / Vice-Président: Garfield Dunlop
Gilles Bisson, Claudette Boyer, Garfield Dunlop,
Raminder Gill, Pat Hoy, Morley Kells, Frances Lankin,
Ted McMeekin, Bill Murdoch, Wayne Wettlaufer
Clerk / Greffier: Douglas Arnott

CONTENTS

Monday 25 June 2001

GOVERNMENT MOTIONS

Appointment of Integrity

Commissioner, government notice
of motion number 40, *Mrs Ecker*

Mr Stockwell.....	1849
Mr Duncan	1850
Mr Kormos	1852
Mr Baird.....	1859
Mr Conway	1860
Ms Martel.....	1863
Mr Sterling.....	1865
Mr Peters	1866
Mr Stewart.....	1868
Mr Hampton	1869
Mr Marchese	1871
Mr Bisson.....	1874
Mrs Ecker.....	1877
Agreed to.....	1878

TABLE DES MATIÈRES

Lundi 25 juin 2001

MOTIONS ÉMANANT DU GOUVERNEMENT

Nomination du commissaire

à l'intégrité, avis de motion émanant
du gouvernement numéro 40,

M^{me} Ecker

M. Bisson	1874
Adoptée	1878