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of Debates
(Hansard)**

**Journal
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(Hansard)**

Tuesday 9 October 2001

Mardi 9 octobre 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 9 October 2001

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 9 octobre 2001

The House met at 1845.

REMEDIES FOR ORGANIZED CRIME
AND OTHER UNLAWFUL
ACTIVITIES ACT, 2001

LOI DE 2001 SUR LES RECOURS
POUR CRIME ORGANISÉ
ET AUTRES ACTIVITÉS ILLÉGALES

Resuming the debate adjourned on October 1, 2001 on the motion for second reading of Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities / Projet de loi 30, Loi prévoyant des recours civils pour crime organisé et autres activités illégales.

Mr Rosario Marchese (Trinity-Spadina): Tonight, good citizens, we are debating Bill 30. It's titled Remedies for Organized Crime and Other Unlawful Activities. Welcome to this political forum on Tuesday night at a quarter to 7. I still have 15 minutes of time left to debate this bill.

I have to tell you that when you read the title of this bill, Remedies for Organized Crime and Other Unlawful Activities, and you are a listener at home, you immediately say to yourself, if you haven't read the bill, "That's a good bill," because you don't know any better. The government hasn't sent you over the bill and said, "Please scrutinize it. Read it over. If you have some concerns, call us and we'll talk about it." No. They title it in such a way—remember, we were debating this the other day. They introduced the Student Protection Act, and I said that you, as an elector, can be deceived, because when you read the title you say, "My God, that makes sense, and I support that." So do I. But then we're back to the same old game. Like most of the other bills before and, I guarantee you, that will follow, the title belies the contents.

That's what we're seeing: the government presents a bill in such a way that if you speak against it in any way, you are not for the bill and you are therefore automatically against the bill. If you raise questions that are legitimate, in our view, the government portrays you as not wanting to go after organized crime. That's the game this government plays: you are either for or against. They do not accept the fact that there are concerns raised by the opposition for which we oppose the bill and for which we want you listeners to take a good look at these bills and listen very carefully and not be sucked in to the

political rhetoric of perception, which is what these bills are all about.

We have attacked this government left and right from the very beginning, because they play this game of making it appear they're really tough on crime. My colleague from Niagara Centre, Peter Kormos, who is our critic on these matters, has consistently said to this government, "You're just playing a game. If you really want to do something about crime, you have to put in the money to support those people who can effectively go after crime." At the moment, you have a sorry and sad record on law and order. You have police who are under-resourced and understaffed, and if they're under-resourced and understaffed, that means they don't have the man-and woman-power to get at the problem of crime. You can pass a bill and make it appear that you're doing something, but if the money is not there to help the people in the front lines do their work, they can't do it, at least not effectively. It's done to the best of their ability, but not the way we would like to get at issues of crime. You don't get it by throwing in a bill that says, "We're tough on crime."

You see, good citizens, that's what we're up against. We're up against the government's ideological machinery that manufactures news in such a way that most of you don't know what's coming or going. You don't have a clue. Even our own members don't have a clue, so fast do they move with their ideological machinery to move things along in such a way as to make you believe they're doing something.

Crown attorneys are overworked and understaffed. As my colleague from Niagara Centre, Peter Kormos, said, they are so understaffed that plea bargaining is rampant. They have to make deals. Even when the crown attorneys don't want to make deals, they're forced to make deals under unpleasant circumstances because they don't have enough staff to deal with the problems. Mr Kormos has raised this issue day in and day out.

At some point, I say to you, good citizens, you have to go after this government in some way. You have to help us to help you by going after this government and saying to them, "How many more police men and women do you have on the streets today, as opposed to what we had six or seven or eight years ago?" You may not know, good citizens, but we had more police men and women in 1994-95, in those years when we had a deep recession and we didn't have any money than we have now, under a government that has been lucky enough to have a good economy and would have had the resources to be able to

say, "Here's some money. We're going to have more crown attorneys; we're going to have more police men and women out there to help you do the job."

They've got the bucks. The time is right to do something. The time was right to do something in the last five or six years. I'm afraid, good citizens, with the recession setting in, where so many people are being laid off—when you're laid off, you're not working, and when you're not working, you're not paying taxes, and when that happens, the government is not able to pocket much money to pay for some of the problems that, in our view, are fundamental to making sure we have a civil society out there, a civil society that works.

If you don't put in the money when you've got money, you can't expect—and I don't expect—this government to put in the money when the economy is dipping down and there's very little money coming in. They won't do it. And what will we have then? We will have a structure and a society that has been weakened by this government to the extent that we're likely to see more crime because of them than otherwise would be the case.

So yes, we expect governments to be there to govern, and good times are the time to reflect on what you should be putting into place, so that when the bad times come, you've got your infrastructure in place and the funds you've devoted to our justice system are in place to help us all out.

You introduce a bill that puts at risk innocent people. That's why our justice critic from Niagara Centre has said this bill utilizes the lowest possible standard of proof, because it speaks, under the civil court, of probabilities. I'm not a lawyer, but there are a few things I understand. Under this bill, the civil court uses a standard of probability when deciding the guilt of an individual. What is that balance of probability? How do you determine that figure above 50%? When you're balancing it, you need at least 50% before you can put someone away, right? When you can say, "Yes, you're guilty," you need at least 50%. What is that standard of probability? Is it within the range of 50% to 60%, 60% to 70%, 70% to 80%, 80% to 90%? What is that standard? We don't know. It's probability.

That's why our critic has been saying that standard is wrong, that you've got to use the Criminal Code provisions, where the standard for determination of a crime asks for proof beyond a reasonable doubt. I feel better with that standard. If I am accused of some crime, that is the standard by which I would want to be judged—"beyond a reasonable doubt"—rather than on the balance of probabilities.

I know how hard it must be for the citizens out there, who say, "What the heck is he talking about?"

Mr David Tilson (Dufferin-Peel-Wellington-Grey): What is he talking about?

Mr Marchese: Just like the member from Dufferin-Peel: "What is Marchese talking about?" But that's exactly the point.

Interjection: Of all the people who should know.

Mr Marchese: Exactly, because the member from Dufferin-Peel is a lawyer. He knows. He's just playing the game.

But I know you good citizens have no way of assessing what this debate is all about. It's so legalistic, much of it. I know most of you don't burden yourselves to understand the standard of balance of probabilities and the standard of proof beyond a reasonable doubt. To most of you it's just up there, it's abstractions, intellectualization of a particular problem that's legalized. So other than the lawyers, most of you are going to say, "Yeah, I side with this bill, because it says, 'remedies for organized crime and other unlawful activities.' That makes sense to me. This government is going to go after the lawbreakers who are involved in organized crime. I understand that." That's all you need to know, and this government knows it too. For us to be opposing it is as if we are saying we don't support this bill and that, in so saying, we somehow support organized crime. What stupidity to put it in that context or to say New Democrats don't support this bill. You see, it's not so simple.

That's why we urge the citizens of Ontario to become much more engaged in what we debate in this place, so we have a reasoned debate, so you're not simply dragged into a position or sucked into a position presented by the government, manufactured by the government in such a way as to lull you to sleep. We need to be vigilant. Otherwise governments of this sort are able to get away with—I won't say "murder," but they're able to get away with so many abuses.

Some of the main critiques of this legislation were summed up by Tom Naylor from the Nathanson Centre for the Study of Organized Crime and Corruption in an op-ed in the *Globe and Mail* on August 29. He said, "The legislation will destroy the distinction between civil and criminal processes, reverse the burden of proof, smear ... citizens with the taint of criminality without benefit of trial, and turn police forces into self-financing bounty-hunting organizations."

As I read that to you and for you on the record, it sounds a little bit difficult to comprehend. I don't want to suggest that most of you might not follow this kind of legalistic language, but it is tough to get your teeth into. But if we don't have people like this and like New Democrats, who bring forth objections we have to this bill so we can say to the government, and to you, good listeners, that we have some serious concerns that need to be debated—if we don't do that, who else will play that role? Bills come and go here so quickly—quickly enough that we as opposition and others who oppose this government rarely have a chance to discuss, debate and convince government members they have to just stop before they proceed.

This government came in with this bill in the last session with a whole lot of bells and whistles, you'll remember. They have introduced this bill before, with lots of noise about how this government was going after organized crime. They usually have the press conferences with all the usual fanfare that follows, and of course at

the end of the last session the bill was dead. They reintroduced the bill in order to make more noise about how this government is going after organized crime or crime in general. So they get a double hit, reminding the public about how wonderful and tough they are on law and order, like the Victims' Bill of Rights.

Oh, you were good with that one. You made it appear, or at least you convinced a whole sector of the population out there, that you people had brought in Victims' Bill of Rights that actually—

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): Why did you vote against it?

1900

Mr Marchese: No, Minister of Culture, let me get to the point. The point is that your bill was presented in such a way as to suggest that there were rights contained within that Victims' Bill of Rights, until Judge Day told you, "No, there are no rights in that bill." But you people were so good. You manufactured a nice, neat little title. "Victims will have rights from now on." That's the game that you play, member from Dufferin-Peel-Wellington-Grey. The game you play and the game all these other members play is that you make it appear like you're really tough on crime. We're saying beef up our police forces. Give them the support and the tools they need. Put the manpower and womanpower back to them. Hire more crown attorneys so they don't have to plea bargain in very tough situations where many of these criminals ought to be in jail.

These are the kinds of supports we need in order to help our justice system. You have done very, very little in that regard. I urge citizens to keep an eye on this bill.

The Deputy Speaker (Mr Michael A. Brown): Questions and comments?

Mr Tilson: I'd like to make a few responses to my friend from Trinity-Spadina. I must confess I didn't hear his remarks the other day, but his points today seem to be twofold.

One, he's concerned about the test of the "balance of probabilities" versus "beyond a reasonable doubt." Yes, that was raised by my friend from Niagara Centre during the hearings, and there were arguments on both sides as to which test you would use. You've got to remember that this province cannot get involved in criminal matters; that is the jurisdiction of the federal government. They can amend the Criminal Code; they can do all kinds of things with respect to the Criminal Code. It is with the Criminal Code that you use the test of "beyond a reasonable doubt." This legislation deals not with individuals, which is what the Criminal Code deals with; it deals with property. It deals with the fact that we're asking the courts to freeze assets, to seize assets and to forfeit to the crown the proceeds of unlawful activity, as well as assets that could be used as instruments or tools in the commission of unlawful activity.

We heard from a number of jurisdictions. We didn't think this up. This isn't a brand new idea. It's been going on in the United States, we were told in the hearings,

since the 1700s. Australia does it. Ireland does it. So this isn't a brand new idea.

As far as the amount of money that's being spent, my friend from Niagara Centre says, "You won't have enough money." We made a commitment to spend whatever is necessary to do it. I could give facts, but I've run out of time.

Mr Rick Bartolucci (Sudbury): The member from Trinity-Spadina makes some very good points. Certainly, this bill isn't perfect; it's far from perfect and it needs some modification. That's why I'll be supporting it at second reading and getting it to committee. Hopefully, the government will listen to the people who will come forth with recommendations to make this a better bill.

There's absolutely no question that the world has changed since this bill was reintroduced. When it was introduced originally in the form of Bill 155, it was impossible to support. I couldn't in good conscience support it. It now comes as Bill 30, and I still have some concerns with it. But then the Premier on our first day back makes the statement that he's going to make some alterations to this bill to face the new realities which existed after September 11. In fact, a promise made, a promise broken, because he didn't bring in any modifications or recommendations because of what happened on September 11.

I believe that when you're talking about organized crime, you've got to talk about organized terrorism as well. So I would hope the government would listen carefully to the recommendations, to the modifications, to the changes that the opposition is going to bring in. Hopefully, after we have public hearings and after we have clause-by-clause, this will be a better bill. It will be a bill that will stand the test of time and it'll be a bill which will deter organized crime. I do not think, in its present form, you can talk about terrorism and organized crime, as it's defined in this bill, in the same breath.

Mr Peter Kormos (Niagara Centre): The member for Trinity-Spadina, Mr Marchese, once again analyzes a piece of legislation in a very focused way, addresses it in a very pithy manner, and quite frankly I wish people would take heed of what he tells us.

I would admonish him in one regard, because once again he apologized for not being a lawyer. Mr Marchese, if anything, it's we lawyers who should apologize for our profession and not you for not having succumbed to it.

I say to the parliamentary assistant, I understand the point you're making, and that's our point as well. You can't enter the domain of federal jurisdiction, and that is to say, criminal law. You know as well as I do that victims always could use the civil court to obtain compensation for the theft of their property or to recover their property. We go back quite a few years now, but it's about who's highest on the chain of ownership in terms of priorities about ownership. We understand that.

What this bill does is it gives the state the power to seize property, not for the sole purpose of returning it to the victim from whom it was taken, but it gives the state

the power to confiscate property and does it with that dangerously low standard of balance of probabilities. That's the problem the province has. That's why the province should be financing its police forces and its crown's office to enable them to more effectively use the Criminal Code confiscation provisions which ensure that only those people who really are criminals—proof beyond a reasonable doubt—suffer forfeiture and loss of their property. You see, Mr Marchese, like other New Democrats, is concerned about the prospect of your net being so broad that you bring innocent people into it. I put to you that danger is far too obvious to risk with this legislation. New Democrats will fight for those innocent victims.

Mrs Julia Munro (York North): I want to just draw to the attention of the members here, and those at home, that the intent of this legislation is to ensure that we do have a further avenue to the issue of organized crime. All of us recognize the fact that organized crime has become of growing significance to our individual communities. The fact that we have this legislation before us today is a demonstration of our commitment to ensure that we will do whatever we can at this level of government in the face of the growing threat of organized crime. That is the intent of this legislation.

One of the issues that we have identified for Ontarians has always been the need to have safe communities, and it is a part of that commitment to ensure the safety of all Ontarians that this legislation has been drafted.

It's also a recognition of the need to be aware of victims, the fact that we always have traditionally been looking at laws that ensure the rights of those who have been accused of a crime, and sometimes we have forgotten the importance of the victims and making sure that their rights are considered.

This piece of legislation, then, falls within the framework of our commitment to making sure our communities remain safe and that we recognize the kinds of problems that victims have.

The Deputy Speaker: Response?

Mr Marchese: I thank the speakers for commenting on my remarks.

The government is saying that it should have the right to seize property and money even though there has not been a conviction. That's the danger that we speak to. That's the danger that we alert you government members to how you potentially put innocent people at risk.

1910

Criminal lawyer John Rosen has said the new act is totally ridiculous because Queen's Park is trying to supersede Ottawa. He claims this is criminal legislation and beyond the jurisdiction of the provincial government to pass. What we are saying, by way of our concern, is that the standard of proof that you are using under the civil court, which is the lowest possible standard of probability, whereby you don't need 95%, 98% of proof over the definition of the criminal standard which uses the Criminal Code provision for determining a crime is proof beyond reasonable doubt, the standard that we

ought to be using and that's already in place. To try to supersede it with a civil court standard is dangerous and puts people at risk. What we have said as New Democrats, and what our critic for justice issues has said over and over again is, police need the resources to fight sophisticated scams and frauds. Crown attorneys are tired and overworked, and that's why there's a lot of plea bargaining that should not be going on. The courts are understaffed, underresourced and therefore need our support. That's what the government should do to deal with issues of crime.

The Deputy Speaker: Further debate?

Mr David Christopherson (Hamilton West): I'm pleased to have this opportunity to join in the debate. I have a number of points I'd like to raise.

The first one is that I want to acknowledge that there is an organized crime problem. I don't know if "crisis" is the right word, but we're certainly getting to that. There's a serious issue of organized crime in all its different manifestations in the province of Ontario. I say that in my capacity as being a Hamiltonian, where we've had our issues with organized crime and continue to, and also in my time as a former Solicitor General in Ontario, so I'm not for one moment going to suggest that this is not a serious issue that shouldn't be taken up in a very onerous and decisive fashion.

There is a real problem and I am supportive of measures that give the police and all the different aspects that make up the police, meaning both the officers on the street and the criminal intelligence aspect of policing in this province and in this country. I'm very supportive. At the end of the day, we've got to be able to fight fire with fire, and it's becoming more and more complicated. Technology has changed the nature of crime and it's made it easier for criminal activity to be organized, so for all those reasons I am aware and supportive and acknowledge the fact that there is a serious issue that Ontarians and the Ontario government need to treat with the utmost importance in terms of addressing that issue.

Having said that, I also need to put this in some context. Much of the debate here is around whether or not this is an appropriate tool or an appropriate vehicle, as opposed to whether or not the government should be doing anything at all or whether this will result in the kind of benefits to the general public that the government purports will happen. This has all got to be put into context.

I'm sorry, but the context we cannot lose sight of, as much as many of you would like to, is the absolute disgrace that we've seen in the province with the Victims' Bill of Rights. We watched this government stand up and make their announcements, and I know people have referred to the photo ops and the announcements around the previous legislation. By the way, there was a previous piece of legislation to this. This is not new. There used to be Bill 155. That didn't make it; it died on the order paper. Now we've got Bill 30 and it's been around for a number of months. If it was that important it get through, it already would have been done.

But I want to talk about the Victims' Bill of Rights, when there was incredible fanfare and the government as much as said nobody else cared about victims except them. If you read the news releases and read the Hansards from the time, the Attorney General of the Harris government at that time was making the case that their government was finally going to be the first government to stand up and bring in legislation that acknowledged the rights of victims. And what did we see? After that bill was passed through here there were two Ontarians, two women, who went to court and said, "My understanding is that I have rights under the Victims' Bill of Rights, and I want my rights enforced." They felt they had to go to the courts because they weren't getting justice from the Harris government. So there was a court case and these two women made the argument that they had rights under the Victims' Bill of Rights and they were asking the court to order the Harris government to give them their rights.

If one listened to all of the hoopla and all of the announcements at the time, you would think this would be fairly straightforward. We watched the spectacle of the Harris government bringing in government lawyers and arguing in front of that judge that those two Ontarians didn't have any rights. The Harris government brought government lawyers into a courtroom in front of a judge to argue against the two Ontarians who were there to have their rights, which they were told by this government they had, upheld. The government fought them in the court. Judge Day ruled in favour of the two women in terms of the fact that their rights, as spoken, should be there. I'm paraphrasing, of course. If I spoke in the legalese, none of us would get it. But the language that's in the law, the way the law was written, made it clear that these citizens did not have their rights, and therefore the government won the argument. The government brought in legislation and said, "Here are rights for victims," and then, when two Ontarians tried to have those rights upheld, marched into a court of law, used government lawyers to argue against those citizens, and won. Judge Day's comments are a scathing attack on the difference between what this government says and what they do.

We ought not lose sight of that. It's real; it happened in this province. They haven't made any amendments to that bill since then. So for all their talk about victims, they have legislation in this province that's been shown in the courts to not instill any rights for victims. Now what? We're supposed to just sort of suspend reality and say, "Oh, well, I guess that didn't happen," or "It doesn't count," or "The first time you're sort of given a pass, but we'll listen because maybe you mean it the second time"?

This fund is called the forfeited proceeds compensation fund—all about victims again. Yet it was presented to the committee during the hearings that the existing federal legislation, the Criminal Code legislation that already provides for seizure and forfeiture of assets, those tools are used less by the province of Ontario, proportionately, than some other provinces.

1920

Given the debate in this House about whether this should remain in the criminal field or in the civil field, it seems to me that if you wanted to make a common sense argument, you should be able to march in here and say, "You know, we've done everything we can. We've used the Criminal Code over and over and over. In fact, we've used it more than any other jurisdiction in the country, and we keep running into a dead end. Here are the cases to show you. Here are all the times we tried to do these things and we were stopped. Here's the evidence that we've tried to use the federal Criminal Code tools more than anybody else and we're just so frustrated and we can't get anybody to listen to us at the federal level. The only thing left for us to do is to bring in our own legislation."

It didn't happen that way. In fact, Professor Margaret Beare of Osgoode Hall Law School said at the hearings, "Ontario is the province that tends to use the existing Criminal Code provisions for powers of seizure less than some of the other provinces."

How can you come in here and make a common sense argument that we need to do something at the provincial level, even though it's questionable whether or not that's our constitutional jurisdiction, without having exhausted all of the other tools available? You can't. Obviously, you cannot make that common sense argument.

So why would the government do this? Simply because the Harris government has decided that no matter what, the only thing that is truly important is that they be seen to care more about law and order and going after criminals and protecting victims and supporting victims than anybody else in this House. That's the goal.

I don't for a moment suggest that the current Attorney General and Solicitor General don't really care about this issue and that they haven't done and aren't doing things to the best of their ability, because they do care about this issue. I'm not suggesting they don't care. What I suggest to you is that in their political rush to be seen as the best and the ones that care the most, they're prepared to play all kinds of games, and the proof is in the whole case of the Victims' Bill of Rights. It's all right there.

So we're back in this place and the government once again, if you read the Hansards and listen to the government members, a lot of them, when they're refuting the arguments from this side, talk about the problems that exist and talk about the need to do something and the fact that organized crime is an entity in all its manifestations that needs to be dealt with seriously, and if you don't support us, obviously you don't care. It's an easy argument to make, certainly made easier when people are frightened.

As we speak here today, that whole mindset of being somewhat worried about what's next looms larger than ever. But that's no excuse to pass bad laws. From all the evidence, if you remove the political aspect in terms of what appears to be the motivation, in my opinion, of why the government's bringing forward this bill, you're left with the possibility, the real potential, for bad law-

making. Believe me, if we're talking about the Victims' Bill of Rights, calling that bad law is about as mild as you can possibly get. That is insulting legislation and insulting behaviour on the part of the government, to bring in their own lawyers and argue that Ontarians don't have the very rights that they are in there trying to get enacted, the rights they were told by this government they had.

They're going to have the forfeited proceeds compensation fund. I'm not a lawyer. There are certainly a lot of legal arguments that have been made about why this is bad law. Certainly the notion that we're going to create a whole new area of state power by going through civil litigation rather than criminal charges is serious. One of the cases that got the most attention during the hearings on this issue was a Hamilton woman who came forward and made the argument that this legislation, as it's written and as it's proposed by this government, could leave her, as an innocent Ontarian, subject to very draconian action. I don't image there's anybody in this House who believes that if you give the state the power to walk into your home and take what they decide to take—whatever they want—it's not draconian legislation.

Wouldn't it make a lot more sense, if the government was more concerned about victims and about attacking organized crime than politics, for them to utilize the Criminal Code to its full extent and then, if there are instances—and I say, in reading the comments of the Attorney General, I think he points to one or two scenarios that need to be looked at. The whole notion that someone who would otherwise be charged with a criminal activity dies and so an innocent Ontarian who knows where their property is and that it was obviously gotten illegally can't get their property back, or perhaps the person has left the country; those were the two examples the Attorney General used in his opening comments on this bill.

Again, not being a lawyer, I'm not going to start getting into the back and forth on this one, but on its surface there seems to be a prima facie case of an inherent injustice there. But let's make the case. Let's use the Criminal Code as it exists at the federal level. Remember, criminal charges and the Criminal Code are the responsibility of the federal government under our Constitution. If we use the current federal law to its full extent, we might find that there are a lot more examples, there are a lot of other cases and instances and we can start building a case.

Then, I would suggest, the first place to start after that is at the federal-provincial-territorial justice ministers' conferences that happen every year. Ontario can put that on the agenda, and believe me, Ontario has a lot of influence at those conferences, given the size of our population and the size of our economy. If Ontario speaks at those conferences, it is listened to. If we decided this was a major issue for us, we would get the ear of the other delegates and the other justice ministers from across the country at all levels. Make the case that there ought to be changes in the Criminal Code to deal

with these various instances that we can back up with proof are leaving justice denied to innocent Ontarians.

After all of that, at the end of the day, if there's absolutely no other avenue, then the Attorney General may want to put out a white paper to turn up the heat. There's an awful lot of heat that can be turned up on the federal government. But more often than not, it was my experience, having attended those conferences, that when we raised issues—certainly when Ontario raised issues—they were deemed to be important and serious by all the other delegates, as we treated their issues the same way, and you could get the changes that you need.

It's not good for us to continue to whittle away at the constitutional powers as they now exist. Goodness knows we've got enough problems constitutionally in terms of how the various parts of this country see the Constitution and see the makeup of powers and the breakdown of powers. The idea that we would continue to take little pieces of the Criminal Code and maybe immigration and a number of other things and start pulling them into Ontario, that's not, in my opinion, the best course of action and should not be the first course of action, and yet that's what this government has done.

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So I wind up by summarizing that, in the context of this government's track record with the Victims' Bill of Rights and given the serious question marks around going down this road to deal with an issue that already has tools available at the federal level that have not been fully exhausted by this government, this has the potential to be bad legislation when you factor in the real concern that experts in the field have about innocent Ontarians not only being tainted with being part of a criminal ring, organized crime, but potentially having their personal property seized by the state.

I'm a huge believer, obviously, in democracy and a huge believer that governments need to be strong enough to do the job on behalf of all of the people, but I'm also very sensitive to the idea that when all of the state's resources and power are focused on an individual, whether it's to be able to go in through their front door with or without a warrant, whether it's to go in and hold them down and take a blood sample, whether it's to go into somebody's home and start collecting up their belongings, we need to be very, very careful about how we're exercising those powers.

My worry here today is that this is a rush, not to democracy, not to justice, but to political goals and political objectives, and that's wrong. It's wrong to do that, and the government ought to slow down and look at going at this a different way.

The Deputy Speaker: Questions? Comments?

Mr Tilson: The speaker from Hamilton West said much the same as the member from Trinity-Spadina—

Hon Chris Stockwell (Minister of Labour): Except louder.

Mr Tilson: That's OK. Both the speakers from the New Democratic caucus seem to be talking about this as something unusual, saying this legislation is something

unusual. It has been used all over the world. This is not a brand new type of legislation. They start saying, "Oh, well, we're infringing on the federal criminal law." We're not infringing on the criminal law. The criminal law deals with individuals, with people. This deals with assets.

One of the witnesses who came to the hearings on the former bill—I think it was 155—by the name of Vaughn Collins, was talking about how over the last 15 years there has been a tremendous increase in organized crime in this province, and they're into everything. They're into money laundering, he said; they're into prostitution; they're into illegal immigration; they're into alcohol; they're into drugs; they're into tobacco; they're into weapons smuggling, securities fraud, credit card fraud, document fraud and telemarketing. With all of those things, there are tools that are used by those people.

Our legislation suggests that we're going to seize that if it's established that it's used for illegal purposes, whether it be a car, whether it be a boat, whether it be a motorcycle. The proceeds from those things will be used to help victims.

My friend spent a great deal of time on the Victims' Bill of Rights, which has nothing to do with this legislation. He's perfectly free in talking about that, but we're saying that if this illegal activity is going on, what's wrong with getting the tools that are being used by those people and providing them to the victims? There's nothing wrong with that.

I expect, in the end, the New Democratic caucus will support this legislation.

Mr Dave Levac (Brant): As always, the member from Hamilton West speaks to us with a degree of authority, he does his homework and he speaks with passion, and I appreciate it very much. He does make some points that I would hope the government side would pay attention to and make sure that at committee level we can offer those solutions in a non-partisan way to try to solve this major problem that we have in Ontario.

Let me bring, for instance, to the attention of the House during this debate that some members on the other side are trying to do the breast-beating exercise that basically says, "We've got the ideas, and we're the ones who take care of organized crime, and we're the ones who take care of the victims." I want to show you, just by example, a few pieces of legislation that were absolutely rejected by that side that would have had an impact today. I refer us to the bill that's being offered by the member from St Paul's on our side, the famous biker bunker legislation. It was pooh-poohed by that side, but guess what? We predict that within the very near future we're going to see some legislation coming from that side to take care of biker gangs that have fortified their places of business inside the municipalities we've spoken to. So my compliments to the member for St Paul's.

The member for Sudbury, Mr Rick Bartolucci, has continually fought child prostitution, and over a long period of time he's been trying to bring it to the attention of this House. Finally the government stepped forward

and said, "Maybe it's time for us to look at that legislation as well." So to the member for Sudbury, congratulations.

I had a piece of legislation, Bill 27, to protect the confidentiality and the private information of all those who work in the criminal area, the crowns—

Mr James J. Bradley (St Catharines): It was a great bill.

Mr Levac: It was a great bill. I take pride in that. That bill was going to create a board that would take care of making sure all the ministry officials didn't give away information—we know what's happening in the Ministry of Transportation. Had this bill passed, not been buried by the members on that side, we would be protecting that information.

Mr Kormos: Once again, David Christopherson, on behalf of the New Democrats here, outlines very clearly the New Democrats' concern about and opposition to this legislation. I tell the parliamentary assistant that this bill will have to see some major, major changes before it's supported by the New Democrats, just as, first round, during committee, there was great effort made to raise the standard of proof to something even akin to the criminal standard of proof, just as there was, during second reading debate and during committee, an effort on our part. We'd have to see that before New Democrats will support this bill.

I want to make it very clear that we're not going to equivocate about support for the bill. No. I say to the parliamentary assistant that we don't support it. You've heard the reasons given why we don't support it. We have serious concerns that it puts innocent people at risk. We're not going to support legislation that pits what can be the incredible power of the state—and that's what the member for Hamilton West was speaking to—against individual persons when there is the significant risk of innocent people having property seized and confiscated by the state.

I look forward to the committee hearings, but I expect this government has no intention of accepting or adopting amendments that raise the standard of proof. This government wants this bill in its current form. It can get it. It may well get it with the co-operation of the official opposition, the Liberal Party, but certainly not with ours.

Hon Robert W. Runciman (Minister of Economic Development and Trade): I'm not surprised by the opposition's opposition to this legislation. If you look back over the history of both the Liberal Party and the NDP during their time in government, it's quite evident to even the casual observer that both parties consistently could be classified as folks who are soft on crime.

Interjections.

Hon Mr Runciman: That may raise their hackles, but you just have to take a look, for example, at the Liberal Party. Over the years, in my time as the justice minister and as a critic in the justice portfolio, we've consistently expressed concern about the federal legislation the Young Offenders Act. Where have they been? Very

supportive of the Young Offenders Act. We could say much the same for the NDP.

When this government established a strict discipline camp for young offenders, called a boot camp, I know what happened. It has a very low recidivism rate. It's doing a very effective job.

Interjections.

Hon Mr Runciman: We hear heckles from the Liberal Party now, Mr Speaker.

The Deputy Speaker: Stop the clock. One person at a time is the rule in here. There are several members making quite a bit of noise who aren't in their seats. We will need that to stop.

The Minister of Economic Development and Trade.

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Hon Mr Runciman: The Liberals continue to be opposed to a boot camp, a camp that is having a real impact in terms of deterring repeat crime by young offenders.

The NDP: we recall the parole board under the jurisdiction of the NDP, when they had an appointee as chair of the parole board who in fact put the priority on prisoners' rights rather than victims' rights, rather than the impact that these individuals had in our communities. That resulted in the release of someone from a facility in Ontario that resulted, I think directly, in the death of a police officer in Sudbury. We certainly made a case of that during our opposition years.

We can take a look at police co-operation during the NDP years. A gentleman by the name of Dudley Laws had access to—

Interjections.

The Deputy Speaker: Response?

Mr Christopherson: I thank the members from Dufferin-Peel-Wellington-Grey, Brant, Niagara Centre and Leeds-Grenville. I do want to save time for my comments to the member for Leeds-Grenville.

To the member from Dufferin-Peel-Wellington-Grey, it's interesting you say that I have a right to raise the Victims' Bill of Rights but it has nothing to do with this. Had we not had that court case, every one of you would have had that bill in your briefing notes and you'd have been touting it as an example of how you care about victims. But given the history of the issue, you don't dare do that. So don't tell me that it's not relevant to this debate. It has an awful lot to do with how you say you're going to do something for victims and what you actually do at the end of the day.

Now let me just move to the member from Leeds-Grenville. I knew, and I said in my comments, that somebody there would get up and make the argument that crime has gotten so bad and the people over here are soft on crime. I can't believe that you think people are so stupid as to not see through such a ridiculous argument on a bill like this. You said the same thing on the Victims' Bill of Rights. I didn't hear the minister stand up and defend his government's action on conning the people of Ontario when you told them they had rights, and then you were a part of a cabinet that authorized bringing in lawyers to argue that those innocent victims

didn't have any rights. Why didn't you talk about that, Minister?

Let me tell you, for you to raise the boot camp, I cannot believe it. The night before his privatized boot camp opened, there was an escape. They had to cancel the grand opening because there was an escape, and they had to bring in public sector workers to take control of the place. They left the keys in the van. Give me a break, Bob, your arguments are getting stale.

The Deputy Speaker: Pursuant to the order of the House earlier today, I am now required to put the question.

Mr Young has moved second reading of Bill 30. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. Carried.

Pursuant to the order of the House earlier today, the bill is referred to the standing committee on justice and social policy.

VICTIM EMPOWERMENT ACT, 2001

LOI DE 2001 SUR L'HABILITATION DES VICTIMES

Resuming the debate adjourned on June 14, 2001, on the motion for second reading of Bill 60, An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act / Projet de loi 60, Loi visant à accroître le rôle des victimes aux audiences de libération conditionnelle et à responsabiliser les délinquants à l'égard de leurs actes, prévoyant des normes relatives à la toilette des détenus et apportant d'autres modifications à la Loi sur le ministère des Services correctionnels.

The Deputy Speaker (Mr Michael A. Brown): Debate?

Mr Peter Kormos (Niagara Centre): I've only got an hour to speak to the bill. I was concerned, because the bill is rather sparse. I was concerned that I was going to have a difficult time consuming an hour of floor time. Let me get to this first.

Mr Rosario Marchese (Trinity-Spadina): Take your time.

Mr Kormos: Mr Marchese says to take my time. I'm worried that if I don't speed up I won't have enough time. I was worried about being able to fill an hour on the floor. We don't get that much time to speak any more. The rules have changed.

I then take special note of the title of the bill, the short title alone, the Victim Empowerment Act, and I realize, you see, my comments have to be contained within the framework of the bill. I was worried. There are two or three sections in the bill, but then the title, Victim Empowerment Act—the gates are open, wide open.

First, I want to thank the Minister of Correctional Services.

Mr Marchese: Why?

Mr Kormos: Because he was very candid with me when he advised me that this bill was going to be presented. He cautioned me. He said words to the effect—and I hope he doesn't mind my repeating them because he was very generous in his comments. He said, "I know you're not going to be very happy with it." He forewarned me that there wasn't going to be the sort of stuff here that we in the New Democratic Party expressed concern about.

This is the history: it became increasingly apparent to us in the New Democratic Party that provincial parole hearings were nothing more than closed-door, very secret, very private little affairs. Look, we in the New Democratic Party obviously have as much concern as any other member of this Legislature or of any other caucus about, for instance, prisoners being released prematurely, before any meaningful rehabilitation has taken effect.

We understand the purpose of parole. The purpose of parole is designed to effect a bridging between imprisonment and a return to full life and hopefully a more productive life out there in the community. We understand also that parole from, let's say, a correctional officer's point of view is a reward for good behaviour and for meaningful attempts at rehabilitation when one is in the correctional system. But we became aware that there were increasing problems with the access of victims to those parole hearings. Unlike in the federal system, parole hearings are behind closed doors and victims were not getting access to them.

I appreciate that there are going to be a whole lot of folks who disagree with me, and I understand that. I'm prepared. We should be debating this proposition. It is my view that in many respects, if not in every respect, the parole hearing is but an extension of the original sentencing hearing. It is some tinkering, with a sentence imposed by a judge. We're not talking statutory remission any more; we're talking about parole. We're talking about release from custody before a prisoner is eligible for his or her statutory remission, notwithstanding the tinkering that has been done with the statutory remission, although, let's face it, the principle is still very much in effect.

The sentencing hearing is, as of right, a very public hearing. They are performed by judges, by judicial authorities, in open courts. The press is entitled to be there, even in cases of young offenders where the press cannot report the identity or anything that would identify a young offender. There are some members of this Legislature who were sensitized in a particularly dramatic way to that particular section of the Young Offenders Act, weren't they? But the press is still entitled to be there. The press is entitled to report to the public what submissions were made during a sentencing hearing, what defences were raised by defence council. The press is entitled to hear the substance of victim impact statements, where victims—and appreciating this is a rela-

tively new trend in the criminal law—now have a right to participate in the sentencing process, both at the young offender level as well as at the adult level, by submitting victim impact statements. That's the direct victim or obviously family members, associates etc of a person who may have been a victim.

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The public nature of that is incredibly important. It's important, one, very much for the administration of justice: the public has a right to know. It's important from the point of view of so-called deterrents, because a whole lot of folks have had a whole lot of trouble. Somebody once wrote, "What right have you to punish me for the amelioration or intimidation of others?" They raised that as a philosophical question with respect to the principle of general deterrence. You see, general deterrence, as I understand it—and there are other people here who perhaps may want to correct me in this regard—is when there's an imposition of a sentence, not necessarily because that particular offender, he or she, warranted that type of sentence or that extent or length of sentence, but because a lesson was being taught to the rest of the public; an example was being made, to put it crudely, of that particular offender. That's a deterrent sentence, a sentence of general deterrence, as compared to specific deterrence as against that offender specifically.

What good are sentences of general deterrence if other people in the community don't learn about them? That's where the press presence at sentencing hearings is critical and it's important that the press, the news media, the fourth and fifth estates, fulfill their responsibility to report sentencing in court both at the young offender and at the adult levels. The public has a right to know. It's my view that that's critical.

It's also in the offender's interest. One of the reasons why criminal trials are very, very public except under the very rarest of circumstances is to safeguard the rights of an accused. Which one of us would want to be tried in secret, especially if we were protesting our innocence and didn't have the assistance of the general public in their role of oversight over that process?

There may be others who disagree with me; I'd like to hear from them. Sentencing is a very public process. It's a process that involves the victim. It's a process wherein the offender is entitled to raise, after his or her conviction, all those factors he or she believes can persuade a judge or a sentencing authority are mitigating factors and they should serve to reduce the sentence or incline that sentencing authority to approach the sentence from the submission of the accused and the offender as compared to the submission of the prosecutor.

If sentencing is a public process, why isn't a subsequent alteration of that sentence a similarly public process? When a parole board hears submissions from a convicted person serving a sentence to the effect that his or her sentence ought to be shortened, why isn't that sentencing process equally public and transparent for the same good reasons that the original sentencing process was transparent and very public? Because, you see, we

started getting concerns expressed to us from victims who were being denied access to sentencing hearings, never mind the general public and/or the media, the press, the news reporters of the day of either print or electronic media.

In response to that, I brought a bill before this House. I relied in no small part on the federal rules regarding parole hearings, because many of the issues that were being expressed by Ontarians about access to parole hearings had already been addressed at the federal level—not all of them, but a huge number of them. I recall my conversations with the Minister of Correctional Services and his generosity with respect to that private bill, but it was our position here in this party that not only should the victim have a right to attend a parole hearing, but that there should also be some serious consideration given to giving that victim standing at the parole hearing; that if the victim had a right and that if parole and whether or not parole was granted and to whom it was granted, how often it was granted and for what reasons it was granted was a legitimate matter of public concern—and we believe it is—then similarly the public—and that means of course the press—should have access; that the victim should be entitled to advocacy at that parole hearing when she or he as victim acquires standing; and that of course the applicant for parole should acquire some advocacy.

We put that bill forward, I tell you, in the best of all good faith. We put that bill forward in the hopes that the government would adopt all or even some of it with the view to effectively improving justice for victims in the province of Ontario and, as importantly—perhaps one can't say “more importantly” but certainly as importantly—lending some transparency to the parole process. The public is incredibly confused about that. The public has no idea what goes on at a parole board hearing. The public has no idea what rationale a parole board uses when granting or denying parole. As you know—you heard it just a little while ago—there's some significant criticism about the parole board of the day and some suggestion that somehow that parole board favoured one set of rights over another.

The best judge of that would have been and still will be public scrutiny of that very same process. So we had hoped, we had truly, truly hoped, as time went by yet more fecklessly, that the government would embark on this course of opening up parole hearings in the interests of victims' rights and ongoing justice for the victim and in the interests of the public's right to know, in generating this transparency around the parole hearing, so that it wouldn't any longer be a secret little process about which editorials may or may not be written, accurately or inaccurately; and so there could be some scrutiny for the purpose of, oh, let's say political input into changes, revisions or amendments that should be made to the parole process to bolster it up, to make it fairer, to make it work more effectively.

I say this to the former Solicitor General, who believes very strongly in what he believes in: I don't think it's necessarily a matter of bragging rights to say, “Fewer

people were released on parole during our regime than during somebody else's.” Because really, isn't the relevance of parole, among other things, that the correctional system may have done its job? I appreciate that there has been public concern and fear about it, and I can cite many of the notorious tragic cases where parole boards, in hindsight, made some horrible, horrible errors about releasing people from prison. Mind you, let's be fair, because these were people who would have been released at some point in any event—maybe six months later, maybe nine months later, or a year or two later than the parole board actually did release them. In reflecting on some of those tragic and horrible errors on the part of the parole board, deadly errors—and they were.

One questions, then, whether the problem lay in the parole board and earlier release or whether the problem lay in the fact that the sentence, when first imposed, was inadequate in any event. I don't think that's an unfair observation. I'm not afraid to participate in criticism of one parole board or another. The problem is that without public scrutiny of the parole process, without having the media there, the press there, the public there to observe what submissions are being made, what the parole board is considering and the rationale that a parole board uses for granting or denying parole—how does the public, how do any of us have any ability to judge whether that parole board is performing its job in a manner that reflects at the end of the day public safety, and again, yes, the interests of the offender—the convicted, the inmate—from the point of view of the most effective, rehabilitative process?

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At the provincial parole board level, please, you're talking about people who are going to serve no more than two years less a day in any event. Do you understand? Any one of these people is going to be out, even if they serve every single day of their sentence, to the final minute, it's maximum two years less a day, even if they serve the total sentence, the result of any application of punitive capacity on the part of the Ministry of Correctional Services. We're talking at the provincial parole level about people who are going to serve no more than two years less a day, from their point of view, in the worst possible scenario. OK? So, let's understand that one should not make claim to bragging rights on the sole fact of saying, “Oh we've reduced the number of people released on parole,” because provincial inmates are out there sooner or later in any event. From the point of view of most victims, quite frankly, sooner. I understand. If any of us are victims in the way that so many Ontarians tragically are victimized, I appreciate, on a regular, daily basis—I understand the victim's perspective. There's an element of fear. There's an element of repugnance. There's an element of distrust, and, again, one can't start to identify certain crimes as bearing with them more repugnance than others, although some are clearly far more serious than others.

But, look, the senior citizen whose home is broken into, even with some modest items being stolen—we all know these folks—we know that the impact of that crime

can be an incredibly tragic one, an incredibly serious one and a lifelong one for that senior citizen. At the very least, that senior citizen is denied any sense of security or personal safety; the vast majority are. You know that just as well as I do. These folks are in our ridings.

I'm not trying to diminish the impact of any of these crimes, least of all the most serious crimes, but I am trying to point out that provincial parole is reducing the sentences of people whose maximum sentence, in any event, is two years less a day.

I look forward to a day when our Ministry of Correctional Services has been restored to its status of having not only proud, well-trained and professional public sector correctional officers, but ones who are secure in their professional future and ones who once again can recommit themselves, even emotionally, in terms of their own security in their workplace, to effectively participating in rehabilitation.

New Democrats sought openness in parole hearings. We saw it as an issue of the victim's right and the public's right, because we don't deny the public the right to judge the parole system. But the public has to be armed with the information it needs before it can do that act of judgment. That's why courtrooms are wide open and public; that's why parole hearings should be wide open and public.

I spoke with the Minister of Correctional Services—rather, he spoke me. He indicated, “You're not going to be really happy with the bill,” and I beg to differ. Well, I'm not really happy with the bill. I'm pleased that there has been the slightest entry into the arena of giving victims some right to presence at the parole hearing. But once again—and look, this bill has been lingering around for a good chunk of time too, hasn't it? It has.

Let's understand what the limited rights granted by the bill are. My fear, once again, is that what this government says, with this government's history in every single victims' rights bill that I can recall it trying to introduce or pass over the last six years—this has an oh-so-attractive title, but when it comes down to the nitty-gritty, when it comes down to the real—what is it, Mr Marchese?—viscera of the bill, no matter how hard you search—read the first page of the bill, read the second page of the bill—we see that the right of victims is not stated clearly at all. The bill makes it quite clear that the Ministry of Correctional Services Act is being amended so that victims may participate in proceedings of the parole board—here we go again—in accordance with the regulations.

Over the course now of a considerable chunk of time, going back to the spring of this year, notwithstanding recurrent requests, for the life of us we haven't been able to find out what those regulations are going to be. “In accordance with the regulations.” Does that mean the victim will have a right merely to be present? Does that mean the victim will have standing? Does that mean the victim will be entitled to give evidence or will be restricted to a written victim impact statement, which quite frankly is redundant because, at least in theory, it should be part of the crown's file already.

Mr Marchese: The docket.

Mr Kormos: The docket. Mr Marchese keeps insisting he's not a lawyer. He might be a lawyer after all. He knows all this legal terminology. A docket, you're right. You sure you're not a lawyer, Mr Marchese?

Mr Marchese: Not yet.

Mr Kormos: You never have been a lawyer?

Mr Marchese: No.

Mr Kormos: You see, the victim impact statement is going to be part of the crown's docket anyway. It should be part of the record. It should be attached to the information and the sentencing information that's in front of the parole board when they consider the application for parole.

Look, let's clear the air right now. Let's make no doubt about it. Are we going to support the bill? Of course we're going to support the bill, of course we are. Come on. It would be petty on our part not to support it. But good grief, do you folks really think you've gone very far at all, once again, in the advancement of the rights of victims in our criminal justice system? Haven't you learned from the ruling of Judge Day in the litigation by Ms Even and Ms Vanscoy, Linda Even and Karen Vanscoy? Need I tell you about them again?

Mr Marchese: Yes, you should. Remind them.

Mr Kormos: Ms Even telephoned me, as I've told you once before, a few months ago, after referring to this judgment and indeed told me, “Feel free to keep using my name, feel free to keep reciting the course of events that led me into court as a plaintiff suing the government of Ontario, seeking some relief under this government's so-called Victims' Bill of Rights.” Linda Even, a young woman, stabbed, blanket thrown over her and stabbed again and again and again and again and again by an angry, irate, murderous male partner. If there was ever reasonable and probable grounds to lay a charge and pursue a conviction for attempted murder, this was it. The police thought so, the crown attorney thought so. This woman was huddling inside a blanket, and she was stabbed again and again and again and again; deep wounds. A victim.

Karen Vanscoy, a young mother of an even younger daughter shot through the head by a youthful male companion, killed dead. I don't know what you call that where you come from, but we call it murder where I come from and, I think, where most fair-minded Ontarians and Canadians come from. In both instances these accused had their charges pled down to lesser offences and, more dramatically, had it done without the involvement of the victim, never mind in any way, shape or form their consent.

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I've got to be fair, because Ms Vanscoy is in the St Catharines riding and Jim Bradley from St Catharines raised her case along with me here in the House, and we raised the case of Linda Even time after time, and the Attorney General of the day did the old hands-off, “It's out of my control” horse feathers.

These women thought they had rights under this government's Victims' Bill of Rights. If they weren't

victims, who was? The mother of a murdered child, a woman whose body is slashed open—she huddles under a blanket murmuring for her attacker to stop—if these aren't victims, who is? If these weren't the sorts of people anybody reading the title of this Victims' Bill of Rights thought that some rights should be accorded to, who would be? Yet neither of them was given any right in the course of the plea bargaining that resulted in their attackers, and in the case of the mom of the young Vanscoy child, that child's murderer—neither of those victims was given any right of participation in the decision to plea these charges down, so those perpetrators both walked in relatively short order.

You talk about the parole system. My goodness, what about a criminal justice system wherein such brutal and murderous assaults upon women are pled down to offences where, for all intents and purposes, the accused walks after but the briefest of prison terms? There is certain conduct that goes beyond and involves far more than mere rehabilitation of the offender. There are certain types of offences and certain types of offenders that call out for protection of the public, or in this case at the very least protection of other women.

I recall the scenario well. Professor Alan Young from Osgoode Hall Law School at York University, of whom I'm a big fan, who has committed himself to a lot of just causes, has done a lot of work on behalf of victims and other people who have been denied justice by the criminal justice system. I admit it. You've heard it already. When these women sued in the civil court—what they did was they sued for some remedy, saying, "Our rights under the Victims' Bill of Rights," this government's Victims' Bill of Rights, "were denied us. We want this court to grant some remedy." The government's own lawyers, by way of defence, said, "Oh, no, this bill of rights doesn't contain any rights for victims." The presiding judge, Judge Day, in what is now a notorious judgment in this province and beyond, had to concede that this government's, Charlie Harnick's and Mike Harris's Victims' Bill of Rights, provided no rights for victims and for all intents and purposes wasn't worth the paper it was written on.

Mr Marchese: What an embarrassment for the government—ought to have been.

Mr Kormos: Mr Marchese, that's not just an embarrassment. It's a tragedy for victims, and it's something about which all of us should continue to have great concern, because years now have passed since that judgment.

The member for Hamilton West, I recall—I'm sure it was in his comments to the bill we were discussing earlier, Bill 30—talked about how the government daren't even mention the Victims' Bill of Rights. Was it Mr Christopherson? To a large extent he's right, of course, except just the other day in a canned, prewritten statement by some government backbencher she listed the Victims' Bill of Rights as among the accomplishments of this government on behalf of victims in Ontario. What's the matter with these people?

Here we've got the Victim Empowerment Act, which says finally that victims may be permitted to attend the parole hearings of the perpetrators of the crimes against them, but won't even dignify its title with some modest explanation or definition of the extent of those rights. Rather, once again, it says whatever those rights may be will be determined by regulation.

Governments ever since I suppose the days of government have used regulatory power to fill in the gaps in legislation. Nobody here has any real quarrel with that proposition, do they? But the fact is that when it's done by regulation, it's not presented to this Legislature, is it? No. It's not debated in this assembly—

Mr Marchese: Behind closed doors.

Mr Kormos: That's right, Mr Marchese. It's indeed not subject to public oversight. It isn't the subject matter of a committee hearing. Not a single victim will have an opportunity to come forward in a public place, in a public space, in a public forum to advocate publicly for what those rights ought to be under this Victim Empowerment Act. Victims will be entitled to participate in parole hearings in a manner to be determined by regulation. Nothing in the bill suggests that there's going to be any guarantee of those victims having the right to advocacy, the right to a lawyer. While I have met many strong victims, I also know that a victim's life can be altered for the rest of his or her life by the perpetrators of some of the horrible crimes that form the subject matter of parole hearings in this province and, yes indeed, federally.

We've got to ensure that the victim can get to the parole hearing. Isn't that a worthy consideration? You see, I've had occasion to follow up on more than a few victims whose cases we've raised in this Legislature. It's very strange, but it should be acknowledged, that wealthy people tend not to be victims. It's true. It's not to say they're never victims, but rich people don't tend to be victims. Who are victims in our society? Women are victims. Children are victims. We know that. Poor people are victims. Senior citizens are victims.

I've talked to victims about this bill and they say, "Fair enough. I'm not sure to what extent I'll be allowed to participate, but, please, would somebody make sure I have a right to counsel, the right to a lawyer while I'm there, and not just the right to a lawyer. Somebody has to make sure that one is available to me, a competent one, one who is familiar with the process. And what do I do about getting there?" What does a victim from the far north do about getting to Toronto or even farther south in the event that the perpetrator is incarcerated there and that the parole hearing is taking place in that far southern city? This is silly. This, folks, is as embarrassing as your Victims' Bill of Rights, because at the end of the day there are no rights contained in this legislation—not that there should be, because it's not identified as a rights bill; it's identified as an empowerment bill. Well, I'm sorry. The extent of the empowerment goes no further than the extent of rights did in the Victims' Bill of Rights.

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One other interesting aspect is the good grooming. Again, for the life of me, how the good grooming section

belongs in the Victim Empowerment Act beats me. You folks have read the good grooming section, haven't you? The Ministry of Correctional Services Act is going to be amended by virtue of this bill to prescribe "grooming and appearance standards for inmates." Grooming and appearance standards for inmates? What are you suggesting: that somehow if you took Charlie Manson and gave him a shave and a haircut and put an Armani suit on him, he's going to become a clean-cut, law-abiding citizen? I'm sorry; it don't work that way. That for any number of the most disgusting offenders, who have received far too much publicity and whose names I'll ignore now, a little manicure and maybe a Q-tip in the ears are going to turn them from the vicious thugs they are into—what? members of legislatures?—is a naive thing.

Let me expand. I remember the press conference, the media event when the minister announced this. "That's right. We're going to enforce these grooming standards and that's going to be a real boon in our correctional system." And then he was at a little bit of a loss for words.

This happens more often than not with these guys when they're pressed. What was the one the other day about the North American perimeter? Do you remember that? The Premier: "The North American—well, it means something. I'm not sure. We're going to talk to the feds." Some spin doctor gave him the line and he used it, but nobody briefed him or filled him in, or, if they did, he forgot it.

One of the problems with this minister—and I don't dislike the minister. I don't. I've said that half a dozen times, and I think he knows that personally. I don't dislike him. It's just that he seems to have so little enthusiasm and personal interest in his job as Minister of Correctional Services. It's true. Here's a Minister of Correctional Services who won't talk to correctional officers, and other than the ribbon-cuttings for his big mega private jails that taxpayers build with taxpayers' money but that private corporations run for their own profit, he seems not to spend a whole lot of time. I'm not saying the minister should be spending all of his time in jails; he just doesn't seem to be overly familiar with what goes on in them.

Let me share something with you. Grooming? Please. When you've got 20 or 30 guys in a range, living together, I want to tell you something: they are very effective at policing grooming among themselves. Need I go any further? They are incredibly effective. Should there be the occasional ideosyncrat who declines to bathe as regularly as he should, trust me, it's taken care of. We don't need the Minister of Correctional Services telling inmates to take a shower when there are 20 or 30 of them in a range together.

Mr Marchese: It might give barbers some more work, but I don't know.

Mr Kormos: Ah. The fact is that inmates see these opportunities, opportunities to engage in some grooming and hygiene, as very much something to be savoured, I suppose. Don't forget, they don't like being there. They are not supposed to like being there. I understand that.

How about, instead of some grooming and appearance standards, a restoration of some of the very effective treatment and rehabilitation programs that have been cut, that have been gutted by this government? How about a commitment that OCI in Brampton is going to stay open with its outstanding staff? Do you know those staff there? I know the staff there. I've known those staff—many have retired—as they've moved along over the course of the last, gosh, at least 20 years—one of the most effective treatment programs for the treatment of sex offenders and pedophiles, and that is tough stuff, you know that, probably one of the toughest, if not the toughest, disorder to meaningfully treat. But don't forget, once again, the sex offenders/pedophiles who are in Brampton are there serving provincial sentences—max two years less a day and they're going to get out anyway.

Why are we trashing here in Ontario, why is this government cutting loose, OCI, the Ontario Correctional Institute in Brampton and a world-renowned treatment program for some of the most dangerous—and they are, let's not mince words—and hard-to-treat offenders who are going to be out? We're not talking about lifers. We're not talking about offenders who are going to do 10, 15, 20 years until maybe whatever happens as you reach middle age or beyond these guys' dispositions and/or chemical makeup begin to change. We're talking two years less a day max.

I was up in Ottawa. You know exactly where we were: another treatment program. We met with some of the psychologists involved and some of the therapists involved whose program was being trashed, kiboshed, deep-sixed. Again, these people were sending their material across North America. Look, this wasn't for the highest-risk offenders, OK, but they had a very compact program that included a whole bunch of things like anger management, among others, and lifestyle skills and coping skills and learning how to make it out there, and the booze and the drug program kinds of skills.

They had a success rate that was phenomenal. They have people across North America, from correctional institutions throughout the United States, calling them: "Please send us some of your material. Send us some illustrations of the types of programming you use. Talk to us about your success rates." That program deep-sixed, up in Rideau, Ottawa. I was there; other members of this assembly too, not government members. It's unfortunate. It would be nice if once in a while they'd drop in and talk to the folks doing the hard work, the front-line work, the dirty work, the nasty work in corrections.

I've got barbers down in Niagara who are working harder than they've ever had to work before who'd love to get into the Niagara Detention Centre once a week to do trims and shaves. No problem at all. I'm hard-pressed to think of the inmate—think of this, "Hey, I'm doing my six months, nine months, 12 months. They've got a guy coming in once a week giving me a trim and a shave, you know, a little bit of, what do they call it?, cuticle push-back remover stuff." I don't know those things. Is this what he's talking about? Is he talking about maybe soap

on a rope—what do they call the spicy stuff? I don't know, Irish Spring?—for the guys in the shower so they don't have to—good grooming, you know. You want Old Spice.

2030

Interjection.

Mr Kormos: Look, I didn't write the legislation; you did. You're going to correct these guys with good grooming and appearance standards. Some Hai Karate after the shave, that'll rehabilitate those guys, and maybe tailor the clothes a little bit instead of the inevitably oversized or undersized—you know what I'm talking about; I know you do. Come on, you know what I'm talking about. Rather than the oversized or undersized dungarees, let's get them into some Calvin Kleins or some Hilfiger.

Mr Marchese: Come on now. No labels.

Mr Kormos: Look, the government's talking about making statutory, as part of their correctional program, grooming and appearance standards.

Mr Marchese: No name labels, please.

Mr Kormos: Sorry. They're missing the boat. They're missing the boat. I've got a secret for you, Speaker: you take a bunch of young kids, and if you think you're punishing them by buzz-cutting their hair and putting them in army boots, you're sadly mistaken. Take a look out there.

But you know what's even more peculiar? The minister, when he was making the announcement, missed the boat 100%, 110%, 120%, because the statute only provides for grooming and appearance standards that are relevant to the security of the institutions or to the health or safety of persons. See, they've qualified it in a way that leaves it even more vague and more ambiguous. I can't for the life of me see how this government interprets this section, this amendment to the Ministry of Correctional Services Act, as any meaningful or effective improvement in the quality of corrections, rehabilitation or, in any way, shape or form, public safety.

Alan Eagleson was already well groomed before he went into the joint. He showed up there in the Armani suit and with the Hai—I don't think he'd ever seen Hai Karate in his life; that's the cheap stuff. Eagleson showed up, expensive Armani, the Gucci leather shoes on his feet and the Yorkville Avenue haircut, the blow-dry stuff, and the fact that he was already well groomed in his appearance, as I recall—it was as appropriate as anybody's, a little upscale—didn't stop him from getting sent to the joint. So there's been a failure.

Part of this is somehow creating the imagery of who's in jail. Some very bad people are in jail, no two ways about it. Some very disturbed people are in our provincial jails. Some very dangerous people are in our jails. And our jails have become a dumping ground for mentally ill people for whom there are not adequate mental health resources in the community. We know that; correctional officers know that. The minister should know it.

Provincial sentences, maximum, deuce less a day. Maximum, two years less one day. We should be concentrating on effective rehabilitation programs. We

should be concentrating on effective treatment programs for some of those very disturbed people. We should be concentrating on mental health resources for some of those very sick people. We should be concentrating on proper and appropriate rehab programs for those people with drug and alcohol addictions and other various assorted chemical vices and the ilk. And to obscure it, to somehow try to deflect attention away from the agenda of privatization, the agenda of gutting our jails of effective rehab programs and correctional programs by talking about grooming and appearance standards, I think is just plain dumb.

I wanted to talk about one more class of victims, and I can't promise you that this is the last time I'm going to do it. Let me put it this way: down where I come from, the people who are watching this legislative channel are watching it on COGECO Cable. This government doesn't worry about jurisdictional issues when it deals with, oh, the Young Offenders Act. But I want to say to folks now who are watching—because if somebody's in my house right now, and they shouldn't be, they can't watch this on channel because COGECO got cancelled down there on Bald Street around four months ago.

You want to talk about victims? One of the biggest classes of victims—and I just move to this issue for a minute because I promised myself I was going to talk about it—are the victims of cable television in this province. Victims. Talk about ripoff artists. I simply want to take this chance, because I'm wrapping up. I want to warn people who are getting COGECO television to make sure they check their bill regularly to make sure they're not overpaying, because my sense is that COGECO is grossly irresponsible when it comes to falsely billing people for services they didn't get, and to reject COGECO and its cable operators as any source of broadcast medium and either go back to an antenna and save yourself a whole pile of money—the garbage you're getting on those 120 channels is hardly worth the price you're paying—or even consider satellite systems.

Cable companies in this province are creating as many victims as any other class of criminals, and I want people to be very careful, especially senior citizens, to make sure that they're not getting ripped off by cable television in their community. The cable television people are not nice people. We're talking about victims—I didn't write the title of the bill, Victims' Empowerment Act. I warned you when I started that I was going to utilize all of the rights that I have as a member of this assembly using the title of the bill as part of the bill and as part of the reference point for what is appropriate discussion. I'm going to talk about cable TV more in this Legislature, and I'm going to seriously diminish my chance of ever getting a whole pile of cable coverage down in Niagara region, but that's OK, because I want people to cancel their cable and resort to a far higher quality signal through either antenna or satellite. You don't need cable TV down in Niagara. We're close enough to all the major broadcasters. You don't have to pay those guys a cent. You don't gotta pay them anything. We've been duped

into thinking we need cable TV, and we don't. Scam, big time. Another group of victims; not the victims being contemplated here.

I didn't want to trivialize the bill, but I promised some people that I was going to make that pitch to victims of cable companies like COGECO down in Niagara and up through, in fact, the Hamilton Way.

Interjection.

Mr Kormos: I don't expect to be getting a lot of cable TV exposure, but then again, if I had my way, more and more people would be cancelling their cable TV, so it won't matter anyway, will it?

This bill may or may not go to committee. If it does, quite frankly, it will be a futile effort. I'd like the chance in committee to ask the Minister of Correctional Services, in good faith, again, in all sincerity, what in the world he means by access by victims to parole board hearings to be determined by regulation. I'd like him to put that on the record. We'd like very much to know whether that victim will be guaranteed standing, status, at the parole board. We'd like to know whether that victim can bring a lawyer should she or he want a lawyer. We'd like to know whether that victim can be assured of legal assistance, because that victim is more likely—or not—to have an income far lower than any member of this Legislative Assembly and to be far less capable of hiring a lawyer than any member of this Legislative Assembly.

We want to know what kind of provisions are going to be made for the victim who is still just too frightened to sit in the same room with the person who is not just suspected any more or accused but convicted of committing that crime against him or her.

We want to know why the public isn't being permitted their right to know what's happening in parole hearings. Why isn't the public being told what a parole board considers before they grant or in fact deny parole? Why isn't the public being told what the conditions of parole are for a parolee being released into the community?

I know that some of the people—in fact, I'm sure that defence lawyers and perhaps civil libertarians—may say no, the presence of the public is likely to have an inappropriate or undue effect on the parole board. Good grief. The political appointment process has an inappropriate and undue influence on the parole board. Do you understand what I'm saying? We got the message loud and clear from the former Solicitor General. We know what happened. The composition of the board changed dramatically; for better or worse, I don't know. But if there can be political influence in that very subtle way on parole boards, why can't there be some public influence, obtainable only through public knowledge?

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This government has demonstrated itself bankrupt when it comes to genuine advocacy for victims. It has been proven to have a barren cupboard—how's that?—when it comes to any repertoire of empowerment of victims. This government has shown itself far more effective at the photo op. I've been to them: a big blue-and-white backdrop, a senior police officer on this side,

gold braid—good, they're entitled to that—another senior somebody on that side, the old flash bulbs—they're not flash bulbs any more—the old strobe just a-going. Then the minister is whisked out of there in short order before the tough questions. “Sorry, the minister's got to go now,” and vroom, the minister's tripping and stumbling over his feet as aides are dragging him away from the scrum. Man, oh man, put these ministers on roller skates or Rollerblades or something to that effect—skis—so at least when their aides yank them out of a scrum, it's a little smoother than it is when the minister trips over his own feet.

Interjection.

Mr Kormos: Come on, now. Been there, done that. I've watched. Be careful.

Hon Jim Wilson (Minister of Energy, Science and Technology): Don't feed the bears. He's almost done.

Mr Kormos: We're almost done. And I thought it was going to be tough with an hour for a one-page bill.

Mr Marchese: Not enough. It's not enough time.

Mr Kormos: Are you kidding? Mr Marchese is going to have to borrow some of the notes I brought that I haven't had a chance to refer to yet: some of the previous pieces of legislation, some of the Hansards, some of the news clippings, perhaps some more quotes by the most honourable Mr Justice Day—Judge Day, as he was known formerly. Same difference. He made a ruling that was bang on. The government couldn't appeal the ruling. Remember that? The government couldn't appeal the ruling of Judge Day because it was the government's own submissions that Judge Day bought—the government's own submissions. “No, no, Judge, be careful. I know it says ‘Victims’ Bill of Rights.’” That's what the lawyers were doing. “No, Judge. Judge, don't. Be careful. We're the lawyers for the government. We're being paid to come here to represent the government, to defend the government against this. Judge, whoa! There are no rights in the Victims' Bill of Rights.”

That's what happened. So the government wasn't in a position—that would have been pretty silly. You've got to seek leave to appeal. Do you need leave to appeal, parliamentary assistant to the AG, at that point? I think you do. But, you know, the judge looking at it says, “What do you mean you're looking for leave to appeal?” The judge granted the government's own argument that there are no rights in this bill, and this government promised and the Premier promised that the Victims' Bill of Rights would be corrected in response to that judgment. That promise was never kept. Three times he promised. It sounds like a fable of some sort, some old myth.

But let me put this to you: just as the government and this emperor have proven to have no clothes when it comes to the Victims' Bill of Rights, the government's attire, its sartorial equipment, is very shabby, if it existed at all, when it comes to the Victim Empowerment Act.

The Deputy Speaker: Questions and comments?

Mr Bob Wood (London West): The member in his speech described what he considered to be the function of

parole. I think he substantially correctly described it. I would describe it slightly differently by saying it's the function of the court to determine the sentence, and the function of the parole board to decide how part of that sentence is carried out.

I think, in considering this issue, we should consider what the purpose is of parole. I think the primary purpose is to avoid repeat offenders. I think the hearing and the disposition of the hearing should give the offender accountability for what he or she has done. I think this act is going to move that forward by giving a stronger degree of accountability because of a greater involvement of the victim.

The member has advocated even greater openness. I think there are some valid points behind his arguments and I'd invite him and others to make those arguments further; and they may well see some further progress in due course.

I'd also like to draw to the attention of the House that the policies that we have pursued in the criminal justice area in general, part of which is in corrections, have resulted in a 28% drop in reported crime from January 1, 1995 to December 31, 1999 in Ontario. That is a very substantial bit of progress that we didn't see in the period 1985 to 1995. So I would invite those interested to consider those figures.

I'd also like briefly to note that there was reference made to the provisions with respect to grooming. If in fact this is self-policing within the institution, these provisions won't be needed. I think with respect to some, they are.

Mr Richard Patten (Ottawa Centre): I'm essentially going to respond to the member for Niagara Centre, but given some of the comments that I heard from the member for London West, it's interesting that the fundamental—we've been saying for a long time that essentially crime is going down. Of course, the justification for getting tougher and making sure that we are more stringent around young offenders is because crime is going up in certain selective areas of statistics.

I want to comment on the member for Niagara Centre, who I believe touched on a number of important issues. I don't know how many members listened to some of the points he made. I was Minister of Correctional Services at a certain point in time. I spent a fair amount of time visiting almost all of the jails in our province, spending a lot of time meeting with people in community programs, those who attempted to address the real problems.

You can become punitive and you can want to be vicious and you can want to say in a simple manner to the general public, "We're going to be tough on these people who have committed crimes." I agree, people should be accountable for what they do. The fact remains that this government—the member for Niagara Centre will find some solace in this—has put back many programs that they ripped out in 1995 when they were in there so quickly to do away with some of the programs in the community that gave half a chance to someone who was coming out.

As the member pointed out, in fact you only have two years less a day, which essentially often means anywhere from six, seven, eight, nine, 10 months, there on in, depending on what happens. But I point out to the government that they should listen to the full range of activities of who is participating—

The Deputy Speaker: Thank you.

Mr Marchese: I want to congratulate the indefatigable member for Niagara Centre, who has helped us, the public, to demystify this bill, helped us to exfoliate this smelly onion called the Victim Empowerment Act.

You'll recall, Speaker, as the member said, when they realized how embarrassing and pitiful it was, when Judge Day ruled that the Victims' Bill of Rights had no rights, this government had to come back with something that pretends to give victims power, some power—or rights, presumably. So they came back with a bill, bells and whistles and all, called the Victim Empowerment Act. All it says is that the government has the power by regulation to determine, more or less, which victims, if any, will be able to attend parole hearings of the criminal who victimized them. That's it. So the member asks all the questions—that's why I said exfoliated the onion, demystified it—by saying, "To what extent will the victims have a right to participate?" We have no clue. Will the government ensure victims get to go to the parole hearings, depending on where they are? It can be very expensive. We don't know. "Will they have a right to a lawyer," he argued, "who is familiar with this process?" We don't have a clue.

What the member for Niagara Centre does give us a good clue of is that the criminals are going to be groomed. He says, more or less, is the criminal going to be caressed to correction by putting him somehow on that barber's chair where some hot towel is going to be on his rough beard to clean him up? He's clear on that. You people are clear on that. But in terms of rights for the victims, there are none.

2050

Mr James J. Bradley (St Catharines): In the hour the member had to speak this evening, he certainly covered all aspects of the bill. One of the areas where I think there's a consensus, at least on this side of the House, that there's a deficiency in legislation of this kind is in terms of the resources. Very often we hear announcements from the government on pieces of legislation and it sounds very good on the surface. There's a press release that is put out, there's much trumpeting of the details of the legislation in certain ridings across the province by the government members, but there's never a real commitment to the kind of resources the government needs to implement this legislation.

The member for Niagara Centre knows very well when we talked about a victims' rights office previously—he's made the case 100 times in this House about the weakness of legislation of that kind. But we hear the office announced, we hear bills of this kind put forward by the government, and we do not see the resources. So while it's there on paper and while the crime

commission members can put their trench coats on and make their speeches around the province, the fact is that the government won't devote those resources.

With the over \$2 billion that they're giving to the corporations of this province, they're not going to have the revenues to be able to implement programs of this kind, let alone in health care. They're going to be in a disastrous position in health care and education and other areas because they are yielding billions of dollars in tax revenue. They're certainly not going to be able to have the resources to make this bill effective, and the member for Niagara Centre made that case very well.

The Deputy Speaker: Response.

Mr Kormos: As I say, New Democrats are going to support the bill, but I call upon members of this assembly, every single one of you, please, this bill is so important in so many ways that are not apparent by virtue of its text. Is it important in terms of the rights or the empowerment that it will give victims? I say to you, no. But what is important is the opportunity in the debate around Bill 60 to point out the areas in which this government has got to step up to the plate and meaningfully affect some rights for victims. Please, don't treat this bill as, "Oh, another bill. It's going to pass anyway, so let's let it zoom through the Legislature and let it become law."

My fear—and I hope you share this fear because it's been demonstrated by this government in the past every darn time it deals around the issue of victims and victims' rights—is that the government uses it for its photo op and then it just disappears into thin air. I understand the attractiveness of saying, "Oh, let's not debate this bill until every member of this House has debated it. After all, it appears"—and I would think not, or no reason why not—"that everybody is going to support it." That's fine and good.

I've got some very modest reasons for supporting it, as I suspect a whole lot of other people do, because it's a modest first step. But we'd better take the bull by at least one horn here and start to understand that this bill is a pathetic response to the cry for victims' participation in their own security after the arrest and prosecution of an offender.

There have been enough victims denied far too many rights. Let's not forfeit this opportunity to fully debate this government's deficiency in that regard—its history—and, more importantly, this bill's deficiency, and use this debate as an opportunity to point out what this bill should consist of rather than what it is, every one of us.

The Deputy Speaker: Further debate.

Mr Dave Levac (Brant): I appreciate the opportunity to spend what time I do have on this bill, Bill 60. Inside of Bill 60, as the member for Niagara Centre tells us, are three small components. Those three components are around the parole hearings: a greater role for victims; offenders accountable for their actions and discipline; and to provide inmate grooming standards and to make other amendments to the act.

One of the other amendments to the act that's being referred to is a monitoring system that we fully agree

with. The fact is that it's nice to see that the government of the day on this side has followed the lead of the federal government. They've been doing that for quite some time now and it's nice to see that they have learned from an example set by the federal government. I will not be surprised to hear in a very short period of time that there's something wrong with what the federal government is doing and that they're trying to correct this problem.

With regard to the parole hearings, we support the idea that victims have a larger role to play. I think the member for Niagara Centre has brought us to the realization that we'd better do some serious debating about what that role is and how much the victim is going to have a say in those parole hearings and indeed making sure that we educate the public about what the parole hearings are all about, because quite frankly, they don't understand it, they're suspicious of it. I think the responsibility of this government and Legislature is to make sure that the people understand the legislation to the best of their ability and make sure that we pass legislation that they're fully supportive of. The way to do that is to make sure public consultation is deep and it's broad and it's honest and it's frank. To do that, it requires you not to take your briefing notes, not necessarily to take those people you've got in a corner somewhere who are advising you, "This policy looks good on paper. It'll sell well. We'll be able to push this one and we'll make the agenda." Those are the people you hear from all the time. It's time for us to say, "Put them to sleep for a while. Let's talk about what the victims really need."

Let's talk about a few of the items in the bill that are not being covered. There has been reference now three times under our discussion and debate on Bill 30 and Bill 60 about Camp Turnaround. Everyone's beating their chests about how it's such a great success story—Camp Run Amok.

Interjection.

Mr Levac: Give me a chance here. I've got to get my little nickname in here.

The reality is, as has been pointed out many times, there was an escape on the first day. They had to bring in the public service to bring back some civility there and to show some of the people who are at the private sector how to run this place to make sure they can bring some control, some sanity into that place. Quite frankly, we've got some problems there. Yet this ministry and the members on the other side want to beat their chests by saying that we've got a success story here.

The member for London West wants to tell us all that the statistics don't lie, they tell the truth. Everybody knows exactly how he wants to use those statistics.

Let's talk about the actual function of the message that was sent to us by the T³ company. This company was hired to give them a report that was going to make sure that Camp Run Amok gets a good name, a good process. So what did they do? You've heard of the expression of comparing apples and oranges, and the apples have to be compared to the apples to make sure that everything is

fair and just. This is a case of apples and Volkswagens. In terms of the public sector, what they wanted to compare them to were the inmates who had no violence, who weren't on medication, who didn't have any physical ailments and all of those wonderful things; that we have an ideal and a perfect inmate we can put into this camp and we hit them with this process and all of a sudden we're going to get this recidivism rate drop like a lead balloon. The fact is, recidivism actually didn't drop very much at all compared to the same number. They put them in the public system and guess what they did? They left them in the same facility with all of the other programs and all the other types of inmates who surrounded them. So we've got skewed information to start with.

The second claim that's being made—and I was able to get a hold of three different criminologists. We got one from Toronto, I got one from Vancouver, and I actually went over to England—I didn't go myself; I e-mailed, got the information back—and these three criminologists took a look at T³'s report and each one of them said this very clearly, as trained criminologists, “There is no way that the government had the right to declare this a success. The report itself, even though it's skewed, made no evidence whatsoever. At best, it was a wash. Therefore the bells and whistles that went off saying that Camp Turnaround—Camp Run-Amok—was a great success were just basically, “If you say it enough out there, if you put out enough press releases, you're going to be able to say we've got proof this camp works.”

2100

Why did they do it? That's the question we need to ask. I guess we know the answer. It's very clear. They said it even before the experiment was finished, both in Camp Turnaround and now in Penetanguishene: “We are still going to proceed with privatization, regardless of the results.” We've got a quote from the minister himself, right out of his own mouth: “We plan to proceed with privatization anyway.” That's even before the experiment was started, let alone finished. That's a total disappointment. Why am I talking about this? Because the establishment of this agenda fits the type of bill we see today. Let's not worry about cutting somebody's hair before we start getting our eggs in order here.

The minister's move to privatize most of the correctional services in Ontario needs to be slowed down, if not stopped altogether. We are now looking at the privatization of our criminal justice system. It's a failed experiment around the world, and states including Alaska and Rhode Island are turning away from the model. They're now getting out of it, just as they have with the privatization of the corrections. They're getting out of it. It's a failed experiment—the second time we stand up and make this claim. Please get out of the experiment before large damage is done to the people of the province of Ontario, not to mention the correctional officers who deserve our support and security and our communities where these places are going to be located.

Two auditors general, the one for the federal government in the United States and the Provincial Auditor, said

there's no evidence of cost savings in performing all these ideas. Serious security questions were asked by the auditor, and there seems to be a lack of accountability. He basically said you were just paying bills that were submitted to you. They just submitted bills and you paid them. Instead of studying how disastrous this policy is and ensuring they're doing the right thing, I think the minister would say, “Let's give these guys a haircut.” By the way, there is absolutely no scientific evidence that giving somebody a haircut is going to change their behaviour. None. Zero. There's no research. There's no scientific evidence. This is a hunch. This is, “Get tough on those guys. If we give 'em a haircut, we'll put 'em in their place.”

Mr Bradley: Like the skinheads.

Mr Levac: Actually, there's even a more drastic example. There's somebody we all know in jail in the United States who gave himself a haircut, and I don't think Charles Manson has changed his attitude whatsoever.

Instead of studying how we're going to give people haircuts, let's talk about staff morale. We've got a former minister who was a part-time minister because we had some problems, and we've got this minister standing up and saying, “Yes, I'm going to embarrass those correctional officers to improve their attendance”—his own words. We're going to embarrass them into improving their standard of attendance and stop using those sick days. Shame on those correctional officers for being absent.

As a matter of fact, before 1995 they were only absent, on average, seven days. After 1995, when this government took over, we now are rising as high as 25 days off, and even those numbers are skewed. Maybe it's got something to do with the way the government treats its employees. Maybe it's got something to do with the fact their stress levels have been stressed to the max with not getting the support they need to do their jobs properly and not having the equipment that's necessary.

The reality of the day is, let's feel sorry for them. Government officials on the other side are sitting back and mocking the reality. They can't understand where the stress is coming from. Get less and do more. That's a bunch of garbage. The reality of the day is that bad management practices by the government—the way this government has treated its correctional officers—are tantamount to criminal. I'm going to get into probation officers in a moment as well, because this is related.

Sick days have increased because of this government. We've got recruitment for new staff down to its lowest levels ever. We've got motivational problems from this minister. We've got safety problems that have been pointed out to him time and time again, not to mention the fact that we've pointed out very clearly that there are going to be fewer correctional officers involved in the day-to-day operations in Penetanguishene than were originally promised. We were promised no fewer than 300 correctional officers in a statement that was made to a public meeting where that was asked by the elected

officials in Penetanguishene. What about the 300 correctional officers that have been promised to us from day one when this privatization issue came to the front? Do you know what their response was? This is a quote: "We need to let the privateers work their magic." Save money.

Budget procedures need to be looked at before we start worrying about giving inmates haircuts. The Provincial Auditor has given the minister repeated hand slaps over issues of building facilities worth \$90 million and over budget without a solid business plan. Other issues include building a cook-chill facility that not only cannot meet its meal demand within the system but is millions of dollars over budget and still not operational.

As a side note, it's been brought to their attention that the generators that are supposed to operate the ovens that are receiving the cook-chill facilities—if there's a power outage, the generators that are there are not suited to the machines they purchased on spec. What are they going to do? The auditor asked that question. There's no answer. Right now, new facilities are running millions of dollars over budget. Instead of worrying about sound business practices, the minister would rather concern himself with giving somebody a brush cut.

Inmate transportation costs: The government rushed to build megajails with no handover of the American for-profit prison companies. The minister forgot to say how the inmates were actually going to be transferred. Yet when that was done, they were quoted different regulations that they—meaning the municipalities—were responsible for picking up the tab. Municipal forces are being faced with hundreds of thousands of dollars in new transportation expenses. What do we get from this government? A haphazard discussion paper: "We might take a look at it and discuss with you where we've gone wrong." It doesn't become public.

Some of the estimates in Guelph included an additional \$500,000 in transportation expenses—half a million dollars. In Brantford, my hometown riding, 230,000 new dollars are needed to transport inmates from Brantford to Penetanguishene and Hamilton. Cornwall and Barrie have also expressed serious expenditure concerns. In a recent letter to the town of Cornwall, the minister stated: "However, the Ministry of Correctional Services has provided some funding to police services in some municipalities to transport offenders to correctional facilities, even though there has been no legal requirement to do so I can assure you that the ministry officials are committed to working with all affected police services to obtain a satisfactory resolution to many issues that have been raised"—I would tell you, by their mishandling of the circumstances. Why would they not have entered into a dialogue with police officers across the province of Ontario before they made this haphazard jump into privatization?

Probation and parole caseloads: even with hiring a quoted 165 probation and parole officers—by the way, only half of them have been hired so far, since the first announcement a year and a half ago—Ontario's caseloads are still the highest in the country. They are even

higher than the federal government's numbers, if the minister cares to take a look. He and other members keep on claiming they're not very tough on crime over there. Those are two examples of the federal government leading the way in trying to improve circumstances where this government takes potshots at them on a regular basis.

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Probation and parole officers are dealing with far too high caseloads, and this situation is becoming dangerous. I visited parole officers in their work areas and found there was no panic button in some of their rooms. They had blind spots in hallways. They had one office set up where there was no way whatsoever for this person to be protected. A desk had to be put across the front door. These offenders are not behind bars. They're in an office. When this was pointed out, they basically said, "Thanks. We'll get to that."

Probation and parole officers are telling me, and telling a lot of people, that they're extremely concerned about new computer programs being installed by the ministry. The ministry seems to be ignoring their problems and concerns when they're basically pointing out, "You're turning us into data entry people. You're not allowing us to perform the duties we're trained for." Instead of lowering the caseloads and working on the working conditions of probation and parole officers, the minister wants to say how tough he is by giving haircuts.

There's plenty more to talk about in terms of the bill. We want to make sure that when it goes to committee we point out some of the things that have been talked about already, and they bear repeating. What are we going to do about the parole officers, the probation officers, the morale of the correctional officers, the management of the system itself, the failed experiment of privatizing in the justice system and in the corrections system, where many states across the United States have already withdrawn and are now entertaining, even at the federal level, which will be debated within this year, banning private prisons altogether in the United States?

They're so proud of saying they've found all these different reasons for doing this. I want to make sure it is on the record that there might be a relationship between some of the people this government has been dealing with and their own needs, their self-interest. We want to start to analyze some of the people who are giving this government advice and why they're going down this road of privatization.

Mention has already been made today in the House about mental health. Right now, approximately 25% of our inmates have mental health issues. I personally believe it is even higher. As good and professional as our correctional officers are, and as dedicated as they are to doing their job for the safety of themselves, of the inmates and of the communities they're located in, they do not have the training to deal with mental health patients, and that's what they are.

When I visited, I saw somebody in a cell and my first question was: "What's this person doing here? What could they possibly have done wrong?" They were off

their medication. There was no place for them to go. I found out that the second most used place for mental health patients, other than jail, is the streets. Now we've pushed it back down an agenda of putting them on the street or putting them in jail. To me, that is pathetic, and the numbers have grown from 1995 until now. Before 1995, it was estimated that approximately 3%—did you get that?—of the inmate population had mental health issues, and now it's as high as 25% and growing. They've closed down a couple of circumstances that were dealing with this, transferring a couple of units, claiming that they're picking up all these programs.

To speak very briefly, alternatives have been provided, as referred to by the member of Niagara Centre. There's one in my riding that was offered to this ministry. It took them six months to start the first communication, even an acknowledgement that this program was developed. Two people who were in corrections—one a professor, a criminologist, and another a 30-year correctional officer—after retirement, got together and formulated what's called the "alternate solution" to reduce recidivism completely by getting into what really is the issue, that is, what's getting them there in the first place. In a very high percentage of cases it is addiction.

What are you doing with all the programs that were in existence before 1995? As was pointed out by the member from Ottawa, we are slowly starting to put some back. I desperately fear we've taken away far too many programs that get to the heart of what corrections are all about, and that is not to be punitive, not to be tough on crime, but to offer a solution. So woe is it for you to think for one minute that your giving somebody a haircut is going to change the circumstances. You better open your eyes.

The Deputy Speaker: Questions, comments?

Mr Kormos: I listened carefully, of course, to the member from Brant. I think he's been there as well. I was in Guelph reformatory not too long ago, back when—

Mr Joseph Spina (Brampton Centre): How much time?

Mr Kormos: That was a real clever comment. I spent a day there, quite frankly. What I saw was atrocious. I saw machine shops shut down with no staff to run them. I saw the horticultural shop shut down with no staff to run it. I saw an image going back to the 1950s when Donald MacDonald in this Legislature generated the last major wave of prison reform. I saw inmates lying in their bunks midday with nothing to do—no activities, no programs—idling away the time. That's nobody's idea of an effective correctional system. This government, the Harris government, shut down the programs. You shut down the horticultural program. You, the Harris Tories, shut down the machine shop. You shut down the largest part of the textile mill. And it is nothing for any of you to be particularly proud of.

Let me tell you, friends, you've been blessed with a drop in the crime rate, because you have made no contribution to meaningful rehabilitation of women and men in our provincial correctional institutions. Thank good-

ness for that prevailing statistic of reduced crime, because the jails that you have maintained during the course of the last six years are retroactive returns to a period 50 and 60 years ago. I've witnessed it. I'd suggest that some of you get out of your leather chairs here and go and take a look at some of the havoc that you've created in Ontario's correctional system.

Mr Wood: The member accepted my invitation to talk about Camp Turnaround. I'd like to share with the House what the statistics are. The repeat offence rate among the graduates of Camp Turnaround is 33% versus 50% in the control group. The costs at Camp Turnaround were approximately two thirds of those in the public system. That is an indication of very considerable success.

The member from Brant says he doesn't believe the study. But he didn't tell us why he didn't believe it. I think that in his reply he owes the House a clear explanation of what's wrong with the study that was done. The fact of the matter is, I think it is a valid study. I think the member might also wish to share with us what his position on Camp Turnaround is. Does he think it should be closed? I think he should tell the House that tonight. It is a fact that his party did not believe this would work in the first place. They said it wouldn't work. They didn't believe the research we did that said it would. The project has now achieved significant success and they don't believe that either. At some point they're going to have to wake up and smell the success that in fact Camp Turnaround has been.

I think he should also share with the House what he thinks about this bill. Does he support it or does he oppose it? I gather from his remarks he may not believe the Canadian Centre for Justice Statistics, which reports that crime has dropped between 1995 and 1999 by 28%. Perhaps he can share with this House whether or not he believes these statistics from the Canadian Centre for Justice Statistics. If he doesn't believe the numbers, he should tell us why he doesn't believe them. I think he might also share with us, if he thinks our policies on corrections and community safety aren't working, how does he account for the 28% drop in crime?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'd like to make some comments about observations that I've made at the correctional facility that's located in my riding, in Napanee, just up the street from my constituency office. When I read the bill, I would suggest to the members of the Legislature—I think the points have already been made by members of my caucus—that while the bill is noble in its intention, it is very light in terms of substance.

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I would like to refer to that part of the bill particularly with regard to "prescribing grooming and appearance standards for inmates serving sentences in correctional institutions that are relevant to the security of those institutions or to the health or safety of persons" in those institutions, and requiring compliance with those standards. I would only suggest that on my most recent visit to the correctional facility, the issue with the inmates there

is the 12-hour lockdown. It has created a morale within the system, among the inmates, that is not a healthy one, and it has also, in my opinion, created a safety issue for the officers who work in the institutions. There is the issue of overcrowding in the penal institution in my riding as well, where three inmates are placed in cells that were built to house one individual.

So if you want to talk about health and safety and well-being and good grooming, I would suggest that the conditions that you and your government have created in the penal institutions in this province, where you are locking down three people in a cell made for one person for 12 hours, do not contribute to the good mental health or well-being or safety of the people who are housed in that facility or who work in the facility.

Mr Dominic Agostino (Hamilton East): I certainly want to add to the words that have been said by my colleagues. I want to talk briefly about similar experiences in the Hamilton detention centre to what my colleague just talked about. This government likes to talk the talk and likes to believe that our justice system and our penal system should be based on some archaic 1800s standards rather than understanding that we have a different system today. We have to understand that every single one of those folks who is put away and locked up ultimately is coming back on to the street. You seem to take the approach that that day will never occur.

You've taken away programs. You've taken away rehab programs. You've taken away training. You've taken away opportunities for learning so that hopefully when these people get back out on the street they won't reoffend. You've done all that to try to pretend that you're tough on crime. What you are in effect doing is causing more criminals to go out there, harder criminals to do harder crimes in the future.

Look at the way you've treated our system. You've been warned about the conditions in our detention centres. You've been warned about the overcrowding. You've been warned by the guards as to the difficult situations they're in. We've seen situations in the detention centre in my community of Hamilton where we've had drug overdoses, where we've had people sneaking drugs into the jail. We had an incident a week ago—and they had been warned that those windows could be broken—where somebody broke a window, stuck a broom handle through, put drugs on it and sent them into the prison.

Those are the kinds of things you've been warned about, and you do absolutely nothing about them. You've critically understaffed it. You've been warned that it's a powder keg ready to explode. You've been lucky a couple of times, thanks to the good work of the jail guards and the Hamilton police department in subduing some very dangerous situations, but you're not going to be lucky forever. You've got to do something about the situation. You've got to do something about the overcrowding. You've got to do something about the programs you've taken away. You've got to do something about the shortage of guards you have for the number of

people you have in place. This province does not have a standard that says you have to have so many guards for so many inmates. You basically do it on cost-cutting, and you've got problems. You're going to have harder criminals going out, and that's going to be your legacy in years to come.

The Deputy Speaker: Response?

Mr Levac: I want to express my gratitude to those who engaged in this debate: the members for Niagara Centre, Hastings-Frontenac-Lennox and Addington, Hamilton East and London West.

The member from London West has thrown out a bunch of challenges and dropped the gauntlet down to try and say, "What about T³?" If he had paid attention, he would have known that I referred to three experts in criminology who have studied over 30 years apiece, looking at and evaluating criminology and taking a look as to whether or not these types of programs are successful. All three—one from British Columbia, one from Ontario, one from England—made it very clear that the results were not attributable to this government in terms of the success it claims. It's not as successful as they say it is, but they're going to keep on crowing.

As far as the 28%, he keeps crowing. As a matter of fact, that reminds me of the member from St Paul's, who likes to remind the government on the other side that you're sounding like a rooster that wants to take credit for the sun rising. You have not given one iota of credit—not one—to the police departments, not one to the municipalities, not one to the federal government. It continues that they just simply want to bash the feds, take credit for everything they claim is going right, and if there is something wrong, they say it's got to be somebody else's problem. We're not going to go to the municipalities when it comes to giving them credit for doing something right. We're not going to give the police department credit for doing something right, and overall the mindset of the people out there seems to be saying that crime is dropping. But they want to say that since 1995, "We've made sure that crime has gone down."

The reality is that you keep crowing, the sun is going to keep dropping, and you can keep taking credit for the world's great things, but when it comes time for you to take exception, you'll want to take responsibility for the things that don't work. "I'm sorry that it didn't work. I'm sorry that it took two years for Bartolucci's bill to get passed, and we're not supporting Project P because we've only got 14 members on the board."

The Deputy Speaker: Further debate?

Mrs Lyn McLeod (Thunder Bay-Atikokan): I'm happy in the time remaining in our session this evening to be able to say a few things about Bill 60, the Victim Empowerment Act, and perhaps to begin with the one part of the bill which actually speaks to the title of the bill, which is the fact that this bill does provide for victims of crime to appear at parole board hearings, something which was recommended by the Office for Victims of Crime in the year 2000, and which is only now being brought forward in legislation. I should

recognize that it was also brought forward in the spring. It was one of the many bills brought forward by the government which were allowed to die at the end of the spring session, and has been reintroduced in the fall session.

Obviously, I think people on all sides of this House are going to agree that there should be a provision that allows victims of crime to appear at parole board hearings and to have their concerns expressed. But that is kind of the beginning and the end of what this bill does in terms of any empowerment of victims, because this is yet again one of the Tories' many omnibus bills where they throw a whole lot of bits and pieces of other things into a bill, maybe in the hope that it will look like they're doing something, and too often in the hope that people will not even notice they've put some additional items under the bill that claims to speak, in this case, about victim empowerment.

I do have a caveat about the bill itself, even though I agree that victims should be given the ability to appear at parole board hearings. My caveat is that this is one of a number of bills which we could deal with in terms of its essential elements very quickly, where we don't need prolonged debate because there is an agreement in the House about the basic principle. In the meantime, this government has been notoriously negligent in its failure to bring forward the substantive bills that we've been waiting for in a number of areas.

I'm the critic for health care, so let me mention two health care bills that we've been waiting for session after session after session. One is the Long-Term Care Act changes, which would address some pretty crucial issues for people who are in their own way being victimized by their own government in being allowed as frail elderly seniors to be in their own homes without adequate care. Where is the Long-Term Care Act that would address the government's responsibility on a crucial issue like that?

For that matter, where is the privacy bill that this government did introduce last winter? It was a bill that was so badly flawed that the government had to withdraw it, and the government has, at this point, not seen fit to come back with an amended bill.

I realize the time is fleeting. There are a couple of really crucial issues which my colleague from Brantford has drawn out today. One of them is the fact that a part of this bill, believe it or not, takes time to deal with giving the government the power to create grooming and appearance standards for inmates. It's ironic to be debating that in the House this evening, because this is Mental Health Awareness Week. The associate minister of health made a statement about Mental Health Awareness Week in the House this afternoon. One of the issues that the associate minister didn't touch on was the fact that, as my colleague has drawn forward, 25% of the people who are in our correctional institutions have mental health problems. They are mentally ill. They are people for whom the mental health system, the health care system, has no place, and so they end up, if not on the streets, as my colleague has said, in our correctional institutions as a holding place. I can assure you that giving the government the power to create grooming and appearance standards is not going to do anything for the 20% of the inmates in our correctional institutions who have mental illness problems.

May I suggest as we get into the debate about Camp Run Amok, as my colleague from my Brantford has so appropriately called it, that presenting some statistics on a very selective population and how well they may or may not have succeeded in this Project Turnaround boot camp does nothing to speak to the failure of this government to address the very real needs for rehabilitation of young people who are in our correctional facilities outside of Camp Run Amok. I would suggest to you that a large majority of those young people have learning disabilities and are receiving absolutely no assessment or treatment.

I understand, Mr Speaker, as you are about to rise, it may be 9:30 of the clock, and we will adjourn the debate until the next day.

The Deputy Speaker: Thank you. It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2130.

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Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Waterloo-Wellington	Arnott, Ted (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Willowdale	Young, Hon / L'hon David (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York Centre / -Centre	Kwinter, Monte (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

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

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

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

Estimates / Budgets des dépenses

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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**

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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-Président: Norm Miller
Ted Chudleigh, Mike Colle, 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: Michael Gravelle
James J. Bradley, Leona Dombrowsky, Michael Gravelle,
Bert Johnson, Tony Martin, Frank Mazzilli,
Jerry J. Ouellette, Bob Wood
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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
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Legislative Assembly / Assemblée législative

Chair / Présidente: Margaret Marland
Vice-Chair / Vice-Président: Vacant
Ted Arnott, Marilyn Churley, Caroline Di Cocco,
Jean-Marc Lalonde, Margaret Marland, Julia Munro,
Jerry J. Ouellette, Joseph N. Tascona
Clerk / Greffière: Donna Bryce

Public accounts / Comptes publics

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

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

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

**Alternative fuel sources /
Sources de carburants de remplacement**

Chair / Président: Doug Galt
Vice-Chair / Vice-Présidente: Marie Bountrogianni
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug
Galt, Steve Gilchrist, John Hastings,
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons
Clerk / Greffière: Tonia Grannum

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