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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 15 October 2002

Mardi 15 octobre 2002

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 15 October 2002

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 15 octobre 2002

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

FOSTER FAMILY WEEK

Mr Ernie Parsons (Prince Edward-Hastings): This week is Foster Family Week in Canada. I would like to thank and applaud the thousands of families in Ontario who open their hearts and their homes to the children who require support and care in alternative parenting. I would particularly like to applaud the children of foster parents, because they have made the decision to share their parents, to share their secrets and to share their life with other children who are in greater need. It does benefit them and strengthens them, but it is at some cost to them, so I applaud all the families in Ontario who are prepared to provide this service to our children.

I also call upon the government to do more, not for foster families but for foster children. They can and must do more. There is a dire shortage of mental health services available to foster children in this province. Children who have been abused need that support.

The government must adequately fund a computer system which provides one common database for every children's aid society to access and to know if children move from one area to another.

Lastly, this government must do something for foster children who need post-secondary education. At this instant, they are basically abandoned when they turn 18. The cost of post-secondary education has increased dramatically since 1995. We're seeing children with wonderful abilities, wonderful gifts, not able to fund their course. We cannot waste that resource: we can't waste it for them as individuals and we can't waste it for us as a province. So I call upon the government: do not abandon foster children when they turn 18. Enable them to be successful with a post-secondary education.

KIMBERLY ROGERS

Mr Tony Martin (Sault Ste Marie): Today begins the five-week inquest into the death of Kimberly Rogers, a woman who was banned from welfare and sentenced to house arrest for collecting student loans while on social assistance. Kimberly died while under house arrest. She was eight months pregnant and had only \$18 for food for an entire month.

Ms Rogers had great potential. She proved this by graduating from college with top honours in social work. All she ever wanted was to get a good job as a social worker and to help people.

Persons on social assistance used to be able to go back to school and get student loans to cover their school expenses. People who took advantage of this were applauded for trying to better themselves. But this government changed all that and brought in its sweeping welfare reforms that make it impossible for people to better themselves and break out of the cycle of poverty. Instead, this government has changed the laws to make people who try to better themselves criminals.

It is time this government admits that its welfare policies are wrong. It is time for this government to take responsibility for the effects of its policies and change them so people can better their lives and no one else ends up dead.

Stop the ban on student loans for people on social assistance. Stop the lifetime ban for people found in contravention of the welfare laws. Stop the clawback of the national child tax benefit.

NORTH BAY ECONOMY

Mr AL McDonald (Nipissing): I stand before the House today to talk about economic development in my riding of Nipissing. Last Thursday I attended the 2002 Northern Ontario Business Awards held in North Bay and I was amazed with the progress that has been made with regard to the development of a diversified workforce, and in particular the retention of young people in the north.

According to the judges at the business awards, and I agree, North Bay was once known as a junction for major railways and a military town, but has since adjusted to a changing economic landscape and is branding itself today as an emerging centre of commerce, technology, education, health care and retail, and as a stable environment to raise a family.

North Bay has reeled off successes on a number of fronts, with the creation of 2,300 jobs, expansion of commercial retail space, low vacancy rates, a white-hot real estate market and a relatively stable labour market.

The judges at these awards chose this year's recipient to be the North Bay Economic Development Commission. They've done an outstanding job in creating jobs and in the retention of youth as a priority in Nipissing. I would have to say that they have done a wonderful job this year, and I know they will continue to do so.

Last week in my member's statement, I spoke about job loss in my riding of Nipissing. As I said before, I feel strongly about this because I believe businesses and local entrepreneurs are working very hard to retain people in the north. I'm a firm believer that no matter how hard one works, one can work even harder. It is this determination that will pull us out of job loss and into job creation.

KIMBERLY ROGERS

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): It is indeed a tragedy that today in this province an inquest has begun to investigate the tragic circumstances surrounding the death of a woman who was eight months pregnant and whose only source of income was cut off by this government.

The eyes of Ontario are looking at the Kimberly Rogers inquest to understand how, in this most blessed province, such a tragedy can happen. A woman who tried to educate herself so she could break the cycle of poverty, whose goal was to seek higher education, was banned from welfare for life. Agencies and groups across Ontario will present at this inquest their research about the devastating impact of Tory policies on the poor.

It does beg the question, however, why the Ministry of Community, Family and Children's Services, the ministry responsible for caring for our neediest citizens, has not sought standing at this hearing. A national paper reports that even today the Tory get-tough attitude hasn't waned, at least for the poor. When cabinet ministers break rules, they determine what they will pay back only after they are caught. When a poor pregnant mother breaks the rules, the Tories kick her off benefits for life. It's time the Tories did the right thing and conducted a social audit to determine how many Ontarians are at risk because of this government's "get tough with the poor" policy.

PETROGLYPHS PROVINCIAL PARK

Mr R. Gary Stewart (Peterborough): I would like to advise members of this House of a very special place they might like to visit or tell their constituents about: the Learning Place at Petroglyphs Provincial Park, located in my riding of Peterborough. Petroglyphs Provincial Park holds a very special place in the Ontario parks system. This historic class park is the site of one of the most intriguing and evocative treasures in Canada, the petroglyphs themselves.

The history of this new visitors' centre is a long and fascinating one. This building was erected in 1988 and sat empty due to lack of funding until 1994. I would like to congratulate the team of volunteers from the Curve Lake First Nations community and Ontario parks staff who took the initiative to embark on a mission to construct and install the exhibits in the Learning Place. Provincial and federal funding supported those efforts. The Learning Place has been designed to take visitors

through the teachings of the four directions. They comprise the largest known single concentration of aboriginal rock carvings in Canada.

This project is a testament to what can be achieved through a positive working relationship such as the one between the Curve Lake First Nations and Ontario Parks. I urge everyone to take the opportunity to visit this historical and very interesting site.

MARCY'S WOODS

Mr James J. Bradley (St Catharines): For several weeks concerned residents of the Niagara region have been waiting patiently for their provincial government to come forward with a plan to save Marcy's Woods from development.

Nestled along the shores of Lake Erie, the 284-acre Marcy's Woods is home to the only known old-growth black maple forest in North America, is one of only three old-growth eastern hemlock stands in the entire world, and is home to dozens of rare species of plants and animals, including the grey fox, the flying squirrel, Fowler's toad and the hog-nose snake.

Placed in jeopardy following its recent sale to a Niagara developer, a combined local effort of community leaders from all levels of government has risen to the task of saving the Carolinian forest from the prospect of being bulldozed. Despite their efforts and those of honourable groups such as the Bert Miller Nature Club and the Nature Conservancy of Canada, no guarantees have been forthcoming that Marcy's Woods will remain in its natural state much longer.

Marcy's Woods is a cherished part of the Niagara region's natural heritage, and it is incumbent upon this government to explore every instrument at its disposal that will bolster local efforts to protect this unique and vital forest land.

Time is running out on the woods. I call on Ontario's Minister of the Environment and Ontario's Minister of Natural Resources to step in and preserve this exceptional environmental gem.

1340

OPERATION CHRISTMAS CHILD

Mr Ted Arnott (Waterloo-Wellington): For people who want to share the joy of Christmas with needy children around the world, I want to inform the House about a program called Operation Christmas Child.

I learned about this program through one of its sponsors, St Andrew's Presbyterian Church in Fergus, which is the church my family attends. There recently we were shown a video of children living in the Third World beaming with delight when they received a shoebox full of gifts just for them for Christmas. For many of these children, it's probably their first-ever Christmas gift or the only gift they will receive this year.

My constituents in Waterloo-Wellington may know that this program is also operated through the Elmira

Independent Newspaper. People living in Elmira and the surrounding area can contact editor Gail Martin to find out how they can pick up the shoeboxes and drop them off after they have been filled.

My constituents can also contact the office at St Andrew's Presbyterian Church in Fergus. The church is serving as a drop-off centre as well, and all drop-off centres must receive the shoeboxes by November 16 in order to ensure their distribution before Christmas.

A project of Samaritan's Purse, Operation Christmas Child is celebrating its 10th year internationally. Last year Canadians donated over 700,000 boxes of toys through Operation Christmas Child.

For my wife and me, it's a very special time spent with our three boys, putting together packages of special things we would like to give to youngsters living in places like Central America, Africa and South America.

Be it extra toys from around the house, letters of encouragement, photographs or even personal care items, it's a kind of giving that's needed and that teaches and reminds us of the true meaning of Christmas.

I encourage all members to show their support for Samaritan's Purse and Operation Christmas Child.

GOVERNMENT'S RECORD

Mr Dwight Duncan (Windsor-St Clair): We're entering the fourth week of this session and Ontario's families are wondering what this government's agenda is.

Here's what we know so far: we have a cabinet minister fired for his spending habits at the best steak houses and fancy hotels, all on the taxpayers' dimes. We have a Premier who's living the high life and charging the taxpayer for it. We have a government handing \$10 million over to professional sports teams that happen to be owned by friends of the government—but suddenly nobody knows anything about this secret sweetheart deal for their friends. We have a government that secretly promised 800 slot machines to a top contributor to that party and its members.

What happened to their jam-packed legislative agenda? We have no Safe Drinking Water Act. We have no new legislation on ministerial spending habits. Ernie Eves has no plan for education. The government has no plans for health care. And the Harris-Eves government has no plan for our environment except that one day they oppose Kyoto and the next day they support it.

This is a government with no plan, no focus, no agenda, and most of all, no leadership. They are lurching from crisis to crisis, desperately grasping for a life preserver.

Ontario families want a government with a plan. They want a leader with integrity and leadership who works for them. They want a Premier like Dalton McGuinty. They want a government that will be led with vision and understanding of the complex problems of this issue. Dalton McGuinty and the Ontario Liberals are the only alternative to that bunch that's lurching from crisis to crisis.

LEADER OF THE OPPOSITION

Ms Marilyn Mushinski (Scarborough Centre): I rise today to call your attention to a wonderful fiscal innovation. In the spirit of non-partisanship, I want to give full credit to the Leader of the Opposition, Dalton McGuinty. You see, Dalton has discovered how to spend the same dollar many times over. This fiscal magic is called the "Dalton loonie," or, for short, "Da'loonie."

Let me explain. First the Liberals say they will pump a billion Da'loonies into education. Then Liberals turn around and spend the same billion Da'loonies on day-care. It gets better. They then recycle the same Da'loonie to pay for a new gas pipeline from western Canada so that there will be enough natural gas in Ontario for Dalton to keep yet another billion-dollar promise.

These Da'loonies are environmentally friendly. The same Da'loonie can be reused, recycled and respent over and over again. That way, you can promise voters more and more. No wonder Liberals love Da'loonies. Da'loonies are so popular, I understand there was a move to change the party's name at the Liberal Party's big meeting two weekends ago. To honour their leader, they now want to call themselves the Da'loonie Party. It is a fitting tribute to the man with Da'loonie promises.

MOTIONS

HOUSE SITTINGS

Hon Chris Stockwell (Minister of the Environment, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Tuesday, October 15, Wednesday, October 16, and Thursday, October 17, 2002, for the purpose of considering government business.

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

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1348 to 1353.

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

Ayes

Agostino, Dominic
 Arnott, Ted
 Baird, John R.
 Bartolucci, Rick
 Beaubien, Marcel
 Bountrogianni, Marie
 Boyer, Claudette
 Bradley, James J.
 Brown, Michael A.
 Bryant, Michael
 Caplan, David
 Chudleigh, Ted
 Clark, Brad

Ecker, Janet
 Elliott, Brenda
 Eves, Ernie
 Flaherty, Jim
 Galt, Doug
 Gravelle, Michael
 Guzzo, Garry J.
 Hardeman, Ernie
 Hodgson, Chris
 Hoy, Pat
 Johns, Helen
 Johnson, Bert
 Kwinter, Monte

Munro, Julia
 Mushinski, Marilyn
 Newman, Dan
 O'Toole, John
 Parsons, Ernie
 Patten, Richard
 Peters, Steve
 Phillips, Gerry
 Pupatello, Sandra
 Ramsay, David
 Runciman, Robert W.
 Sampson, Rob
 Smitherman, George

Cleary, John C.	Lalonde, Jean-Marc	Spina, Joseph
Clement, Tony	Levac, David	Sterling, Norman W.
Coburn, Brian	Marland, Margaret	Stewart, R. Gary
Colle, Mike	Martiniuk, Gerry	Stockwell, Chris
Crozier, Bruce	Maves, Bart	Tascona, Joseph N.
Cunningham, Dianne	Mazzilli, Frank	Tsubouchi, David H.
Curling, Alvin	McDonald, AL	Turnbull, David
Di Cocco, Caroline	McGuinty, Dalton	Wilson, Jim
Dombrowsky, Leona	McMeekin, Ted	Witmer, Elizabeth
Duncan, Dwight	Miller, Norm	Wood, Bob
Dunlop, Garfield	Molinari, Tina R.	Young, David

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

Nays

Hampton, Howard	Marchese, Rosario	Prue, Michael
Kormos, Peter	Martin, Tony	

Clerk of the House (Mr Claude L. DesRosiers): The eyes are 72; the nays are 5.

The Speaker: I declare the motion carried.

VISITORS

Hon Chris Stockwell (Minister of the Environment, Government House Leader): On a point of order, Mr Speaker: My page Teddy here—his parents and his brother are down today, and I just want to take the time to introduce them: Darlene, Axel, and his brother, Matthew. Welcome, and thank you for coming.

The Speaker (Hon Gary Carr): Welcome. Your son is doing a fine job here. You can be very proud of him.

ORAL QUESTIONS

EDUCATIONAL ASSISTANTS

Mr Dalton McGuinty (Leader of the Opposition): My question today is for the Premier. Premier, last week I had the opportunity to meet with parents of Rippleton Public School here in Toronto. They are angry because you won't help their children. At Rippleton there is a JK class with 26 children, starting at three and a half years of age. There is a senior kindergarten class with 27 children. Mrs Fox, their teacher, has been teaching for 26 years. She says she just can't do it on her own. She needs an educational assistant to help. The parents and Mrs Fox are concerned about the safety of the children in that classroom. You have now taken over responsibility of the Toronto school board, Premier. Will you see to it that an educational assistant is on the job starting tomorrow morning?

Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs): The education system in the province of Ontario is working well. As you know, we increased the amount of funding to the system this year by \$557 million. I am confident, as is the Minister of Education, that the three boards that have supervisors are operating well on a day-to-day basis.

Mr McGuinty: Premier, my best advice that I can give to you is that you've got to remove yourself from this place. You have to talk to some real Ontarians about some of the real problems that they have to grapple with day in and day out.

Here are some of the events that Mrs Fox has to deal with daily in her junior kindergarten class of 26 kids: temper tantrums, throwing up, wetting pants, nosebleeds, bumps and cuts, crying, running away. She can't do all this for 26 children and teach them on her own.

By the way, Premier, she's not taking the children outside for recess because she can't, on her own, guarantee the safety of her 26 charges. I'm asking you on behalf of those children and their parents, Premier—you have now taken responsibility for the delivery of public education in Toronto. What are you going to do to help those children, whose education is not only being compromised but their very safety is being compromised?

Hon Mr Eves: The leader of the official opposition is fully aware that staffing decisions are made locally. Those decisions have been made locally for decades in this province and they continue to be made locally, as they should be. I have nothing but the utmost respect for the teaching profession in this province, delivering the services that they deliver on a daily basis to our most important resource, our young people.

Mr McGuinty: There is a hiring freeze in place now at the Toronto school board. They can't do anything without the consent of the supervisor. The supervisor can't do anything without your consent. Apparently you have money for the Blue Jays, you have money for private schools, but you don't have money to make classes smaller and safer.

Here is a specific incident that took place in that classroom just a short while ago. A young boy was vomiting in the classroom while others were crying and throwing tantrums. Mrs Fox directed the sick child to the garbage can while she dealt with the others. The child fell asleep with his head in the garbage can. Fortunately for all concerned, he did not choke. Premier, 26 or 27 three-and-a-half to five-year-olds in one classroom is simply not manageable, and beyond that, it is dangerous. You have now taken responsibility for the delivery of public education in Toronto. I want you to tell me, do you think it is perfectly acceptable for 26 and 27 three-and-a-half to five-year-olds to come under the purview of one single teacher? Yes or no? Is that acceptable?

1400

Hon Mr Eves: The leader of the official opposition will know that we have taken steps to reduce class sizes in the province when for years, I might point out, teachers' unions in this province actually bargained to have—unions; not teachers but unions, and there is a big difference—

Interjections.

Hon Mr Eves: I say to the member for Sudbury, if he doesn't know the difference between Earl Manners and a teacher in the classroom every day, then he'd better get a

life and he'd better get out and see his constituents and people in the classroom every day.

The reality is, we are taking steps to reduce class sizes despite the fact that in some bargaining contracts they've actually asked for larger class sizes so they could get more benefits for the union. We on this side of the House have rejected that out of hand. We are reducing class sizes. We have increased education funding from \$13.86 billion to \$14.36 billion in the time that we've been the government, and we will continue to increase our commitment to public education in the province.

GOVERNMENT'S RECORD

Mr Dalton McGuinty (Leader of the Opposition):

My question is to the Premier. I've been travelling the province meeting with real people who are telling me about real problems, and they're looking for real solutions. They are telling me that their kids' classes are too big; they are telling me that the air is making them sick; they are telling me that they can't find a doctor. I put forward a number of plans, on many fronts, which make up real solutions to their real problems. The problem here, Premier, is that you don't have any plan and you aren't offering any real solutions.

When I come back to the House, I discover that your ministers are threatening civil servants, handing out secret tax breaks to sports team, or resigning over expense scandals. The problem, sir, is that you don't have a plan. You still don't know why you want to be Premier. I'm asking you on behalf of the people of Ontario, what is it specifically that you want to do that's going to address real problems faced by real people day in and day out in our province?

Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs): To the leader of the official opposition, seeing as how he has some differentiation between real people and some people whom he I guess describes as not real people, so I guess they're not part of the province of Ontario, every person in the province is a real person and every person in the province has needs that the government tries to respond to on a daily basis.

If he's been out and about as much he says he has been, then I'm sure he will be aware, if he's talked to nurse practitioners in Harrow, Ontario, or smaller communities across the province, that we have some 369 nurse practitioners who in the next 18 months will be practising in smaller communities across the province of Ontario, and that number grows to some 950 in about five years' time. I'm sure he would like to acknowledge that is a step in the right direction, that they provide 85% of primary care that a physician can provide. I'm sure he would acknowledge that that is an appropriate step to take on behalf of those people in those smaller communities, some of those real people he talks about.

Mr McGuinty: Those real people I am talking about are looking for a real plan to be put forward by a real Premier.

Last week, instead of trying to help northerners, your minister Jim Wilson threatened to fire public servants

who were affiliated with parties other than your own. Our public servants are world-class professionals who dedicate themselves to serving the public interest. The right of public servants to hold membership in the party of their choice is protected by law. Premier, this really isn't about your minister's unlawful threats. It's about your lack of standards and your failure of leadership, your failure to put forward real solutions. How can you tolerate this kind of behaviour from this minister?

Hon Mr Eves: I read the quotes that were attributed to the Minister of Northern Development, and they were totally inappropriate. As I understand, the minister has withdrawn those remarks; he has apologized for those remarks. I want to tell you and the other people on the other side of the House that I have always regarded the Ontario public service to be a great professional body that is independent. They are there aside from the politically elected people in the province of Ontario, and I have always valued their contribution and the very important role they play in the public service of Ontario.

Mr McGuinty: Premier, I wonder if you can see the pattern that is evolving here. We've got another ex post facto apology. He's done something wrong and apologizes for it; you say he was wrong and should never have done that.

Then there's the case of the \$10-million tax break in secret. People over there pretend they knew nothing about it. Apparently your Minister of Finance knew something about it all along. Since you were found out, since you were caught, you now tell us that this too is something you should apologize for and that never should have happened. Then there's the matter of Cam Jackson running up expense tabs, again ex post facto—

Interjections.

The Speaker (Hon Gary Carr): I'm sorry, leader of the official opposition. Attorney General, come to order. Quit shouting across, please.

Sorry to the leader of the official opposition. I know he was wrapping up. It was awful noisy. Attorney General, please come to order.

Mr McGuinty: Back to this issue of the pattern, Premier. I wonder if you are taking notice that your ministers are apologizing ex post facto for behaviour that should never have arisen in the first place. The reason that is happening is because of your lack of standards, your lack of leadership, the lack of direction you are setting for your government.

So I'm asking you, on behalf of the people of Ontario, with the greatest of respect: why is it, sir, that you decided to become Premier, and what specifically are you now going to do to address the real problems faced by the people of Ontario?

Hon Mr Eves: Everybody on this side of the House, and I presume everybody in the House, is in public service for the right reason, and that is to try to make the lives of the people of Ontario just a little bit better in their own particular constituency or, if they're fortunate enough to be asked to serve on the Executive Council or in some other capacity, to serve the people that way.

With respect to standards that are being set and leaders of different parties, I would like to know when your honourable member across the way is going to return his pension money as you and your members asked me to do and I'd already done, unbeknownst to you, several months before that. When is that going to happen? Where's the leadership from you on your party on your side of the House?

MINISTER'S COMMENTS

The Speaker (Hon Gary Carr): Stop the clock. The Minister of Northern Development.

Hon Jim Wilson (Minister of Northern Development and Mines): Mr Speaker, I want to make a point of order concerning my remarks last Wednesday in this House concerning the Ontario public service. I think the Leader of the Opposition's comments were a bit unfair there; at no time did I mention the Progressive Conservative Party. However, my remarks were very inappropriate. They were done in the heat of debate, and I certainly shouldn't have made them.

During my 12 years representing the people of Simcoe West and then Simcoe-Grey, and during the last seven years in three different ministries, I have grown to respect a great number of our public servants. They are professional, and they must be free from politics and free from slander—from myself, for example—in order to do their jobs and serve the people of Ontario. So I apologize to any Ontario public servant who might have taken offence at my remarks, and I certainly apologize to the opposition. But I wish they wouldn't bait me. They know I do have a bit of a temper, and it does get the better of me from time to time, Mr Speaker, and I apologize for that.

The Speaker: I thank the minister.

New question?

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. As the Minister of Northern Development and Mines has just admitted, last week he threatened to fire civil servants if they merely did their job and answered opposition questions about how community hospitals could have their budget deficits addressed. That kind of behaviour might go down in a banana republic—it might be justified there—but I don't think it's justified in any democracy. I don't think the effect upon the civil service is justified either.

Premier, this is about your standards. It's about the standards by which your government will operate. Is it acceptable for a cabinet minister to engage in this kind of intimidation and threats when civil servants are merely being asked, "How does our hospital deal with its operating budget?"

1410

Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs): I've already responded to that issue in question period today. The minister, of course, has stood in his place on a point of personal privilege and apologized. He understands that the remarks were inappropriate.

I understand that the remarks were inappropriate. I think everybody does. I understand the frustration that ministers and other members of the Legislature sometimes have, but quite frankly that sort of conduct is inappropriate and it has been retracted.

Mr Hampton: Premier, this is about your standards. It's about the kind of conduct that your cabinet ministers will be able to engage in and that you find acceptable. It was conduct that was intended to be intimidating, that was intended to be threatening. The question that was being asked is a reasonable one. There are 119 hospitals across Ontario that are struggling with inadequate operating funding, and they want to know how they get their operating deficits addressed. The response of your minister was that he promised that if any civil servant in the Ministry of Health answers any of those questions, they will be fired. Premier, is that the standard of your government? Is that acceptable by you? Is that how your government is going to conduct itself?

Hon Mr Eves: I don't believe that is what the Minister of Northern Development said, but I'm sure everybody can check Hansard and see exactly what he did say. His comments were inappropriate.

I value the independence and professionalism of the Ontario public service. I always have. In every single ministry I have been in, I can tell you that the deputy has fulfilled his or her role in a more than forthright and direct manner. We have to have that independence of the Ontario public service, as separate and apart from the elected officials in this place, for the system in Ontario to work properly.

Mr Hampton: The substantive question that was being asked here in the Legislature was, how do those 119 hospitals that have an operating deficit get that addressed? Your government's response at the time was that if any civil servant in the Ministry of Health answers opposition questions on that, they will be fired. That's the only response we've had from your government.

Those 119 community hospitals want an answer other than threats and intimidation. I want to ask you again, Premier: what are the criteria for having their operating deficits addressed? Do you find the behaviour of this minister acceptable? Are you going to allow this kind of behaviour to continue?

Hon Mr Eves: First of all, they get that issue addressed through the Ministry of Health, where it should be addressed. That's how they get the issue addressed.

If you want to talk about independence of the public service, we certainly understand on this side of the House that the independence of the Ontario public service is vital and important. That is more than I can say for the previous New Democratic regime in Ontario, which took a very political person, the principal secretary from the Premier's office, and made that individual secretary of cabinet—totally inappropriate for the independence of the Ontario public service. So I think you might want to look in your own closet before you start looking in others'.

HYDRO DEREGULATION

Mr Howard Hampton (Kenora-Rainy River): My next question is also for the Premier. And the 119 hospitals still want an answer, Premier.

My question is about the container board mill at Sturgeon Falls. As you know, Weyerhaeuser closed their container board mill in Sturgeon Falls last week, laying off 140 workers, but they're going to keep the hydro generating station. They're not going to close it. They're going to keep the hydroelectric generating station and six or seven employees because they've discovered that, under your system of hydro privatization and deregulation, they can make more money by laying off the employees and simply selling hydro at the much higher hydro prices your government has established.

Premier, is this your idea of how hydro privatization and deregulation is supposed to work for northern Ontario communities?

Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs): Mr Speaker, I refer the question to the Minister of Northern Development.

Hon Jim Wilson (Minister of Northern Development and Mines): I thank the member for the question; it's an important question. Certainly there are a lot of jobs at stake in Sturgeon Falls, some 128 jobs, and the government is very concerned. The company has made it clear, though, and I've spoken to officials at the company, that it's an old plant and for those reasons they want to close it down. Yes, they do have a hydroelectric project up there that is very successful. The company also wants to make it clear that in no way is that project tied to their decision about this particular plant.

Mr Hampton: Here's the reality: they're going to lay off the 140 workers but they are going to continue to operate the hydro generating plant because they figured out they can make more money selling hydroelectricity under hydro privatization than they can make employing 140 mill workers. They've also indicated that they actually want to increase the generating capacity of the plant from seven megawatts to four megawatts. We've already heard from the two major employers in Wawa, which is surrounded by hydro generating stations, that they don't know if they can continue to operate the sawmill and the gold mill.

Tell me, Minister, is this your image for the northern Ontario economy: shut down the sawmills, shut down the paper mills, shut down the pulp mills, lay everybody off, and make your money selling electricity into the privatized, deregulated hydro market? Is that your vision for the northern Ontario economy?

Hon Mr Wilson: Having met with the mayor of Sturgeon Falls just last week, and a number of people in that part of the north, they certainly have a different take on this; they still have hope that those jobs in one form or another can be saved. They are not giving up on their community. They have a very positive attitude, and they see hydroelectric as an inexpensive, clean form of electricity that may attract new industry to that part of the

north. In many ways, the hydroelectric projects up there are a positive for the creation of new jobs and economic development.

Sturgeon Falls certainly doesn't need any more knocks at this time. It needs the understanding of the leader of the third party, and it needs the promotion of this government and all levels of government to make sure we do what we can for the people who are being laid off and try and get them new jobs.

MINISTER'S COMMENTS

Mr George Smitherman (Toronto Centre-Rosedale): My question is to the Premier. I'd like to return to the subject of the unlawful conduct of the Minister of Northern Development and Mines.

Interjections.

Mr Smitherman: Oh, yes, the Public Service Act. I recommend it; it's a good read.

On Wednesday, your Minister of Northern Development threatened the employment of every public servant in the province who is not a card-carrying Conservative. When confronted with his comments later, he said, "It's not a threat; I promise to do so."

Hon Chris Stockwell (Minister of the Environment, Government House Leader): On a point of order, Mr Speaker: Can I ask for some clarification, if one member can accuse the other member of unlawful conduct?

The Speaker (Hon Gary Carr): You can't say that. I didn't hear it. I'd ask the member to kindly watch his wording on that.

Mr Smitherman: On Thursday—

Interjections.

The Speaker: Order. Come to order right now, government benches.

Mr Smitherman: I'm not used to this heckling, Mr Speaker.

On Thursday, he made matters worse—he said the comments reflected his passion—and today we see this conditional apology: stale contrition at best.

Menacing the livelihood of public servants is gravely serious. Their political rights are protected by the Public Service Act. The minister made serious threats. He must be dismissed from the cabinet. Premier, when will you obtain his resignation?

Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs): To the member for Toronto Centre-Rosedale, he might want to set a standard himself by apologizing for the very inappropriate remark he just made in this Legislature.

Mr Smitherman: Mr Speaker, it seems to me that we all had a feeling in this province that our Premier was pretty lame, but the response that you just gave demonstrates just how lame you are. The conduct that we're dealing with here—

Interjections.

1420

The Speaker: Order. Come to order. You can't use that. It's hard to keep order when you use language like

that. I'll ask you to withdraw that. You can't call the Premier "lame." You need to withdraw that.

Mr Smitherman: I'll happily do that. Perhaps—

The Speaker: Not good enough. No.

Mr Smitherman: I will. I withdraw. Yes, sir.

The Speaker: Don't yell at me.

Interjections.

The Speaker: Order. Come to order, please. The member can't continue. I would ask him to be very cautious in the language he uses. I will be listening very carefully. The member for Toronto Centre-Rosedale.

Mr Smitherman: Mr Speaker, at your suggestion I did withdraw immediately. If I didn't do that in the proper fashion, I apologize to you, sir. No disrespect was intended.

I return to the—

Interjection.

Mr Smitherman: It took him five days, Madam Minister.

I would say that we have heard in this House today an apology that was loaded with conditions, an apology that sought to blame this side for provoking him because of his passions.

I would say to the Premier, in asking this question: I recently got a speeding ticket and I apologized to the police officer, but I settled my account in the eyes of justice by paying a \$111 fine. The apology notwithstanding, I would ask the Premier, will you seek this minister's resignation because of the conduct he demonstrated in terms of disrespect to the democratic process and to bureaucrats—

The Speaker: The member's time is up.

Hon Mr Eves: Nobody suggests that the comments that were made by the Minister of Northern Development were appropriate. He doesn't suggest that, I don't suggest that, I don't think anybody suggests that. He has done the honourable thing. He has apologized. I think that is the appropriate course of conduct, just as your apology today is an appropriate course of conduct.

SCHOOL BUS SAFETY

Mr Bert Johnson (Perth-Middlesex): My question is for the Minister of Transportation. Our children are our most precious resource, and the vast majority of children in my riding of Perth-Middlesex and in rural ridings across the province travel to school each day by school bus. As a matter of fact, 800,000 students across Ontario ride school buses each and every day.

Research tells us that school bus travel remains the safest form of transportation for students. However, I'm sure we would all agree that when it comes to the safety of our children, there's always room for improvement. Minister, can you tell me and my constituents what your ministry is doing to improve safety for our children as they're transported to and from school each day?

Hon Norman W. Sterling (Minister of Transportation): I'm happy that our members are engaged in real issues and real policy discussions.

Safe transportation of our schoolchildren is of course of tremendous importance to each and every one of us, particularly those of us who represent some parts of rural Ontario. Today we are launching our annual School Bus Safety Week campaign to remind everyone of their responsibilities around school buses and school zones, especially drivers who come upon school buses. Our strategy aims to enhance school bus safety through public education of students, parents and motorists and by making all road users accountable for their actions. In fact, Ontario has some of the toughest penalties for drivers committing school bus violations. We seek to improve school bus safety, and we will do that in any way we can that's possible.

Mr Johnson: Public education and increased penalties are certainly important aspects of enhancing school bus safety. However, safety can also be put at risk by an unsafe vehicle, an unsafe bus driver, as well as either inattentive or careless motorists or speeders. People in my riding of Perth-Middlesex would like to know what you're doing to ensure school buses are safe and drivers are appropriately qualified to transport our children.

Hon Mr Sterling: One of the things I would like to do is thank all the school bus drivers who have transported our children safely over the past number of years. We have a tremendous record, and part of that record is due to the fact that we have set high standards for those drivers and they have come through for us. We have licensing standards that exceed those established by the national safety council of Canada. On each driver we ask for a criminal record search to be done, and we re-test our drivers every five years.

We have done a great deal in terms of this area. It is an area that needs continuous improvement and I, along with my colleagues, am open to any kinds of suggestions and changes that would enhance the safety of our children in terms of their transportation in the future. I want to thank all the operators and drivers for the tremendous job they've done for the children of Ontario.

EMPLOYER HEALTH TAX

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. It has to do with her signed approval of the \$10-million tax break for the Blue Jays and the Raptors.

On April 2 you signed a document that said the Minister of Finance had recommended the \$10-million deal and that the cabinet had agreed to the deal. We've learned since that the Minister of Finance, Mr Flaherty, has said that he never recommended it; in fact, he argued strongly against it. We also have learned that it wasn't approved in cabinet. Many of the cabinet members have said that they were against it and that it was never approved by cabinet. So we have a signed document by you that was seriously wrong on two points. You must have known it was not accurate at the time you signed it, Minister. My question is this: why did you sign a document you must have known was not accurate?

Hon Janet Ecker (Minister of Finance): To the honourable member, I know he doesn't mean to imply what he has just implied.

As Minister of Education, I was asked to sign an order in council to implement a decision. Due diligence was done, the process was followed, I signed the order in council, and as far as I knew and to the best of my knowledge, that was the end of the matter.

Mr Phillips: When you say you did due diligence, I think people have a right to say, "What kind of due diligence did you possibly do?" I say again that the document you signed says "the Minister of Finance recommends." Mr Flaherty has made it very clear he never recommended it; in fact, he was strongly against the proposal. It says that this document you're signing had the "concurrence of the executive council," in other words, the agreement of the cabinet.

You've said you did due diligence on this, but we find that the Minister of Finance did not recommend it, was strongly against it, and that cabinet did not approve it. I ask you again, Minister: why did you sign this document that you must have known, if you did in fact do your due diligence, contained at least two major inaccuracies?

Hon Mrs Ecker: As I said very clearly to the honourable member, I signed an order in council. I was asked to sign an order in council. It is not an unusual step in government of any political stripe at the federal or provincial levels to use orders in council to implement decisions of the government. I signed that order based on the information that was provided to me, and that is as it stands.

SCHOOL FACILITIES

Mr Bill Murdoch (Bruce-Grey-Owen Sound): My question is to the Minister of Education. As you know, when we had the budget there was some talk in it about many of the schools that needed repair, and that maybe some of them across the province needed to be rebuilt. It was also mentioned that nine had been picked out to be done. Also mentioned in the budget was that there was a committee or some sort of organization set up to look at different schools throughout the province. I would like the minister maybe to explain a little bit about this committee and what they're doing.

Hon Elizabeth Witmer (Deputy Premier, Minister of Education): We released, in May of this year, grants for school renewal in the amount of \$241 million, in 2002-03 alone. As the member has indicated, we provided funding in order that nine schools that it was simply prohibitive to repair could be replaced. However, we recognize there are many schools throughout Ontario that certainly need repair, so what we're proposing to do over the next two years is to inspect the schools across Ontario. We have provided \$17 million to determine which schools are most in need of repair and then to provide the appropriate funding.

1430

Mr Murdoch: That's fine, Madam Minister, but as you will know, in my area the Bluewater District School

Board has done extensive studies. We had many meetings in the Bruce Peninsula and we had to come to some decisions. We have a high school in Wiarton that, as we speak here today, is practically falling down around the students. This committee has not been there, to my knowledge. I would just like you to explain to the House and to the people in the Wiarton area what is going on and when we can expect some word about when our school will at least get repairs or when a new one will be built.

Hon Mrs Witmer: The round of inspections will be starting immediately. I'm very pleased to say that the Bluewater District School Board, which I think includes Wiarton, has identified two schools that have the most pressing needs. Their number one choice for inspection is the Wiarton high school, because they do believe it is in need of inspection. I believe the inspections will most likely have been completed by Christmas this year, and there will then be information forthcoming about the future of the Wiarton high school.

WATER EXTRACTION

Ms Marilyn Churley (Toronto-Danforth): My question is for the Premier. Your own constituents are outraged over your failure to protect the quality and quantity of their drinking water. Your government is letting a local water bottling company pump more than four million litres of water out of the ground, and that's leading up to the possible extraction of nearly one billion litres per year. Residents in the Mono Centre area are understandably afraid that these massive water takings will dry up their wells, and the local conservation authority is concerned that the creek will be threatened.

The Mono Mulmur Citizens' Coalition has collected more than 8,000 signatures from your own riding calling on you to stop issuing permits to take water in the area at least until the proper scientific studies are done. Will you do what your constituents are asking, and what Justice O'Connor recommended, and start protecting the province's precious supply of groundwater?

Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs): I believe the Minister of the Environment has a response.

Hon Chris Stockwell (Minister of the Environment, Government House Leader): This government has taken, I think, enormous steps with respect to Justice O'Connor's Walkerton part one and Walkerton part two recommendations.

You know full well that Bill 175 is designed to protect drinking water in this province. You know that we're doing a source protection examination to determine a bill that can protect sources of water in this province. Water management studies are being done with respect to conservation authorities; a Safe Drinking Water Act is coming forward with respect to that. Nutrient management is a good example of safe drinking water and how we take the water issue very seriously.

For you to stand in your place and suggest we're not handling this—we've said we'll adopt every recom-

mendation from Justice O'Connor that came out of the Walkerton report.

This government is taking the lead to have in the province of Ontario the safest drinking water throughout the world. Once these legislation initiatives have been put through this House and adopted, there is no chance that you will have safer drinking water anywhere in the world than in Ontario.

Those kinds of allegations are spurious—

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

Ms Churley: Premier, back to you; I'm talking about citizens in your riding. They're now asking questions that people all over the province want answered and that the Minister of the Environment still did not answer. How much water do we have? How much water is being taken from rivers, lakes and the ground? What impact will it have on our drinking water and ecosystems?

The truth is that you and your Minister of the Environment don't have a clue. You don't have answers to any of those questions because you haven't implemented the watershed planning that Justice O'Connor recommended. Your constituents, and indeed the people of the province, can't wait until you finish patting yourselves on the back for bringing forward a Safe Drinking Water Act that actually is weaker than the bill I brought forward and that says nothing about groundwater protection. You need to take action now on source protection.

So I'm asking you a specific question: will you commit today to bring in a moratorium to stop issuing permits—

The Speaker: Order. I'm afraid the member's time is up.

Hon Mr Stockwell: The site you're speaking about received an application to take water. The ministry received that application for permit of water taking and is conducting studies to determine whether it's allowable. They have allowed a temporary permit to extract a small amount of water at that site to do an examination of the needs and concerns of the community with respect to the amount of water taken.

The answer to your question is very clear: the actual permit to allow them to take water in the volume you're suggesting hasn't been approved because the studies aren't back. So the simple fact of the matter is, they posted that, and they're getting complaints from the area. They're dealing with those complaints and doing the study in co-operation with the company that's seeking the water-taking permit.

So the fact remains that your statement that they're taking millions and millions of gallons of water as of today isn't the case, because the ministry is working on a planned study in the community with a temporary permit to examine the amount of water that is being taken to approve in the future. There has been no conclusive decision taken, and they're doing the responsible thing: they're examining the application, studying it and—

The Speaker: The minister's time is up. New question?

MINISTER'S COMMENTS

Mrs Sandra Pupatello (Windsor West): My question is for the Deputy Premier. Deputy, on Thursday you stood in this House and levelled false accusations against me. What you said in response to my question was that I had been overspending my budget since I arrived here at Queen's Park. Following that question, you had your staff skulk around to the reporters here and tell them that in fact that was false, but you yourself, Deputy Premier, never apologized.

This is not something that just sort of came out by accident. This was fairly premeditated, because you as an individual, who have been here more than 10 years, who have been in opposition and in government, know "full well" that you can't overspend your MPP global budget. You know that information is tabled in this House, and when you get to the end of your cap, it simply stops.

Minister, are you going to do the right thing today and will you stand and apologize for your remarks?

Hon Elizabeth Witmer (Deputy Premier, Minister of Education): I think what the member is referring to is a rhetorical question that I asked. I would be happy to withdraw the rhetorical question. It was simply a question.

The Speaker (Hon Gary Carr): Supplementary?

Ms Caroline Di Cocco (Sarnia-Lambton): Deputy Premier, that's not the whole story; that's not the end of the story. Staff members from your party have been sending media releases to local newspapers in the southwest, in my riding and others, claiming that other Liberal MPPs have overspent their global budgets. You know these accusations are both impossible and untrue. This issue speaks to the integrity of your government. People of Ontario need to know if they can trust the information their government provides. The information your staff distributed in the southwest is not accurate.

Deputy Premier, will you apologize on behalf of your government for spreading this false information?

Hon Mrs Witmer: I think it's very important that all of us in this House remember the reasons why we were elected. We were elected to serve the people in this province. We were elected to make sure there was job creation in order that we could have the resources to pay for health services and educational services and the protection of our environment.

I believe that it is time that we move forward and that we deal with the issues, the needs of the people in the province of Ontario, and that we move forward in a way that responds to their needs.

MARIJUANA GROW HOUSES

Mr Joseph Spina (Brampton Centre): Talking about glass houses, thank you for sending your press release to my home newspaper. I appreciate it. I got great press. And I got a resounding response of one positive call. Thank you. Good luck.

My question is for the Minister of Public Safety and Security. As we've seen in the media lately, there are many ongoing problems with marijuana home grow houses, as I understand from some of my constituents who have come to me regarding marijuana grow houses in residential neighbourhoods, because of the problems they've had. In fact, I've had four within a block of my own house this past year that have been busted.

Minister, the police and courts are struggling to cope with the volume of these houses, not to mention the damage and danger to our families and characters. Are you aware of this problem, Minister, and what are you doing about it?

1440

Hon Robert W. Runciman (Minister of Public Safety and Security): I want to thank the member for Brampton Centre for the question. I know he has a particular concern regarding this issue, given the recent raids in Brampton neighbourhoods. The police have estimated that indoor marijuana grow houses is a \$1-billion-a-year industry, making it the third-largest cash crop in Ontario. In addition, grow houses steal hydro power. Police estimate these operations are involved in \$18,000 to \$20,000 worth of stolen hydro per grow house operation every year.

More important is the economic benefits these homes supply to criminals, especially organized crime. In two recent cases in Toronto, 632 marijuana plants, worth approximately \$600,000 on the street, were seized. In the London area there have been five busts that collected a total of 713 plants worth over \$1.5 million dollars on the street. Those are obviously large profits for those involved, regrettably with very little consequence.

Mr Spina: I know it's at almost epidemic proportions. Peel regional police tell me they've probably identified close to 170 houses within Mississauga and Brampton alone. The problem is that they need the resources. There have to be a number of measures and it's not just policing. I know it falls within the jurisdiction of the courts and so forth, but what can we do as citizens to assist the police in this process, and what are the measures that have to be taken to stem the tide of this epidemic?

Hon Mr Runciman: There's no question that this is currently a low-risk, high-reward, slap on the wrist business. There are no minimum sentences under federal legislation. In the case of the two Toronto raids, not one of the individuals received a sentence longer than one year, nor did any of them pay a fine greater than \$100. Most first offenders receive jail terms of 30 to 60 days. We clearly need minimum sentences if we want to effectively combat this growing plague in our province. Organized crime is very actively involved. Police services are overwhelmed, and we will be calling on the federal government at the upcoming federal-provincial conference to institute minimum sentences.

SCHOOL CLOSURES

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): My question is for the Minister of Education.

The parents and children in Linden, Sheffield and Dundas are truly losing their faith and patience with you and your government. Ten days ago you told us in this House that it would be school trustees who would make any final decision with respect to closing their schools. No sooner were the words out of your mouth than your board supervisor Jim Murray was quoted as saying, "Right now, I am the board, I am the supreme authority. The board trustees don't have those powers."

For two long, agonizing years, school trustees and parents, using your ministry-mandated process, discussed school closures. After much thought, the board decided that Linden, Sheffield and Dundas schools would remain open. Minister, will you stand in your place today and tell this House that your government-appointed supervisor will not be closing our precious rural schools, and that you continue to stand by what you said to me last week, that only the elected school trustees will make these informed decisions?

Hon Elizabeth Witmer (Deputy Premier, Minister of Education): Under normal circumstances, it is trustees in Ontario who make decisions regarding school accommodation reviews, as to where schools will be built to accommodate increases in population and also decisions regarding where schools may be closed in areas where there's a decrease in population. However, since the trustees in the Hamilton area abdicated their responsibility and did not provide a balanced budget, the superintendent is now making decisions regarding school accommodation.

The Speaker (Hon Gary Carr): Supplementary?

Mr Richard Patten (Ottawa Centre): It's a superlord, not a superintendent, by the way, Minister. I attended the first meeting of the one-member, self-appointed, one board member. It was surrealistic, with the director of education looking quite humiliated. While you read out the motion, he reads out the motion, he looks around and says, "Any other staff wanting to make comment? No other staff." Then he says, "Passed." He went through and rescinded decisions on the bylaws on the consultative process. He rescinded the decision trustees had made, a no on three school closures—called that forward; changed the consultative schedule to speed it up to suit his own particular area. This government-appointed superlord wrapped up 100 years of local democracy in five minutes. It's a shame to see that. The parents and teachers were totally embarrassed.

He's making decisions that you and the Premier said would not be taken by him. Will you overturn the decisions related to school closures and special education?

Hon Mrs Witmer: I understand that in Ottawa the supervisor has certainly been hearing people. I understand there is a huge need for schools in some of the outlying suburban areas, and I understand that people in those areas are asking for new schools. It's really important that we keep in mind that in Ottawa we have 18 elementary schools with less than 70% capacity and seven secondary schools as well. These are some of the

issues the supervisor needs to deal with. Obviously, he must respond to the people in the outlying areas of Ottawa who have been demanding new schools for years because their students are in overcrowded accommodations.

AGRICULTURE INDUSTRY

Mr Garfield Dunlop (Simcoe North): My question today is for the Minister of Agriculture and Food. We know the Ontario agri-food industry is a major contributor to the province's economy in terms of job creation and growth. Given that the past year has presented significant challenges for farmers, can you provide us with an indication of how the industry has performed over the past year?

Hon Helen Johns (Minister of Agriculture and Food): I would like to thank the member, and I would like to say that despite this year of depressed commodity prices, poor weather and unfair US subsidies, our agriculture sector continues to display a competitive spirit. In 2001 this province led the country in agricultural production, with total farm cash receipts of close to \$8.5 billion, which translates into nearly one quarter of the total farm gate receipts in Canada.

I want to assure the honourable member, who has a large agricultural contingent in his riding, that this government continues to work at long-term strategies to assist our farmers. That's why we have moved forward with the federal government on \$72.5 million in bridge financing and negotiated comprehensive risk-management strategies this year so that we can be there to protect the agricultural community as they move into the future.

Mr Dunlop: Thank you very much for that answer and for your ongoing support for Ontario agriculture. I can tell you that the agricultural stakeholders in my riding are very pleased with the way you have performed in your position as Minister of Agriculture and Food.

I'm aware that there are more than 1,200 food-processing establishments in our province. How has this important sector of the economy performed over the past year as well?

Hon Mrs Johns: I'm pleased to inform the member that once again, Ontario led all provinces in agri-food exports by shipping some \$7.4 billion in product in 2001. That's quite an accomplishment. Over 70% of these exports were value-added and consumer-oriented. That continues to increase as we move forward.

In the period from January to July 2002 we were up more than 6% over the same period in the previous year, with nearly \$4.7 billion in shipments of Ontario product around the world. That accounted for more than \$800 million in new investments in the agri-food/agri-beverage business in 2001.

We continue to move forward. Last week I worked with OMAF to ensure that we brought industries from all around the world—35 buyers in the retail food chain from the United States and 60 Ontario food processors—

together in Ontario to ensure that we continue to export Ontario product.

1450

EDUCATIONAL ASSISTANTS

Mr David Christopherson (Hamilton West): My question is for the Minister of Education. Perhaps she'd be good enough to take her seat for me.

Minister, parents, trustees, teachers, all the citizens of Ontario are used to your standard operating procedure whereby you cut the macro budgets to school boards, and then, when the trustees are left making impossible decisions you stand in your place and you say, "It's not my fault; it's the trustees' fault. They made that decision."

Tomorrow in Hamilton, you can't play that shell game. We have educational assistants sitting down with your supervisor, not our trustees. You caused a coup d'état in Hamilton. We don't have trustees any more; we have your supervisor. That supervisor will sit down with representatives of over 500 educational assistants. If there is not an agreement, there are hundreds of special-needs children on Thursday morning who will not be able to go to school.

What, Minister, are you going to do to ensure those educational assistants are in the classroom?

Hon Elizabeth Witmer (Deputy Premier, Minister of Education): It would be totally inappropriate for me to answer that question during a time of negotiations.

Mr Christopherson: No, Minister. You see, that's not good enough either. The fact of the matter is that you stepped in and said our elected trustees no longer have the democratic responsibility that the citizens of our city gave them. You appointed your own supervisor. As far as we're concerned in Hamilton, it's you sitting at the table. So you are the person we should ask as to whether or not we're going to get agreement.

Minister, you consistently stand up and say that you care about children with special needs, that you care about our families that are facing these challenges. Now's your chance to do something about it, and we're going to hold you accountable.

I call on you again, Minister, to stand in your place and tell us what direction you're going to give your supervisor so that our special-needs children in Hamilton can rightfully attend their classrooms.

Hon Mrs Witmer: I would just respond again, as I did before: it would be totally inappropriate for me to respond during a time of collective bargaining.

POST-SECONDARY EDUCATION

Mrs Marie Bountrogianni (Hamilton Mountain): My question is for the Minister of Training, Colleges and Universities. Minister, it is now a fact: you have underestimated the number of students who will be graduating and applying for colleges and universities. You've underestimated by 30%: up to 11,000 students may not have a

spot. Stakeholder groups have been warning you, the opposition has been warning you, but to no avail.

In the spring of last year, after half-a-billion-dollar cuts over the last five years, you finally put some money in the post-sec budget at the lowest possible estimate of the double cohort. The responsible thing would have been to at least look at the average. Instead, you took the lowest possible estimate. It now looks like the highest possible estimate is the true case.

Minister, we are not fearmongering; we are stating facts. This isn't my research; this is your research that shows this. What will you do in very quick fashion to fix the problem that your government made?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): In Ontario students make decisions about what secondary institutions they attend. Many of them have not yet made those decisions at this time, but we will have a better estimate probably by the end of December.

In response to my colleague and my critic—who actually does a good job in her role, in my view—I would say this: we are looking at a number of scenarios. I cannot base my decisions on anything but the numbers that we get from education, where the students have given us their intentions; in working with the colleges, where they know where the students are coming from, meaning the secondary schools; the universities—last year, university applications increased by 16%, more than many commentators expected, but through broad planning we were able to ensure that—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. I thank the minister.

Mrs Bountrogianni: Minister, you've just made our case here and the case for the students of Ontario: more than you expected are applying. But it is wrong to say that we have not heard from colleges and universities of the need. It is wrong to say that no one has told you that there will be more students than expected. That's wrong. As late as two weeks ago you were told, but as early as last spring statistics showed that up to 30% won't get in. These are students who have played by the rules, who have worked, who have studied, whose parents have saved, and they will not have a space.

Minister, I know you know that it's too late at the end of December. It takes a year to hire professionals.

Interjection.

Mrs Bountrogianni: What do you know?

It takes an average of six years, \$6,000—

Interjections.

The Speaker: Order. The member will know if you yell those things, it makes it difficult. You may wrap up the question; you've got 10 seconds to wrap up.

Mrs Bountrogianni: It takes approximately \$6,000, Minister of the Environment, just to interview a professor, and I know the minister knows that.

We do have a crisis now. What I'm asking is, how are you going to solve this crisis at this very late date?

Hon Mrs Cunningham: Last year, in spite of the same kinds of questions, every qualified and motivated student found a place in our colleges and universities. More came; we gave them more money. Next year, every qualified and motivated student will in fact find a place in our colleges and universities.

This is a time when we should be supporting our families. It's a time when, in the past, like in the future, parents are concerned. But if the students are motivated and they get the marks, there will be a place for every qualified and motivated student in our universities, as in the past.

Mr Speaker, you're a parent. We have to be reasonable with our young people, and we have to encourage them. Sitting around the breakfast table this morning, after looking at all of the media, I'm sure people will not feel good, but they should, because there will be a space for those students.

ONTARIO INNOVATION SUMMIT

The Speaker (Hon Gary Carr): The member for Lambton-Kent-Middlesex.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): Thank you very much, Mr Speaker. I guess I just made the bell.

My question is for the Associate Minister of Enterprise, Opportunity and Innovation. Minister, As you know, on November 5, Toronto will play host to the Ontario Innovation Summit. Apparently, this forum will provide a unique opportunity for participants to explore innovative approaches to improve Ontario's competitiveness, productivity and economic growth.

Interjections.

The Speaker: Order. He's going to get his question. Sorry for the interruption. The member may continue.

Mr Beaubien: Are we ready? OK. Minister, can you expand on some of the details of the summit for the members of this House, and also, what role our government is going to play in implementing some of the recommendations that may come out of this summit?

Hon David Turnbull (Associate Minister of Enterprise, Opportunity and Innovation): I'd like to thank the member for Lambton-Kent-Middlesex for this most important question. The Ontario Innovation Summit will provide an opportunity for representatives of Ontario's companies to hear from international experts on the question of innovation. They're going to have an opportunity to learn from the lessons of other jurisdictions where opportunity has been gained from innovation. Roger Martin, the dean of U of T's Rotman business school, will be the keynote speaker, and he's going to release his task force report, commissioned by our government, on competitiveness, productivity and prosperity. He is measuring Ontario's progress for higher productivity.

Innovation is a priority for our government. We intend to provide a culture of innovation in this province. This is

going to ensure that the province maintains and improves on its competitiveness position in the globe.

VISITOR

Mr Ernie Parsons (Prince Edward-Hastings): In the members' gallery today, I would like to welcome Al Smith. Mr Smith was air crew during World War II, was shot down over France, and spent the balance of the war in Buchenwald concentration camp. It is because of sacrifices by individuals such as him that we enjoy the freedom and democracy we have, and I welcome him here.

1500

PETITIONS

HIGHWAY 69

Mr Rick Bartolucci (Sudbury): This is a petition to the Legislative Assembly of Ontario and it concerns the multi-laning of Highway 69 between Sudbury and Parry Sound.

"Whereas modern highways are economic lifelines for the north; and

"Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

"Whereas the carnage on Highway 69 has been staggering; and

"Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

"Whereas immediate action is needed to prevent more needless loss of life; and

"Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Harris-Eves government has failed to do so;

"Be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease."

I affix my signature to this petition, give it Valerie and ask her to bring it to the table.

RICK KERR

Mr John O'Toole (Durham): It's my pleasure to read a petition from some of my constituents in the riding of Durham.

To the Ontario Legislative Assembly:

"Whereas Rick Kerr has distinguished himself as a dedicated member of Durham College through 25 years of service; and

"Whereas his commitment to student success and professionalism has set an outstanding example for Ontario's college education sector; and

"Whereas his nickname of 'Captain KPI' should in no way diminish his accomplishment of organizing program mapping when no one else would; and

"Whereas Rick's proficiency as a squash player and his status as the most physically fit person on campus has earned him only passing glares; and

"Whereas his commitment to student fashion has made the police foundations program clothing order an international event for the textile industry; and

"Whereas the Kerr family has an outstanding reputation in the community for teaching, and Rick also teaches;

"We, the undersigned, petition the Legislative Assembly of Ontario to recognize Rick Kerr's long service and dedication to the Durham College community."

Many of my constituents have signed this very complex petition. I will as well.

LONG-TERM CARE

Mr Michael Gravelle (Thunder Bay-Superior North): The increase in long-term-care costs for residents of long-term-care facilities is just dreadful. We've had an amazing petition campaign. I would like to read one of the petitions.

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I want to thank Alma Gatien, who put together 486 names on this petition and presented it to me. I'm very pleased to sign my name on behalf of the petition.

Mrs Marie Bountrogianni (Hamilton Mountain): I have over 2,000 signatures here.

"To the Legislative Assembly of Ontario:

"Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities by 15% or \$7.02 per diem effective August 1, 2002; and

"Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas the increase in the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas according to the government's own funded study, Ontario ranks last amongst comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

"Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

"Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario's long-term-care residents to those in Saskatchewan in 1999; and

"Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels."

I proudly sign my name to this petition.

CHILDREN'S HEALTH SERVICES

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): I have a petition here from concerned citizens of the Rockland and St-Paschal-Baylon area.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government is shutting down the heart surgery unit at the Children's Hospital of Eastern Ontario; and

"Whereas the closure of this program will restrict the accessibility to life-saving surgery for children in eastern Ontario; and

"Whereas every year CHEO treats 140 cases of seriously ill children close to home; and

"Whereas centralization of children's heart surgery in Toronto would force patients and their families to travel 400 to 600 kilometres away from home at a traumatic time; and

"Whereas there is a waiting list for cardiac surgery in Toronto but not at CHEO; and

"Whereas the people of eastern Ontario demand accessible, quality health care for their children;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately override the government's decision to close this life-saving program and to ensure that top-quality accessible health care remains available to every child in eastern Ontario."

I proudly add my signature to the petition.

NATURAL GAS RATES

Mr Pat Hoy (Chatham-Kent Essex): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore, be it resolved that we, the undersigned, demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas, and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive rate increases."

This is signed by a number of residents from Chatham, Ridgetown, Leamington, Blenheim, Dresden and Woodstock, and I too have signed this petition.

EXCELLENCE FOR ALL EDUCATION PLAN

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My petition is to the Legislative Assembly of Ontario.

"Whereas Ontario students are experiencing a disruptive learning environment and currently do not have access to a full range of extracurricular activities;

"Whereas extracurricular activities are an essential part of a quality, well rounded education for our students;

"Whereas Dalton McGuinty has put forth the Students First Excellence for All education plan;

"Whereas the Ontario Liberal plan is a reasonable compromise;

"We, the undersigned, petition the Ontario government to immediately adopt the Excellence for All education plan."

I sign this petition.

HIGHWAY 69

Mr Rick Bartolucci (Sudbury): This is another petition to the Legislative Assembly of Ontario, and it deals with the multi-laning of Highway 69. It says:

“Whereas modern highways are economic lifelines for the north; and

“Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

“Whereas the carnage on Highway 69 has been staggering; and

Whereas in the last three years, 46 people have lost their lives; and

Whereas this year alone, 10 people have been killed on that stretch of highway between Sudbury and Parry Sound; and

“Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

“Whereas immediate action is needed to prevent more needless loss of life; and

“Whereas it is the responsibility of any government to provide safe roads for its citizens, and the Eves government has failed to do so;

“Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease.”

I again sign my name on this petition and give it to Émilie to bring to the table.

1510

NATURAL GAS RATES

Mr Michael Gravelle (Thunder Bay-Superior North): My constituents and all the people across the province are furious about the Ontario Energy Board’s consent to allow Union Gas a retroactive delivery charge. We have got a remarkable campaign going, with letters of protest and a petition signed by thousands. I’d like to read some of those petitions.

“To the Legislative Assembly of Ontario:

“Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totaling approximately \$150 million; and

“Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

“Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

“Therefore we demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas; and we further demand that the Legislature examine the Ontario Energy Board,

its processes and its resources, and make changes that will protect consumers from further retroactive increases.”

It has been an effective campaign and the energy board is being reviewed, but I am very pleased to continue to read these petitions and sign my name to them.

LONG-TERM CARE

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

“Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term care facilities by 15% over the last three years, or \$3.02 per diem in the first year and \$2 in the second year and \$2 in the third year, effective September 1, 2002; and

“Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month after three years; and

“Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for 2002; and

“Whereas according to the government’s own funded study, Ontario will rank last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

“Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

“Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario’s long-term-care residents to those in Saskatchewan in 1999; and

“Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

“We the undersigned petition the Legislative Assembly of Ontario as follows:

“We demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and that the provincial government provide adequate funding for nursing and personal care to a level that is at least the average standard for nursing and personal care in those 10 jurisdictions included in the government’s own study.”

This is signed by a number of residents from Leamington and Mersea, and I too have signed this petition.

NATURAL GAS RATES

Mr Michael Gravelle (Thunder Bay-Superior North): More petitions regarding Union Gas, this one sent in by Mrs Diane Cuff:

“Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totaling approximately \$150 million; and

“Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

“Therefore we demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas, and we further demand that the Legislature examine the Ontario Energy Board.”

I am very pleased to sing my name to this petition.

HIGHWAY 69

Mr Rick Bartolucci (Sudbury): This is a petition to the Legislative Assembly of Ontario and it deals with the multi-laning of Highway 69.

“Whereas modern highways are economic lifelines for the north; and

“Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

“Whereas the carnage on Highway 69 has been staggering; and”

Whereas in the last three years 46 people have lost their lives tragically between Sudbury and Parry Sound; and

Whereas so far this year 10 people have died needlessly in traffic accidents between Sudbury and Parry Sound; and

“Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

“Whereas immediate action is needed to prevent more needless loss of life; and

“Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Harris-Eves government has failed to do so;

“Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Harris-Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease.”

I affix my signature to this petition as I've done in the past and give it to Valerie, our page, to bring up to the table.

ORDERS OF THE DAY

TIME ALLOCATION

Hon Doug Galt (Minister without Portfolio): I move that, pursuant to standing order 46 and notwith-

standing any other standing order or special order of the House relating to 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, when Bill 60 is next called as a government order, the Speaker shall put every question necessary to dispose of the third reading stage of the bill without further debate or amendment; and

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding “deferred votes”; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Acting Speaker (Mr Bert Johnson): Mr Galt moves government notice of motion 41. Ordinarily we would look to the government for a leadoff and we would go in clockwise rotation.

Debate? The Chair recognizes the member for Glengarry-Frontenac—Hastings-Frontenac-Lennox and Addington. I'm sorry for getting those mixed up.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): That's all right, Speaker. Certainly Glengarry is a beautiful part of the province, but the part of the province that I represent is Hastings-Frontenac-Lennox and Addington.

I rise today to speak to the motion that has been placed on the floor by the chief government whip. I'm very disappointed, again, in my role as the elected voice of the people from my riding to have to speak to a time allocation motion. What that means for the people who are observing these proceedings, for the people who might be following it in Hansard, is that we have a very important piece of legislation that has been placed in this Legislature for debate and the government is saying, “We don't want to hear any more about it. We have one hour to talk about all the reasons why we shouldn't hear any more about the Victim Empowerment Act.” That really is the purpose of a time allocation motion.

It is the kind of motion that we have seen in this Legislature, under this leadership—and I use that term very loosely. We've seen on dozens of occasions where there is legislation that has been presented by the government, written by the government—and I believe that we, as members of the opposition, have a responsibility to examine the legislation, to offer those issues around where we believe the legislation is good and to also offer comments about where we think the legislation falls short in meeting the needs of the people in our communities, where possibly there could be amendments to the legislation.

However, the opportunities for members of the opposition to make those points are significantly reduced, hampered, impeded, absolutely taken away when a motion for time allocation is introduced, because it takes away from the opposition that opportunity to offer suggestions to the government about how to make legislation

better, stronger and more relevant for the people we all represent in this Legislative Assembly.

1520

I really am very sad when I have to stand again and talk about how we, as an opposition, believe it's not just about speaking time in the Legislative Assembly, although it is the honour I have been given by the people who elected me to be their voice in this room. I really think it is an affront to that great privilege when, time and time again, we are presented with time allocation motions where the government is in fact saying, "We don't want to hear the voice of those people; it doesn't matter. We have the answer, and we are going to move forward with our agenda."

In my opinion that's not appropriate and it's not the way democracy was set up to work. I think everyone should have a fair hearing. I don't think it's right simply because someone has a majority. Perhaps from time to time, because of the fact that we do have a procedure in our standing orders for time allocation, it is appropriate that when there is a piece of legislation that is very short and very simple and that everyone agrees on and that could not be made better, then it might be appropriate to invoke a time allocation motion. But in my time here I have to say that would be very rare. Given the number of times we have had to stand in our place and talk about how disappointed we are that we are not going to have the opportunity to fully flesh out our ideas in terms of where the legislation could be better, how it could be better, the kinds of amendments that the government might entertain to make it stronger for all the people of the province, I think, is truly regrettable.

It is a very important piece of legislation that the motion impacts. It is Bill 60, the Victim Empowerment Act. It is actually a piece of legislation that will provide more rights to victims of violent crimes than has been the case. I think it is important to note that in that respect our province is playing catch-up to what is already in place at the federal level. The federal corrections system already allows—for example, one of the codicils of the legislation is that telephone calls of prisoners would be monitored. That already happens in federal penitentiaries, so there really isn't anything to argue there. We think that it is in fact past time that that would happen.

However, there was a document that was published in the year 2000. It was a report from the Office for Victims of Crime, entitled *A Voice for Victims*, which made many recommendations to the government in terms of how the government might indeed do what this bill suggests the government would do; that is, provide more empowerment for victims of crime. Just having had some benefit of some of the debate that has taken place so far in the Legislative Assembly, I think it is quite apparent that not all those recommendations have been captured in this legislation.

I think there is room for the government to consider more of the recommendations from *A Voice for Victims* to ensure that victims truly do have recourse, that they do have a say in terms of whether the person who aggrieved

them, who broke the law and they were a party to that—that in fact they are getting what is fairly and duly theirs. It's an area that I think, and a reason why I believe, the legislation certainly deserves more consideration than the government is obviously prepared to offer for it at this particular period of time.

I also have a concern when we talk about victims of violence and victim empowerment that there are victims in the system who may not have been present at the time of the crime but who have played a very important and key role in terms of caring for or the incarceration of the people who have been convicted or are waiting for their trial. They would be the corrections officers in our provincial institutions, in our correctional facilities.

There has been concern expressed that the legislation is not broad enough and does not extend to in any way provide a mechanism for corrections officers to be considered victims. One example: there was an inmate in a detention centre in this province who was given one additional day of sentence for assaulting an officer. That, in my opinion, is not acceptable. It would be tantamount to a student who might strike another student or a teacher in a school. This is the government, I believe, that would suggest that kind of behaviour should not be tolerated—and I'm not suggesting that we would say it should be. But it strikes me as strange that in a school, a youngster could potentially receive a higher level of punishment for the same kind of action that an inmate might perpetrate on a corrections officer and receive an additional day of sentence.

That does two things, of course, in my opinion: it weakens the impression of the public about the relevancy of the judicial system, and it certainly has an impact on the hard-working corrections officers who have the responsibility to put their lives in harm's way from time to time—on a daily basis for many—when they deal with inmates, when they realize that they can be virtually assaulted and the person who would do that would receive only one additional day. It's a problem worth noting. I think it's also worth noting that it's a problem that is more prevalent in privately run institutions, as opposed to those that are publicly run.

So that's another area of concern, that unfortunately we're not really going to have the opportunity for members on this side of the House to discuss fully and debate and to have some comment, rebuttal and so on by the government members because our voice has been stifled with a time allocation motion. We each have a fixed amount of time this afternoon. We will be voting on the time allocation motion at about 10 to six tonight, and that will end any debate, any conversation, any opportunity to offer good suggestions about how to make this piece of legislation stronger and work better for the people of Ontario.

That's what our role is all about. That's certainly what I take my responsibility to be, as an elected member from Hastings-Frontenac-Lennox and Addington and also as a member of Her Majesty's loyal opposition. I take that role and responsibility very seriously. We have here

today a motion that basically thumbs its nose at what our role here is, and that is to focus on making laws that are good, sound and strong.

So I regret very much that it is yet another time that I have to stand and speak on this. I long for the day when the bills that are introduced in this House will be brought forward as laws in the fullness of their time, having had full second reading debate, full third reading debate and committee hearings.

Again, it's another area of contention. We believe that the best laws come from a process where the public particularly, and in this case victims, would have an opportunity to tell us as lawmakers exactly how they feel, to tell us about what parts of the bill really make sense to them, resonate with them, speak to their needs and address their concerns, and also what parts of the bill perhaps we should pay more attention to or look to strengthen. That opportunity is now taken away from us today, sadly, again in the Legislative Assembly.

I can only underscore my disappointment that in a place where I was elected to be the voice of the people and to bring forward cogent points on legislation, I really am required to stand here today and talk about all the reasons why I don't think this is fair—and I don't think it's fair that we have time allocation on Bill 60.

I appreciate the opportunity to make these points.

1530

The Acting Speaker: Further debate.

Mr David Christopherson (Hamilton West): Once again we find ourselves debating a muzzling motion to stifle off debate. It's interesting, Speaker—to remind this House—that House leader meetings have now become pretty much dictation sessions. There was a time in this place when there were actual negotiations happening, real give and take. I raise that because the reason the government says that they have to bring in time allocation is they can't get agreements at House leaders' meetings.

In the time that I was the House leader for the third party, often there was no debate. Whether you wanted to enter into negotiations or not really wasn't the point. The government House leader merely sat there with a sheet of paper and said, "Here's what's going to happen next week." That's about it. There really were no negotiations.

When you take that kind of approach, when you change the rules so that that's really all that's left of the dynamism of this place, then we find ourselves with a government that habitually, and I would say institutionally, brings in closure motions. They just build it into whatever they do. "We'll do the minimum in the House and then we'll ring in a closure motion, we'll shut things down and then we'll move on to the next bill. We'll bring it into the House, we'll have the minimum debate, we'll bring a closure motion, and then we'll move on." That's all that happens around here.

I think there's another reason why this bill in particular is being shut down early, and that's because the government wants to be able to say, "We did something for victims." In fact, they like to say that they're the only

ones who do anything for victims of crime: everybody on this side of the House is soft on crime; all the people on the government side care about victims. They want the people of Ontario to believe that it's that black and white. But they also know that when they open up debate on this issue, they've got to be held accountable for their record. I refuse to let an item go by like this without once again reminding the government members that you're the government that with great fanfare introduced the Victims' Bill of Rights.

Oh, Speaker, to listen to the speeches that came from the government benches, you'd think that they were inventing democracy itself—a Victims' Bill of Rights—you know, trying to match it up against the NDP's Environmental Bill of Rights, which fortunately has survived the axe of this government and continues to serve this province well. But the Victims' Bill of Rights, well, that's quite a different story, isn't it, members of the government caucus?

Notice how quiet it is when we talk about this issue, Speaker? I can understand why. I wouldn't be lifting my head either and trying to draw attention to myself during this kind of a debate, and why, you might ask, Speaker? Because this government, having introduced their great Victims' Bill of Rights, turned around and went to court and argued in front of Judge Day that the two Ontario citizens, two women, who came to the court to have the rights that they were told by this government exist in the Victims' Bill of Rights enforced—they came into court, they went before Judge Day, and they said, "Your Honour"—obviously I'm paraphrasing—"the government told us we have certain rights as victims. To date we haven't received those rights. We are here today, sir, to ask you to order the government to give us the rights that they told us we had."

What did the government do? They sent in their lawyers, government lawyers, to argue in front of Judge Day that those Ontario citizens did not have the very rights that they said they wanted enforced and that this government told them they had. A scathing indictment of this government and their motives and that legislation came from Judge Day when he had to rule, and he said, "I have no choice but to rule that those rights don't exist," because of the way you structured the law. That's how much you care about victims' rights. You stand in your place day after day and you keep telling the people of Ontario that the world is black and white and you're the good guys in all of this, and yet the Victims' Bill of Rights is the best example—also one of the most tragic—of how you say one thing and you do something entirely different.

Can you imagine, Speaker? I certainly think back to the days when we were in government, and I think of the Honourable Bob Runciman when he was exactly where I am now, over here in the third party. He was the justice critic for the Solicitor General and Minister of Correctional Services. Had I been a member of a cabinet that said, "Victims of crime, you've got these rights," and then when somebody went to court to have those rights

enforced I sent in government lawyers to argue, “No, you don’t,” we’d still be peeling him off the ceiling. And yet this government has the audacity to come in—check some of the speeches. Anybody who is following this, and there are a lot of people who care about criminal justice in our society, take a look at what was said even about this bill.

I ask people, when they do that, to think about those two Ontario citizens who had the temerity to actually take the government at their word. The Attorney General stood in his place and said, “You have these rights,” and in court they marched in their lawyers to argue, “You do not have these rights.” I say that discredits anything positive that you, the government, want to say about your agenda for victims, because you committed a second crime against them, in my opinion. You used them. You used victims of crime to gain political points. On the surface, it’s a political place; fair enough. But to tell people who are the innocent victims of crime that you are giving them rights, knowing full well that in the detail of the law you were not, and when somebody called you on it, you sent in the government lawyers to argue, “No, Your Honour, these Ontario citizens do not have the rights that our ministers said they have,” is disgraceful.

I argue that that’s another reason why this government wants this off the plate. They want to be able to say, “We passed Bill 60”—that’s the debate you’re shutting down today—“the Victim Empowerment Act.” It sounds so good, and they want to be able to say they passed that bill. They made it a priority, brought it into the House and marched it through. “In the face of opposition to the government we still persevered and fought for the rights of innocent victims.” Yes, they want to be able to say that, but what they don’t want to do is defend their own track record. Your own track record is disgraceful on this subject, so I’m not the least bit surprised that you want this bill out of here. Then you’ll just try to take whatever glory you can from having passed a bill that says “victim empowerment” in the title and hope that nobody looks beyond that.

While I’m on my feet, and given that we are debating a closure motion, a time allocation motion, of course it’s the tradition of this place to allow a little bit of latitude in our comments. I want to talk about the victims in Hamilton in terms of the families that could very well be facing a crisis come Thursday morning, when those families that have children with special needs, special challenges, aren’t able to send their children to school because educational assistants are out on strike. Why would they be going out on strike? Because this government has decided that the very people, the citizens we hire, to help our children with special-needs function in the classroom are taking on this government and saying, “We deserve to be paid a decent wage for this work we’re doing.”

1540

Why is it so hard for this government to accept how difficult it is to provide personal human services? Educational assistants: I know there are some people who make

minimum wage and less money than I’m about to announce, but for the education and the responsibility we ask from people who take care of our children, paying them less than \$24,000 a year sounds cockeyed to me. It’s OK for your friends to be paid big dollars, but structurally to talk about people who provide personal human services, somehow paying them a decent wage is anathema to this government.

Early childhood educators: the same thing. We know the earliest years are the most influential on our children in terms of their development. Therefore, teachers we hire to look after our youngest citizens during these formative years should be valued in our society, but they aren’t; they’re among the lowest-paid. They’re in the same bracket. I think some of them make less than \$24,000, significantly less.

Home care workers come to mind. Again, if you’re providing personal human services or services for the personal needs each of us has at different times in our lives, somehow that’s of less value than, I guess—I don’t know—working over on Bay Street. I think we’ve got things upside down. When we look at the future, at the strength of our economy, so much of it’s built on value added. What that means is that our society can provide an added value to the production of anything, whether it’s an actual thing or a service, because we have people who are so well-educated. They’re healthy, they lead positive, balanced lives and they’re able to bring to the workplace something that is better than and more than and of more value than other societies. We can’t do it solely on our natural resources. We certainly can’t do it, contrary to this government’s thinking, by paying the working people of Ontario less than anywhere else. If you ever need an example of how that doesn’t work, take a look at Mexico.

Mr Bob Wood (London West): Incomes are up—

Mr Christopherson: Hang on; just hold on for a second. Boy, we got off victims’ rights and suddenly he gets animated. We’ll go back to victims’ rights if you want to play heckle.

Mexico: there were thousands of jobs that were lost out of Canada, out of Ontario, out of my hometown of Hamilton—and Allen Industries comes to mind—that went to Mexico. Why? Because the Mexican workers were paid so little that ultimately it was a wise investment strategy for the corporation to say, “We’re going to shut down the operation in Hamilton and we’re going to move it to Mexico.”

That was about 20 years ago, but do you know what’s going on now, and do you know why that kind of approach cannot work for us? Because now there are Mexicans in southern Mexico who are working for less than the Mexican workers in northern Mexico, which is where our jobs went from Hamilton, and now they’re being laid off and production is either relocating or new investment is taking place in southern Mexico because those workers are being paid even less. We can’t win that game, nor should we even be in it.

The reason we have one of the strongest, most effective auto industries and steel industries in all the

world is the value added that Canadian workers bring to the task. I raise that to take us right back to the point that if therein lies the future for our competitive edge as an economy and ultimately as a society—assuming we spend the fruits of those labours properly—then it makes a great deal of sense that we would put investment in those things that will most improve the quality of life of ordinary citizens, from childhood all the way through to a post-secondary education system, that allows the poorest Ontarian, with the smarts and the ability and the wherewithal to go as far as they can.

Yet, early childhood educators make nowhere near a reflection of the contribution they make—yes, let's be crass—to our economy, never mind the love, compassion and care they bring for our children. If that doesn't move you—it should, but if it doesn't—then the economics alone ought to do it. Instead, they make a fraction of what they're worth, of what their value is to us and to our future.

It's exactly the same thing for our educational assistants—the very individuals who may have to go out on strike Thursday morning because they can't get a decent collective agreement from this government. This time, as I mentioned during question period, you can't say it's the local school trustees, that it's their decision to make, as you did about so many other things: school closures, cutbacks in transportation, cutbacks in maintenance in the schools, all those things where you said, “Well, yes, we may have cut the macro dollars, that may be true, but it's the local trustees that make these decisions, and therefore we're not responsible; it's those horrible school trustees you have. That's your problem.”

Well, they can't do that this time, because this time the school trustees aren't at the table. Why? Because essentially you fired them and you appointed somebody, a supervisor, to run our entire education system. Anywhere else, that would be a coup d'état. That would be a coup d'état anywhere else. But somehow this government—and, you know, it's not the first time we've been through this with these clowns. We've been through this with these guys before. They've done it with our health care system—

Mr Steve Gilchrist (Scarborough East): Those poor trustees.

Mr Christopherson: I hear the member saying, “Those poor trustees.” It's too bad Hansard can't reflect the tone and the attitude that was put to those very words, because they always want to blame somebody else; it's always somebody else's fault. Well, my point today is, it is not somebody else's fault; it's your supervisor. They're there under your marching orders; they are there to do your bidding. I might add that having supported our trustees and then standing up to you—and I know my colleague from Hamilton Mountain, who is in the House also, supports the trustees in standing up and saying, “We have done so much to our system”—

Mr Gilchrist: On a point of order, Mr Speaker: In the preamble of this member's comments, he bemoaned the fact that there wasn't enough time to debate the bill

before us on victims and parole issues and the like. Perhaps the member could stay on topic.

The Acting Speaker: That is not a point of order. The Chair recognizes a member for Hamilton West.

Mr Christopherson: Thank you, Speaker. Victims are victims and, come Thursday, if there isn't a resolution to the issue I am raising, we are going to have a whole lot of families and a whole lot of children who are the innocent victims, again, of your system. While the member laughs and scoffs, let me tell you, come Thursday morning, about not only the disappointment of those children who can't be in their classrooms but the amount of pressure that's going to put on family members, who will have to suddenly find a way to deal with the need for care for those children because they're not going to be in the classroom.

Interjection.

Mr Christopherson: I can appreciate that the rich friends of the member doing all the hollering could just pick up the phone and hire whomever they want. But most of the people who are going to be affected Thursday morning, if there isn't an agreement with the education assistants, can't afford to do it. If they don't have a union and a collective agreement that provides them with the right to take family days and crisis days, then we don't know what those parents are going to do.

So victims abound in this issue. You can do something about it, and this time we're not going to let you hide. We're not going to let you play the shell game that, “It's their decision. We didn't do it. Blame them. We're nice people; they aren't. You've got incompetent trustees,” all those usual answers. You can't do that this time because the person sitting on the management side is not the duly democratically elected representative of the city of Hamilton. It's your dictator. He will be the one sitting at the table making all the decisions. So as I said earlier today, that means you are accountable. If it's your appointee, then you, the government, and you specifically, the Minister of Education, can't blame anybody else.

1550

You know the \$16 million that I talked about earlier and that I said our school board trustees refused to implement because of the serious damage it would do to the education system? This supervisor—and this has nothing to do with the individual, with the person, but the position—is going to cost our system hundreds of thousands of dollars for his pay, his expenses, his public relations person and any other administrative staff that he would need or any other experts that he might hire on a contract. Every penny of that money that's now been added to the bill in Hamilton has to come out of our education system to pay for.

You said that our trustees were irresponsible, and a lot of other things too, in not passing a balanced budget, which would have meant that those further \$16 million in cuts would have to be implemented. So you brought in a supervisor and you said by your action that you don't think trustees can do this, that it's really a simple matter of being more business-minded, being more responsible,

sharpening your pencil, and that all it would take is some real leadership. So you brought in this individual and gave him all the power that used to reside in the democratically elected trustees. Do not tell the people of Hamilton, therefore, that you are not personally, as the Minister of Education, responsible for everything that happens at that bargaining table. By extension, you are responsible if those Hamilton children with special needs are not in the classroom. You are responsible. All your protestations to the contrary, you're responsible.

Interjection.

Mr Christopherson: You don't have your whipping boys any more. You don't have scapegoats any more. You fired them.

OK, you proved the fact that a majority government can do anything it wants. You proved that point. But with that comes responsibility. Those hundreds of thousands of dollars that are going to be cut in addition to the \$16 million, all as a result of your cutting back funding, are your responsibility.

Interjection.

Mr Christopherson: Do you know how many educational assistants—

The Acting Speaker: There are two things going on that won't much longer. One is the heckling. The other is, of course, that the debate is getting a little bit off government notice of motion number 41. I've been listening attentively to the member and I'm sure he's going to bring it into topic and into subject. I'll wait a little bit longer for that. There will be no heckling.

Mr Christopherson: Thank you, Speaker. I appreciate your comments. Of course I am trying. I thought I was limiting my remarks to the appropriateness, which is a time allocation motion which allows members far great latitude in talking about why this is unacceptable. We've been talking about victims; I'm talking about victims; and we've been talking about the attitude and the arrogance in this government. I'm pointing out that that's exactly what's happening in the education system in Hamilton as a direct result of the same government that's put the motion of time allocation on the floor today. I realize that there are government members who don't want that connection to be made. Tough; I'm going to make it.

The fact of the matter is, you've taken over total control of the Hamilton education system and you're going to answer for what happens in Hamilton. Right now we're on the brink of a major crisis. Tomorrow, the leadership of OPEIU Local 527 will sit down in mediation, in an attempt on their part to avoid a strike and a withdrawal of services Thursday morning.

My whole point here today is now, and has been during question period, that the Minister of Education has total and 100% responsibility for whatever happens or doesn't happen at that negotiating table tomorrow. If those educational assistants are not on the job and there are children with special needs at home Thursday morning, it is her fault and her responsibility. It's about time you started taking those responsibilities as seriously as you do getting yourselves re-elected.

Mrs Julia Munro (York North): I will speak to the issue of Bill 60 and time allocation.

For far too long, the needs of victims of crimes have been ignored in the criminal justice process. Our predecessors and the federal Liberals have done everything to see that inmates are well cared for and live comfortably at the expense of taxpayers. While inmates live in their luxurious condos and have parties in the pens, victims continue to suffer. We think it is a slap in the face to victims for this to be allowed to carry on, and a slap in the face of Ontario taxpayers who are paying the bill.

Since 1995, this government has made victims of crime its priority. The government has supported victims through all stages of the legal process by creating the Victims' Bill of Rights, expanding victims' programs, making it easier to bring civil suits against defenders and by launching an Office for Victims of Crime staffed by crime victims and front-line justice professionals.

Creating the Victims' Bill of Rights was, in 1995, one of our first orders of business. This bill exemplifies that not only do we agree victims have rights, but more importantly, these rights should be formally enshrined.

This past year, as part of the victims' justice action plan, the Office for Victims of Crime, also established by this government, became a permanent advisory agency to advise the Attorney General on ways to ensure that the principles set out in the Victims' Bill of Rights are respected.

We don't profess to understand and know everything that victims need. That's why the Office for Victims of Crime is staffed by crime victims and front-line justice professionals. They are the ones who know first hand what the real issues are, and they are in the best position to advise us.

The Office for Victims of Crime also provides advice with respect to the development and implementation of provincial standards for victims of crime; the use of the victims' justice fund to provide and improve services for victims of crime; research and education on the treatment of victims of crime and ways to prevent further victimization; and finally, matters of legislation and policy on the treatment of victims of crime and on the prevention of further victimization.

By establishing a victims' support line and notification services, victims can now be kept informed of the status of the offender who victimized them. Victims who register with this service will now know the status of the offender: whether he or she is in custody, or if and when he or she will be released.

1600

This technology puts Ontario at the forefront of victim initiatives. The service assesses the ministry's offender computerized database. This, in turn, provides additional checks and balances to ensure that accurate and timely updates of data are available for notification purposes.

Yes, this government has been steadily making changes to give victims, finally, the voice they deserve. However, it isn't enough. Our work is not finished.

The bill we are discussing today furthers the government's commitment to strengthen the voices of victims

and provide them with more protection. This bill reflects the several consultation sessions that were held with 25 stakeholder agencies and organizations where their input was sought.

It also includes issues with regard to victims at parole hearings. Under the proposed legislation victims would be allowed to participate in hearings conducted by the Ontario Parole and Earned Release Board. The current process in Ontario is that victims provide input prior to parole hearings but don't actually participate in the hearing itself. We want to take this one step further.

This proposed legislation would broaden the current scope of victim participation at parole hearings. In doing so we are addressing, in part, current complaints from victims that the criminal justice system fails to listen to their concerns and fears. Increased participation on the part of victims in the parole decision-making process is a demonstration of the government's commitment to give a stronger voice to victims.

Currently, victims are permitted to submit written victim impact statements to the Board of Parole and/or meet with board members prior to the hearing. Victim's, however, are not allowed to attend or participate in person at hearings.

Under the proposed changes the victim would be permitted to attend the hearing and personally address the parole board panel. In the presentation victims would be entitled to comment on the effect of the crime on the victim and the family at the time of the offence; any ongoing effects; the victim's and the family's recommendations about the proposed conditional release of the offender; and recommendations about special conditions if the offender is released.

Victim participation at parole hearings would ensure that the parole decision-making process is more open and accountable to the public. Their presence would ensure that board members and offenders have a clear understanding of the effects of the crimes and concerns of victims about the proposed release of offenders. We believe a parole hearing has everything to do with the victim. Rightly, the victim should be able to participate.

There are other aspects to this proposed bill, one of which deals with protecting victims of crime through telephone monitoring. Too often we have heard of individuals who are further victimized even after the perpetrator is behind bars. There are also incidents where offenders continue their criminal behaviour from inside the institution by arranging crimes by phone. This type of activity is wrong and we want it stopped. It is unacceptable that individuals who are in custody for breaking the law are provided the opportunity to continue their criminal acts.

The proposed legislation would permit the government to implement technology to monitor and block, if necessary, inmate calls to third parties. This is in keeping with the ministry's strategy to transform correctional services in Ontario into a system that is more effective, accountable and that meet's the public's expectations for increased public safety. It supports the governments 1999

Blueprint and 1999 throne speech commitment to ensure a safer Ontario for its citizens and to provide integrated and improved support to victims.

Currently, the Ministry of Correctional Services Act is silent on the issue of providing telephone access to inmates in provincial institutions. While phone access is provided as a privilege to assist in the offender's rehabilitation and reintegration into the community, there is currently no consistent way to regulate phone use or, more importantly, to regulate to whom inmates make phone calls.

This amendment provides regulation-making authority for the monitoring and blocking, if necessary, of inmate telephone calls to third parties, specifically to victims and to other persons suspected of criminal activities. Calls to victims and persons suspected of planning criminal activities would be specifically targeted by this new monitoring and blocking technology. Third parties such as victims may request that telephone calls from inmates be blocked. The monitoring and, if necessary, blocking of inmate telephone calls will improve employee and inmate safety within the institution through the reduction of contraband and other criminal activity planned during calls.

Under the proposed legislation, the ministry would implement regulations and policies that would allow correctional institutions to block and monitor, where necessary, offender telephone calls to third parties. Calls to victims and persons suspected of planning criminal activity would be specifically targeted by this new technology.

The blocking of offender calls to victims would eliminate victims' potential exposure to further threats and abuse during the custodial period. Blocking and monitoring of inmate telephone calls where necessary may also improve safety within the institution for employees and other inmates by reducing the incidence of contraband and other criminal activity.

We don't think inmates should run our institutions the way they seem to run Club Fed. We want to maintain control of our facilities and ensure that while inmates are in our custody, victims can rest assured they won't hear from them.

A further aspect of this bill includes protecting correctional staff. Correctional staff in our institutions and in probation and parole offices have a challenging job. As part of their daily interactions with individuals under their supervision, they are at constant risk of assault. Currently, inmates who assault correctional staff are subject to either a criminal charge under the Criminal Code or an internal misconduct charge under the Ministry of Correctional Services Act, but not both. The proposed legislation would allow the ministry to continue the internal misconduct process even where the inmate has been charged with a criminal offence. In short, this amendment clarifies that offenders who commit acts of violence will be subject to both charges and misconducts.

As part of its strategy to make correctional services in Ontario safer, more effective and accountable, the

ministry of correctional services will introduce a new zero-tolerance policy for acts of aggression or violence against all correctional staff. The policy arose from concerns that violent incidents against correctional staff were increasing. A zero-tolerance policy would apply to all offenders in provincial correctional institutions as well as offenders serving sentences in the community, including probation and parole. This sends a message to offenders that violence will not be tolerated. The aim of this amendment is to create safer working environments for probation and parole officers and for staff working in correctional institutions.

The government believes that offenders must be held accountable for their actions, and especially for their behaviour toward correctional staff. The proposed zero-tolerance policy would lead to safer working conditions for all correctional staff.

Finally, on the other areas to support correctional staff, prescribing standards of professional ethics for individuals who work in correctional services is very important to this government. This amendment enables the ministry to establish standards of professional ethics for all staff involved in correctional services in Ontario. These standards would apply to everyone who delivers correctional services in the province of Ontario, whether they are from the public, private or not-for-profit sectors. This will ensure that the ministry's responsibility for the delivery of correctional services is maintained and protected where a non-governmental operator provides these services.

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Creating standards of professional ethics also provides a stronger measure of public safety and accountability for public and private sector operators of correctional services. Standards would also ensure that the appropriate treatment of offenders is not compromised.

What is also important about these standards is that they would support the commitment of correctional staff to conduct themselves in a professional manner during the execution of their responsibilities in the correctional services throughout Ontario.

If a standard is set, there is no excuse for individuals to claim they don't know what is expected of them. It assures those who are doing a good job that they are on the right track, while putting others on notice that they need to meet the standards set out for them.

As part of the rehabilitation process, the Ministry of Public Safety and Security encourages respect and responsibility. We have all seen scenes of inmates in Club Fed in their street clothes having a great time, most recently those at Collins Bay Penitentiary in Kingston. This lax approach to housing dangerous criminals is a farce. In Ontario, jail is jail. It is not a party nor should it be. Certainly it must be very difficult for victims to see offenders enjoying themselves.

Inmates need to move from a life of disorder, disrespect and crime to one of order and responsibility. This proposed legislation would set basic grooming and appearance standards for all inmates serving sentences in

correctional institutions. That is not to say that this is merely for appearance. The standards will be based on what is relevant to the security of the institution or for health and safety, security and sanitation reasons, and to promote health and facilitate proper identification of inmates.

Currently, there are institutional standards regarding grooming, but there is no formal policy to enforce them. The new policy would expand the standards and the ability to enforce these standards. Provincial inmates must already receive permission to alter their hairstyle or growth of facial hair, must remove jewellery upon admission to a correctional facility and wear institutional clothing. If inmates fail to comply with these standards, they would be subject to penalties, such as the loss of remission credits.

These standards would also help inmates focus on how they present themselves, as it is their responsibility to maintain their personal appearance. The standards would also give inmates the opportunity to exercise practices of self-respect, which would encourage respect and responsibility.

We on all sides of the House have debated this bill on many occasions. I think we would all agree that we need to do what's in the best interests of victims and the law-abiding citizens of Ontario. That being said, I think it is very important that we pass this time allocation motion so that we can move forward and do what is best for all Ontarians.

Mr Bruce Crozier (Essex): This afternoon I want to speak to this time allocation motion and the reasons for time allocation motions as I see them. I want to speak to the bill itself, and I want to speak about crime in its broader sense.

When we look at this time allocation motion today, it's not unusual. It's certainly not unusual with this government. In fact, the legislative agenda for the rest of this week, at least as it stands now—we're going to speak on this time allocation motion on victim empowerment this afternoon. Tomorrow we're scheduled to speak on a time allocation motion for the Toronto Waterfront Revitalization Corporation Act. On Thursday we're scheduled to speak on a time allocation motion for the Sustainable Water and Sewage Systems Act.

There's a pattern here. Every afternoon in this week—and it won't be the same speech every afternoon—we're speaking to time allocation motions. What this really means to me is that this government can't, in fact, manage its time. When they have to resort to this kind of thing, I don't know what their motives are. I take it, and you can take whatever description you want of it, that it's either to limit debate, to cut off debate, to stifle debate or simply to choke out debate.

Yes, I have said before in this Legislature, in speaking to time allocation motions, that when we were elected—there was some discussion this afternoon in question period from the Minister of Education about why we were elected—we were elected to come to this Legislature, all of us, as representatives to speak on behalf of

our constituents. The problem is that when you run into these time allocation motions, these limiting of debate motions, not all the members of the Legislature get the opportunity to speak on behalf of their constituents.

I'll give you a little bit of background on this. Through March 1981 to May 1985, under the Davis-Miller government, 292 pieces of legislation were passed in this Legislature, but limit of debate was only invoked three times—three times in four years on 292 government bills. In the 33rd Parliament, during the Peterson minority from May 1985 to September 1987, time allocation was used once and there were 129 pieces of legislation passed. In the 34th Parliament, the Peterson majority government from September 1987 to September 1990, in three years time allocation was used three times and 183 pieces of government legislation were passed. In the 35th Parliament, the Parliament of Premier Rae from September 1990 through 1995, five years, time allocation motions were only used 18 times and 163 pieces of government legislation were passed.

In the 36th Parliament, the first term of the Harris government, from June 1995 to 1999, four years—this is where it really starts to get interesting—time allocation motions were up to 35 times, almost double the previous government, and 118 pieces of government legislation were passed. In the 37th Parliament, the second Harris term, from June 1999 until July of this year, it increases again, and time allocation was used 46 times on 71 pieces of government legislation. More than half the time, for this government, they desire, they want to, they do, they shut down debate. Why is that? Do they not want to hear from us on this side of the House? In fact, do they not want to hear from their own members? Apparently, their own members have nothing to say on behalf of their constituents. I find it strange that this government, the Harris government preceding it and the Harris-Eves government, would use time allocation more than 50% of the time.

All that says to me is that you guys over there can't manage time. You don't know what your agenda is; you don't know what it is you want to do. All you know is you don't want to hear from the other side. In fact, what you're saying is you don't want to hear from your own members. That's extremely sad.

When it comes to victims of crime, you can use the word "crime" in very broad terms. I'll say it: I think it's a crime that this government has to use time allocation as often as it does. There are other types of crime we could speak about. For example, what about the way we're using our educational system and treating our special-ed kids? That's a crime. Today in the Legislature it was asked what was going to happen in a classroom where a special assistant no longer exists and a teacher has to deal with some 26 kindergarten students, but there's nobody there to help her. To me, that's a crime.

Our education system as a whole is suffering from what this government has done to it. They talk about putting more money into it. Perhaps those figures will show they have, but then we do have more students than

we used to have, and what we are finding is that there's \$1,250 per student less spent today than there was before this government came to power.

1620

We could talk about the crime in our health care system, where people have to join long lineups to get special care in this province. They shouldn't have to do that—not in the province of Ontario in the year 2002.

What about the apparently approved crime of the hydro rates that we look at these days? This government said they were going to reduce hydro rates. What a crime it is that they're going up. I think today's rate is somewhat above seven cents per kilowatt hour.

What about the bills that people are being given today? What a crime it is that they can't read them; they can't understand them. In fact, the Minister of Energy can't understand them. I'm really not surprised that he can't, but the fact of the matter is that perhaps this bill should have contained a broader definition of crime and there should be some opportunity for the people of this province to react to the kinds of things we see coming out of Hydro One and the bills they are having to pay. People who are on fixed incomes, seniors and people who have a low income frankly can't afford the bills they are being given today. What a crime it is that this government said, "Don't worry. Your rates are going to be lower."

We talk about the crime of having to pay retroactive gasoline—retroactive natural gas prices. People have no choice in this. They are suddenly presented with a bill where they have to pay some back charges for natural gas. To me, in the broader sense of it, it's a crime that they should have to do that. We have lots of examples where there are businesses that can plan better, and they don't have to do that to their customers.

I did almost inadvertently mention gasoline prices. Some of my constituents use the word "crime" when they call me. They say, "You know, it's a crime that these gasoline suppliers are able to gouge us the way they do." I can recall, for example, in 1998, when then-Premier Harris said, "We're going to bring these large corporations, these large gasoline suppliers, to heel." Well, it didn't happen then and it's not happening now. My constituents still call me and say, "It's a crime that they can gouge us like that on the weekends."

The word "crime" can be used in many, many ways, and it can be much broader than what we have in this bill. In fact, with some of the omnibus bills that this government has brought in, I see absolutely no reason why it couldn't have been included in this bill.

Yes, we deal with criminals, and we have to deal with them harshly. We have to deal with them in a way that the public is satisfied. But they're not the only ones who are taking advantage of the public. Some would use harsher terms than I would in the way that these companies are dealing with the public.

Now we go directly to the issue of the day, and that is that when this 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, is next brought forward, there won't be any further debate. Third reading will be dealt with and disposed of without any further debate and amendment.

I want to tell you about some personal experience. I visited three institutions in this province in which criminals are housed. One is the Windsor-Essex county jail, another is a youth facility north of London, and the third is Kingston Penitentiary. I don't think any of those institutions would be considered by myself as being comfortable. In fact, I felt a sense of relief when I walked out and the door was closed behind me. I can't say whether criminals are treated appropriately on a day-to-day basis. I can only say from what I observed in a short visit that they aren't very comfortable places.

I want to speak about one in particular, the youth facility. The day I visited, we were able to sit down and talk to eight of the 10 young inmates who were in that institution. Yes, they had committed crimes and, yes, they were being made to pay for those crimes—and that's just; they should. But in each instance, in talking to those young people, I don't think—in fact I know that not one of the eight came from the type of home we would provide for our children. Not one of them came from the type of home that Joan and I have tried to provide for our children: an environment in which they can be raised, respected, kept safe and feel safe, an environment where they can be happy.

Even though they were, I think, being treated appropriately and serving time for their crimes, these young people are victims of crime too. They're victims of families that are dysfunctional. They're victims of families that, for whatever reason, may not have the opportunities most of our families have. So when we speak of inmates in these institutions living a kind of happy life, I'm sure that's not the case most of the time.

Should we have grooming standards for prisoners? Sure. If it can be shown that somehow or other they're going to help rehabilitate that criminal, then I say let's do it. But at some time or another, in almost all cases these individuals are going to be let out into society. Whether they be young offenders or mature adults, sometime or another they're going to be released. If they are released on parole, there's often criticism of that. But when they're released on parole, at least they are supervised. There is some supervision of them, and perhaps we can continue to help rehabilitate them. Some would say everybody should serve their time to its limit. In some cases they do. The problem there is that once they've served a full term, it's my understanding they're released into society. They've paid their debt, presumably, and there's no longer any supervision. When we look at this type of legislation, the Victim Empowerment Act, there's more than just one side to the story.

I want to finish by pointing out one or two things the Provincial Auditor has brought to our attention. Back in 2000 the Provincial Auditor's report said that the ministry of corrections was suffering from terrible mismanagement—again the word “mismanagement,” which I

related to when they have to use time allocation. The auditor found that jails often suffer from lax security, which has resulted in inmate escapes, and that the ministry did not have sound business plans before it proceeded with the construction of the two new superjails in Lindsay and Penetanguishene. I hope the government took heed of what the Provincial Auditor had to say at that time.

1630

Also I would like to suggest that the Victim Empowerment Act, which says it establishes a framework for standards for corrections officers, take this into consideration: the Provincial Auditor pointed out to us that these standards will be determined by regulation. I hope the government has taken the auditor's advice where he noted that Ontario's corrections officers aren't getting the training they need to be able to do their job safely. “Due to the suspension of the advanced correctional study training requirements during the last four years, over 80% of the correctional officers had not received the training required to keep their skills up to date.” The estimates for the year 2001-02 showed at that time the government was actually cutting spending even more.

So we need more than just this bill. We need more than just what's printed in this bill. If we are going to make changes in the correctional system, we have to give support to our correctional officers who serve us and we have to give support to those inmates we can rehabilitate so they can join society and play a role in society in the future.

Mr Rosario Marchese (Trinity-Spadina): A time allocation motion: now, I know it's only 4:35 pm and our political viewers probably are familiar with time allocation, but I suspect the majority of the population of Ontario has no clue what time allocation means.

Time allocation means strangulating debate. Just picture a rope going around somebody's poor neck. In this case it's around a bill. It means you choke it off. That's what it's about. This government is good at it. They do this very well and they do it often. They do it so often that they get better at it because practice makes perfect. But all we get in this House is more strangulation motions to choke more and more bills off from the public viewers and from debate in this place. That's the first point.

The second point I want to make is that Bill 60 was introduced on May 28, 2001, by Rob Sampson, the former Minister of Correctional Services. It replaces Bill 171, which was introduced in late December 2000 and died when the House prorogued. You understand, Speaker, that this is an old bill. We also understand that for you guys these kinds of bills are really very important, aren't they? You are the party that talks about law and order. It puzzles me that such a bill could have been introduced in the year 2000, and given the importance it has for you politically, you haven't found the way to get this bill out of this place.

You understand the dilemma that we face in opposition, and that the viewers face when they think in their mind, if it truly is something important, we've got to find

a way to get it through the legislative process. But how come, two odd years and some months later, it's still before us? In fact, the debate has become so stale that both government members and opposition members have memorized their speeches. So often are we debating this particular bill that we pretty well know our speeches by heart, because it has been before this place so many times.

To the audience watching, you've got to ask yourselves these questions: what kind of game is this, how serious are the Tories when they speak about law and order issues, how is one to discern fact from fiction or substance from likeness? How will you ever know that the bill before us is the kind of bill you would want to support, except what the government tells you about the bill? You would never know.

This bill is called 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. If all you're given is this topic, good viewers, you are automatically led to believe there must be a great deal of substance here that deals with issues of crime and that it indeed empowers victims in some way, because the title of the bill, the Victim Empowerment Act, says so.

Do you see how deceptive things can be? Do you see how deceptive bills can be, and how the titles can say one thing and the substance of the act another? This government does it all the time.

For example, Speaker, for your benefit, because I know you've read this, but also for the viewers—it's a two-page bill, a very short bill; it's not very long—it says here, under subsection 1(36.1), "Victims": "Victims within the meaning of the Victims' Bill of Rights, 1995 and other victims of offences may participate in proceedings of the board in accordance with the regulations."

Let me help you through this. What that says is that victims are not empowered as the title declares. If you follow what I've just said, based on the bill presented before this place, victims "may participate" in the proceedings of the board. It doesn't say "shall participate." It prescribes it and qualifies it by saying they "may." Speaker, do you understand the problem I have?

Interjection.

Mr Marchese: I don't want to burden you with these thoughts, but it's a problem. If you indeed wanted to give them rights, you would have changed the words "may participate" to "shall participate."

Do you see the "shall" game? I know you see it, Speaker. The question is, does the public see it? They will never see it as much as those who watch this program, because we're able to help. We're able to facilitate the process so they actually can follow it somewhat, even though they don't have the entire bill in their hands. The majority of people out there, those who don't have much time for politics, even though everything we do impinges on their lives, go through their merry lives unsuspecting,

often naive about what we do in this place, often believing politicians when they say certain things, only to discover in the details, as I've just given them to you, that once again this government is wilfully manipulating the public—not by accident, but wilfully, because it's in the bill.

None of the lawyers in the Conservative caucus has spoken to this. They know better. The others who speak to this bill haven't really read the bill. They're literally given speeches to read and therefore are automatons in this place. If they read it independently of the filters and the speeches they are given, they would likely have seen the language that says victims do not have power, as the Tories claim they should or ought to. So you can understand how angry people who follow this channel must be about the games that you play, because when the politics is so deceptive, people lose heart. People lose the desire to believe in politicians and to believe what they say. When you lose that trust, it's so difficult to get it back.

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You, Tories, have been the worst in this offence because you are indeed wilful in your efforts to manipulate the public—to deceive them is my view—and you have literally eroded the public's view of politicians because over and over again you introduce bills in this place that have no substance to them. I'm reminded about the Victims' Bill of Rights, because how could you not, after so many times that we've debated these bills, make reference to the Victims' Bill of Rights?

The Victims' Bill of Rights—I'm trying to find the quote from Judge Day in these pages that I have in my hands, and it will be very, very difficult to find the reference to Mr Day. But I wonder—

Mrs Margaret Marland (Mississauga South): Should I come and help?

Mr Marchese: You could be helpful, actually, member from Mississauga South. If you're able to call on an issue of quorum I'll be able to find it at some appropriate moment. Just check to see if there's quorum here. You could assist in that way; even a Liberal could assist in that way. But it doesn't really matter.

The point is, the Victims' Bill of Rights conferred no rights on victims. You know that, we know that, some of the public who watch this debate know that, but the majority of people do not. My friend from Hamilton West made reference to Judge Day, as we always do, because Judge Day ruled that your Victims' Bill of Rights contained no rights within it and conferred no rights to victims. This is a judge. It's not Marchese saying it; it's a judge saying that.

The member from Hamilton West said, imagine the satire, if you will, where the lawyers of the government that introduced the Victims' Bill of Rights, in defending itself against two claimants who wanted to take the government to court, arguing for rights that they believed were contained in the Victims' Bill of Rights—lawyers for the government that introduced the Victims' Bill of Rights arguing that there were no rights contained in that bill.

Good viewers, you understand how cynical we get and how cynical you must be when you hear these things, when you see the games that many politicians play, some politicians more than others. You lose heart. When even their own government lawyers go to say in defence of themselves that their bill had no rights for victims contained within the Victims' Bill of Rights, it's sad. It's ironic, it's political satire, it's laughable. It could become a TV series, if it isn't already.

When you remember that the Victims' Bill of Rights was basically devoid of any substance, you follow the same pattern here with this bill and you'll realize that this bill is weak, that it doesn't say what they purport to say about the bill. It doesn't do it.

I'm reminded of the Parental Responsibility Act. I make reference to that often. The reason why I make reference to these bills, viewers, is that what I'm trying to do is to expose the Conservative government's role in trying to manipulate you, the public. I'm trying to expose this government as being weak, not strong, on the issues that some of you believe they are strong in, and that they are in fact the opposite of what they claim.

I remind you, good viewers, to think of one of Shakespeare's plays: Othello. Those of you who have read that play, maybe because you had to or for pleasure—

Mr Dwight Duncan (Windsor-St Clair): Coles Notes.

Mr Marchese: Some would have used Coles Notes for sure, if they had to study it in high school; many did.

You will remember that "honest" Iago was the adjective that was used for him, and you will remember, those of you who are watching and listening, that Iago wasn't so honest. He in fact was very dishonest. He convinced Othello that Desdemona, his wife, was cheating on him to the extent that the green monster took over in Othello's mind, the green monster being jealousy. As a result of the convincing nature of honest Iago, Othello kills his wife, Desdemona.

Think of honest Iago, then think of Mike Harris, then think of Ernie Eves, then think of this government as it relates only—and I want to limit myself to these issues of crime—to the issues of crime and how this government is perceived to be strong on the issues of crime.

Mrs Marland: On a point of order, Mr Speaker: While I appreciate the member's articulate recall of William Shakespeare's great writings in his plays, I think, however—

The Acting Speaker: That is not a point of order. The Chair recognizes the member for Trinity-Spadina.

Mr Marchese: I had a sense that the Speaker was going to rule in my favour. I knew that he would, and justifiably so. Because you see, he presides over this place and listens very carefully to what we say. Weighing what we say, he then concluded correctly that what I had to say was correct.

So viewers, think of honest Iago and think of this government every time you think of them in relation—and I limit myself to issues of crime and how tough this government is. These guys are really, really tough. Think of honest Iago every time I say that.

I thank the member for Mississauga South, because I now have in my hands the quote from Justice Day where he said, "I conclude that the Legislature did not intend for the Victims' Bill of Rights to provide rights to the victims of crime...the act is a statement of principle and social policy, beguilingly"—beautiful word—"clothed in the language of legislation. It does not establish any statutory rights for the victims of crime."

Wasn't that beautiful? This is Judge Day commenting on this government's Victims' Bill of Rights that is empty, toothless, powerless, contains no rights. Victims are on their own again. But this government claims they're on the same side as victims, that in fact they defend them, protect them, and they've got a law that does that: the Victims' Bill of Rights.

Think of honest Iago now. Don't forget: every time I say one thing, think of honest Iago.

You see, if I don't quote Judge Day, you'll think I made it up. Member from Mississauga South, you understand what I'm saying, right? This is Judge Day talking about your bill. You haven't forgotten him, have you?

Mrs Marland: No. I'm trying to listen and read.

Mr Marchese: You can't do both. It's very difficult to listen to me and read at the same time. You have to either listen or read.

1650

Mrs Marland: I remember when you were Minister of Culture. You obviously saw a lot of plays in the Speaker's riding, because you regularly quote Mr Shakespeare so well.

Mr Marchese: Right. Keep it up. Stay with me a little bit.

"The act is a statement of principle and social policy, beguilingly clothed in the language of legislation." That's the game.

The Parental Responsibility Act was designed to allow victims of some abuser who may have terrorized their building in some way or caused serious damage to go to the parents of a young person who committed an act of violence of that sort and to sue the parents for the misdemeanours of their children. You understand that the current law is stronger than the Parental Responsibility Act you introduced, in that the current law gives the power to people to sue those who have caused serious damage to them for amounts greater than under the Parental Responsibility Act. Are you following me, viewers? This is a government that claims they are on the side of the victims and that they're tough on crime. That's the theme that I'm trying to establish and that I want you to follow as a way of indicating to you they are not really after serious crimes.

Mr Wood: Down 30%. That's not bad.

Mr Marchese: "Down 30%," one lawyer across the way says. Universally crime has gone down, everywhere, and not because you guys have introduced these silly bills that give no power to anyone. Not because of your empty, toothless bills has crime gone down. You've done absolutely nothing. In fact, we've often argued that under an NDP government, when we were in a recession, we

had more policemen and policewomen on the beat than they do now. So even the member for London West, Bob Wood, who is a lawyer and probably knows or, to use the legal language, ought to know—I love it when lawyers do that: “who knows or ought to know.” Don’t you love that, Bob? That’s what lawyers say and do.

Mr Wood: That’s not bad. You’re learning.

Mr Marchese: He ought to know, because he’s a lawyer, that we, the NDP, in a recessionary period had 1,200 more cops on the beat. You guys, with a great economy in the last six or seven years, have put fewer men and women on the streets to defend victims than we did. Shameful. You understand that, Speaker. I know you’re silent in your approval of what I’m saying. I know that, because I know that deep down you agree with me. I know you do.

This bill does nothing for victims, just like going after squeegee kids. It’s really the ultimate. I can’t help making reference to squeegee kids every time I speak to this bill, because I’ve got it memorized, you see? Boy, are they tough on squeegee kids, guns a-blazing. “You clean some windshield out there on them streets at King and Queen and we’re gonna come after you and stomp you down good with the heaviness of the law.” That’s beating up on crime. You guys are really tough. I hope people know how tough you really are. Think of honest Iago now. Don’t forget. Every time I say these things, remember honest Iago in Shakespeare’s play Othello.

Boy, are these people tough on crime. They’re so tough, they’re going to groom inmates to better discipline and better health. I didn’t hear reference to cutting their toenails.

Mr Wood: Are you opposed to that?

Mr Marchese: No, but that’s really tough, Bob Wood from London West. You guys are really going to be tough on crime.

And, boy, are you going to give victims power. When Peter Kormos introduced Bill 89 in June 2000, a bill that would have made Ontario parole hearings more open, more transparent, and would have allowed victims, the public and the media to be present, you said no to that. That would have given victims the power you people say they have, but you said no to that. You rejected that, opposed that, and then you introduced this weak bill that does absolutely nothing, that gives victims no power. Victims “may” participate—it doesn’t say “shall” participate—in the hearings. What kind of bill is that? What kind of bill is it that does not empower but disempowers the victims?

Boy, am I looking forward to Bob Wood from London West, a lawyer who is going to demystify this bill for us because he is a lawyer. Think of honest Iago when you listen to their speeches, Speaker.

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

Mr R. Gary Stewart (Peterborough): Now that the theatre’s over, I think we should maybe get back and talk about the bill. I’m not about to talk about Othello. First of

all, we weren’t on a personal basis. I think it would be very in order to talk about this particular bill.

You can talk about time allocation. It is interesting to note that I think it was one of the members from the opposition side who was talking about the number of time allocations under Peterson, and how few there were. Possibly if they had spent a little less time debating and had watched the way social assistance was going up during a time when revenues were very high, it might have been a whole lot better.

Indeed the member for Hamilton West was talking about our track record, and I thought back to the track record of the NDP: debt out of control, no jobs, social assistance rising etc. And they talk about a track record.

So, to the folks my friend suggested were listening, look very carefully at some of the comments that are being made by those who were in government a few years back and didn’t do very much about anything, let alone about crime.

I am pleased to stand in support of Bill 60, the Victim Empowerment Act. If passed, this legislation will, I believe, strengthen the voice of victims and provide them with more protection.

Let me point out a few things our government has done and the record we have thus far. It’s a good record, as it focuses on the support of victims through all stages of the legal process.

One that could be mentioned is the creation of the Victims’ Bill of Rights, something that had not been done, that was done by our government, and now they have rights and will continue to have them.

Another is expanding victims’ programs, whether it was VCARS, the witness assistance program or a number of programs that we have done.

We’ve made it easier to bring civil suits against offenders.

We’ve launched an Office for Victims of Crime, staffed by victims of crime who know what it’s like to be a victim and by front-line justice professionals.

Let me take a moment to outline some of the key components of Bill 60.

It will permit victims of crime greater participation in the justice system by allowing victims to attend and present information at the parole hearings.

That’s long overdue. The comment was made a little while ago that they “shall,” or they should be told they can go. There are those victims who possibly have major difficulty facing those people who created the crime on them. They should not be made to go. But if they wish to, I believe they should have that right, because many things are forgotten. It’s interesting; we human beings have the knack of being what we want to be, and unfortunately I think that when the time comes to possibly try to look at parole, maybe sometimes we’ve created something we are trying to push on the parole board that will allow us to be paroled and have maybe not been overly sincere about it. Maybe some of these victims of crime can help us remember some of the things that really happened when that crime was transpiring.

1700

This act will ensure that inmates suspected of conducting criminal activity through the abuse of phone use will be monitored and perhaps blocked to protect the security of the institution and the safety of victims. There again, there has got to be some type of monitoring of that. Certainly the harassment, the abuse of the victims or indeed the illegal activity that can be conducted through the telephone is, as I understand, on the increase.

The legislation permits a criminal charge and an internal misconduct charge to be laid against inmates who violate the zero-tolerance policy, and that one, I believe, is long overdue. These people are put into jails because they created the crime; they are the ones who committed the crime. Yet the federal government seems to have resort-type confinement for criminal activity. I believe our government does not want that, will not want that and believes the zero-tolerance policy is a must.

This act would further enhance ministry training programs for correctional staff by allowing for the development of standards of professional ethics. These standards would apply to everyone who delivers correctional services in the province of Ontario, whether they are from the public, private or not-for-profit sectors. We want to make sure that correctional staff are the best that they can possibly be; we want to make sure that they are professional; we want to make sure that they are well-trained.

The legislation would allow for the establishment of grooming and appearance standards for provincially sentenced inmates for safety, security and health reasons. You know, it's interesting; unfortunately, the life skills of many of the people who get into difficulty, who spend a lot of time in jail are not as good as they should be. When these people get out of incarceration, we want to try to see that they can possibly get jobs, hold jobs. If they do not have some of the life skills that other people have, unfortunately that will not happen.

For the life of me, I can't understand. We want them to be able to be taught other programs. Life skills, I believe, is the basis and one of the basics of that type of program, things we should be making sure they know all about before they get out. As you can see, the Victim Empowerment Act will do a variety of things not only to enhance the rights of victims but also to hold inmates accountable for their actions.

An interesting situation happened in Peterborough about a year ago. There was a riot in a provincially run jail to the tune of \$250,000 worth of damages. Why would they not be accountable? Why would they not take responsibility for that? They absolutely have to; if you're going to do damage, if you're going to create problems when you're incarcerated, then, unfortunately, you may just have to pay the piper. Whether it's damage to a facility or physical damage to a correctional officer, whatever, it will not be tolerated, should not be tolerated, and we have to make sure that inmates are accountable for all of their actions.

We've debated this bill many times, and I know that all members of the House have had an opportunity to

express their views. You know, there finally comes a time in our lives, and indeed in this House, when we finally have to make a decision. We've got to quit going on with the rhetoric. The member from, I think it was Davenport over there, was talking about Othello and a few other things like that; why wouldn't you talk about the bill? Let's finally make a decision on some of this stuff, and if it means we have to put a time allocation on, why wouldn't we, rather than listening to what I have been listening to today, that said absolutely nothing about the bill? Absolutely nothing? I think it's about time that we moved on and got things done.

I know that caucus members from both the opposition parties have been involved during debate on this bill and they have expressed both their support—in a limited way—and their opposition to the various components. They've had that opportunity. Let's move on.

For instance, I know that the members from across the floor have expressed a great interest in the component of victims at parole board hearings. I believe that victims should have that right, if they want to, but certainly not be forced to, because, as I said, things are forgotten. This topic was thoroughly discussed in committee, and as a result, the bill was amended to reflect some of the suggestions that were made by the members of the opposition.

Again, it went to committee; we have had debate. Ladies and gentlemen in television land, what we are trying to suggest from this side is that we move on with the governing of this great province.

I am sure that we will continue to work co-operatively in some areas of creating regulations for the implementation of this bill. So the opposition will have the opportunity for additional input.

But the victims of crime have waited long enough. Our government has had an impressive history of helping not only victims but also all the law-abiding citizens of this province by some of the legislation that I have talked about.

Let me recount our activities to date in support of public safety for the people of Ontario. This government is investing \$450 million to modernize our infrastructure to ensure we have a safer, more secure, efficient, effective and accountable corrections system. We are replacing old, aging jails with newer, more secure facilities. All new facilities and retrofits will incorporate the most advanced technologies and ultra-modern features designed to keep the communities that host our jails safe.

I recently had the opportunity of going to the opening of the new mega-jail in Lindsay two or three weeks ago—a phenomenal facility; secure. The safety of the people in that particular area is ensured. I believe there are something like 32 different security systems within that facility. We have to make sure that the people outside the jails, certainly in the immediate area, are safe.

There was a major concern, I remember, when they built Millbrook. The people in the community were concerned. When the feds built Warkworth, people in the area were very concerned about the possibility of

escapes. There have been some from a few of those jails, but I can assure you that when you look at the facilities in the new jail in Lindsay, all of the technologies are there and the features are designed to make sure that the community is indeed safe.

As part of this government's 1997 Blueprint commitment we are creating a dedicated system for young offenders with a focus on programming requirements. This ministry has built on Project Turnaround's success by introducing a strict-discipline-model approach to all young offender facilities. This model emphasizes self-discipline and personal life skills development in an intensive program set in a no-frills environment to try and make sure that when the young offenders get out into the real world they hopefully will not ever want to be put back into any type of incarceration and will have the skills to compete and find jobs in the outside.

This government passed the Corrections Accountability Act, which received royal assent on December 19, 2000. In 1998, the ministry introduced a probation and parole service delivery model to provide more focused interventions and to ensure greater efficiency, enabling the ministry to provide community services more effectively across the province.

1710

As committed to in the 2000 Ontario budget, we have strengthened our presence in the community and have hired 165 new probation and parole officers. In 2000, this government invested \$5 million in training to sustain and develop programs for probation and parole staff across the province and, again, to make sure that they are the best they possibly can be.

With the introduction of the probation and parole service delivery model, the most intensive forms of supervision and resources will be reserved for offenders who are at the greatest risk of re-offending. This new community corrections intervention model supports this government's commitment to making Ontario a safer place. We don't want people to re-offend. Unfortunately, it's happening, and we have to do everything possible to make sure that doesn't happen in the future.

In the 2001 Ontario budget, we allocated an additional \$1.8 million annually to expand the electronic surveillance program. The electronic surveillance program is part of the strict discipline model for community corrections and the government's commitment to transform correctional services in Ontario into a system that is safer, more secure, effective and accountable.

This government, along with senior officials from across Canada—I see the mouthpiece is back—has called on the federal government to introduce legislative changes that would permit provincial jurisdictions to eliminate and opt out of intermittent sentences. Intermittent or weekend sentences are provided for by federal legislation—the Criminal Code of Canada. Ontario has not identified any advantages or benefits associated with these sentences.

This government believes that not only do intermittent sentences send the wrong messages, they also create

serious security problems for the correctional system. This government has designated the Mimico Correctional Centre to pilot a project allowing qualified intermittent sentence offenders to be placed on the electronic monitoring home incarceration program.

This government's justice ministries have been working on the video remand and bail project, which makes use of video conferencing technology for remand and consent bail hearings. Through video conferencing, an accused person can appear by video from a police station or correction institution. This initiative will reduce the need to transport any accused for routine court appearances, directly impacting public safety and security, and puts police officers back on the front lines. This is what will be happening in the new facility in Lindsay, and it is certainly going to make sure, again, that the folks outside that facility are as safe as possible.

The ministry has installed a new offender tracking and information system in all its institutions and community probation and parole offices, which will contribute to a more effective and linked justice system, thereby improving the offender case management system.

Correctional staff will have improved information faster on an offender's behaviour, which will allow for more informed decisions such as participation in specific programs, temporary release arrangements, non-associations with other offenders and improved information sharing across the correctional system.

This government is committed to the appointment of Ontario Parole and Earned Release Board—formerly the Ontario Board of Parole—members with criminal justice backgrounds, which is resulting in fewer offenders being granted early release, a trend that has been growing in corrections for the past six years.

It is interesting to know that the name sits well: the Ontario Parole and Earned Release Board. I believe that people who are incarcerated have to earn the respect of the parole board and they have to earn their release; and they have to abide by the rules when they are incarcerated, again going back to zero tolerance.

The parole grant rate has been dropping steadily from a high of 59% in 1993-94 to a continued low of 29% in 2000-01. This drop is attributed in part to the strengthening of parole policies, the appointment of board members with criminal justice backgrounds and an increased commitment to public safety. I want to compliment some of the people who are on the Parole and Earned Release Board. One happens to be a man from my riding, Ralph DeGroot. Ralph is a retired superintendent of the RCMP, the type of person I believe we should have on that board, who will do well and make sure the policies and the backgrounds—they indeed are committed to public safety.

Policy changes as a result of the government of Ontario's Community Safety Act allow the Ontario Parole and Earned Release Board to release reasons for decisions. Victims may contact the Ontario Parole and Earned Release Board directly or may access information through the government's victim support line, designed to lend support and ease the distress of victimization.

The Victim Empowerment Act is a continuation of our government's ongoing commitment to public safety. Let no one question this government's commitment to supporting victims of crime.

I would ask all members of the Legislature to support passage of this bill, again long overdue. It is time to get on with making some decisions in this House. I'm proud to support this important piece of legislation, and I indeed urge all my colleagues to give this bill speedy approval.

Mr Alvin Curling (Scarborough-Rouge River): I want to say that I am very happy for this opportunity to speak on this time allocation motion. I think the member went off on a sidetrack and talked about other things. I'm talking about time allocation, a shutdown of democracy.

One thing I can give this government credit for is that they are consistent in shutting down democracy. They're consistent in the dictatorial way they have behaved since they've come to government. I know you fully agree with me, Mr Speaker, because sometimes I can see the frustration on your face when things are not proceeding in a democratic way, and I know that if you were the Premier you would do it differently—I hope.

Let me just talk about what people in a democracy expect, what Canadians expect of a government and of their elected representatives. They are the people who have said they have elected us to come before this rather august House and bring their concerns, not our concerns but their concerns, to this chamber, to committees where they can be debated and take time to go through legislation put forward by this government.

Sometimes we can't do that effectively—not all the time—so we talk in public hearings and committees. The people out there should understand that when this bill came before us on October 1, it had one day in committee, October 8, and then it was brought back here—no public participation. The previous member talked about how it went to committee and everybody was heard. We know how it is done. They have a majority in the committees, and what happens is that all the members of the government side are bowing like dolphins as their minister or anyone who presents it is speaking.

Interjection.

Mr Curling: Yes, like Howdy Doody.

The fact is, even the opposition, who are anxious to make sure the concerns of their constituents, not their concerns but the concerns of their constituents, are heard—it is rushed back to the House. At the moment, even at this opportunity in second reading, where we would express our concerns of what the people outside are saying about how we participate in democracy, this government again—I'm sure we've reached over a hundred cases of time allocation, if not very close, meaning a shutdown any voices whatsoever. As the member rightly said, the government says, "We think we've heard enough. So we will behave in this very undemocratic way. Enough is enough. Let's go forward."

1720

If this government was really concerned about this legislation they are putting time allocation on—I remember my good friend Norm Sterling put forward this bill two years ago, unless I'm wrong. I think it was Bill 171—very similar. Where was that all the time? They bring back a new bill to make believe they are doing something and then ram it through when people want to participate. That is very, very wrong. It is so wrong, and people are seeing through that.

Of course, as I've always said, if there is one thing this government would change, if they had the chance to, we would have no more elections and they would continue. But that democratic process is still in place, and I know the day will come when the people will replace them—and they know who they are right now—with individuals of those parties that represent democracy, like the Ontario Liberal Party with Dalton McGuinty as leader, who has put forward a way of democratic reform in which everyone can participate. We're not at all scared of the truth and not at all scared of the position the public will want so they can participate on a good bill.

This legislation—I would almost call it a little throttle, rushing it through—has no input by the people. Later on this evening there will be another bill, and I can guarantee you, and I'd ask the people out there to look forward to that, will also have time allocation, shutting it down again. It's the order of the day to shut down any kind of debate or any discussion whatsoever.

It's rather surprising that as soon as we get up, members on the other side are shouting, "What about the bill?" Exactly. That's what we're saying: "What about the bill?" You say, "Let's debate the bill." We said, "Yes, why don't we debate the bill?" Somehow within their heads they're completely confused. They don't want to debate the bill. That's why they put time allocation on all the bills they have. Maybe they're scared of the truth; they're scared of the people.

Of course you can see how the present Premier, the alter ego of Mike Harris, behaves. As soon as he feels the truth is coming close to him and he can't represent it, he says, "OK, I'll change my mind." But if he feels there are a lot of ways he's going to go, we've got lots of stuff over here that we'd like him to change his mind on. When the time runs out on him next May, or whenever he calls the election, people will know they don't want this flipping and flopping all over the place that he's doing, not taking a position in any respect. As a matter of fact, if any minister ever seems to be coming too close, where he has to ask questions, he drops them—rightly so. If he continues like this, I don't think he'll have very many ministers in a short time.

I really want to have discussed and debated this bill. The fact is I really want to say how frustrated I am about this process, how frustrated I am about being elected—this is my fifth time; I'm going back for the sixth time—and I am muzzled by this process here. The people are muzzled by this process. Democracy is being muzzled by this process, and it's about time that somehow we do

something about this. Yet this government continues to have time allocation.

With the little time I do have, I just want to comment a little bit about this bill that they don't want to discuss, or they seem to say to us, "You may discuss this in five minutes or three minutes." I just want to tell you what one of the individuals in my riding sent to me.

She talks about the frustration she has had in getting things debated and for her voice to be heard in this situation. Total frustration is there. She says, "When are we going to have time to have public hearings on matters to express my concern?"—meaning the constituent's concerns, her voice to be heard on how things should be done. When they elected you, Mr Speaker, or myself or the minister or whoever is sitting here, they said, "We hope you speak on our behalf." I can say to them that basically we are being denied that by this undemocratic government in place in this House, this undemocratic government that feels democracy is in the way of expediency, that democracy is in the way of doing things the way they want to do things. As soon as we examine them and get pretty close to them, we realize how they have abandoned their own people.

In the bill, where is the beef? They will tell you the beef lies in the regulation; in other words, "We won't tell you, but we'll make the rules as we go along, in regulations." That is what the people are concerned about.

Let us start with the corrections officers. In this bill, there is nothing about the corrections officers being denied the proper way of treatment. They just talk a little bit at one stage about that. Their corrections officers are treated badly, by the ministry staff itself. They have complained and complained to ministers and nothing has been done. Some have been frustrated and have left their role as corrections officers. This goes way back. I know officers have come forward to all the governments—to the Liberal government, the NDP government and this government—and nothing at all has been done about this. I am extremely concerned that they have not even tried to address that situation in this legislation.

Let me talk about another part while I think of it. Of course the criminals who are incarcerated should be dealt with in a proper manner and the law enforced because they have violated the laws of this country, making sure that while they are there, there are strict rules and regulations. But I look at subsection 2(2), and one of the points I have—you would be extremely concerned about it, Mr Speaker, because I know you're concerned about hair—is that the government will be able to make regulations "prescribing grooming and appearance standards for inmates serving sentences in correctional institutions." The regulations may prescribe standards for dealing with inmate hair length, nail length, facial hair and personal hygiene.

Are you saying to me, even though I know these people who are incarcerated should be punished and kept under the strict guidelines for what they're incarcerated for, that for a Sikh, for instance, "We should shave that person," that a person's religious rights can be taken

away? Is that what I'm understanding this to be, that we will shave a Sikh, or shave anyone whose religion said they should not put any sharp objects on their bodies, like the Rastafarians? Are you saying that the crime they commit, whatever it is, if they smoked marijuana, which is against the law, now all of a sudden they should be shaved because they are beyond their religion? We've got to be very careful about that. Facial hair: I think that is going beyond our call.

In the meantime, I am saying that as to the victims, of course we should be making sure they participate in the parole process and all that. I want to address that very quickly.

There's another area I want to raise quickly. Why are things so bad in the Ministry of Correctional Services? The fact is that ever since this government has taken over, they have really cut back—no money. The auditor has indicated, "Why are they taking money out of there, because it's needed for training?" Eighty per cent of corrections officers were never trained, so how do you expect corrections officers to enforce the laws of that institution? Therefore, if you take money out, just like you have done with the education system and the health system—it has deteriorated, eroded and is in a bad state. Today we are saying that the fact is, if you don't put money there, then we shall suffer.

I recall that when we were the government, I had a colleague who was compassionate about the concerns of the workers: Richard Patten, the minister of corrections. In those days, I know I had brought to him some members of that institution to say, "Speak to them." He was ready to listen. Over here, you can't get a corrections officer at all, not even to have a public hearing to hear the concerns of the people.

1730

I hope those days will return where we can have respected people like Richard Patten and a respected leader like Dalton McGuinty. The difference, I want to say—if I may divert a bit—about this opposition, as you can see, is that it's not here just to oppose. Have you ever noticed that? I think the members are listening attentively. We're not only here to oppose, but what we've done is put forward plans and said, "You may use them." Some you have used, and we have complimented you on that, but you've not gone far enough, because as soon as you decide not to do that, those who will suffer are the people of this province. So we put forward, as an opposition party, an alternative plan, and we ask you to use that in the interests of our citizens. In the meantime, what you have done—you don't want to hear that—is you have shut it down with your closure and your time allocation.

The government is really failing our citizens. They've tried to make private jails and they're talking about budgeting. What they have done, basically, is overrun their budget. In the meantime, while they are overrunning their budget themselves, they are penalizing the school boards for overrunning their budgets. Remember now, here is one place where we want to educate our most

precious resources, our children, and they have taken away money. When the individuals were saying, "We're going to need more money in order to do that," they said, "If you go over, we shall punish you and we shall take it away." Maybe the day will come when they want to run the correctional institutions right here and tell you what to do and what not to do.

This government has failed in every area that I can think of. They have failed in education, because our system is worse off today. We have failed to even deal with our citizens in a correct and decent manner. They have failed on the type of health care. Today, we know that a shortage of doctors has been created and continues to be created by this government, because we do have qualified individuals in our province to do the job, but they don't have the gall and ability—this is the government I'm speaking of—to do that, to move on this. They don't want to do that. Now they're going to react soon—and I said "react"—about the shortage of doctors.

We also have a shortage of engineers. With all the foreign-trained professionals who are in this province who are dying to participate in this economy to make a better economy of this place, all they've done over here is talk about it. They continue to talk the talk. When people want to express their desires, their concern, and to give good alternative suggestions, what have they done? They have said, "No more talking. We know what this is all about. We don't need any discussion. We will have closure on every motion that we pass in this House, every piece of legislation, because we know what is right."

By golly, they know what is right. Cam Jackson must know what is right too. Maybe he knows what is right. Maybe Jim Wilson knows what is right too when he decides to say, "I know what is right, and you bureaucrats just shut up." They ask why I should mention that, because he's apologized. I have known many people who have done some severe things in their lives. The fact is that they pay the price, because we don't know again if we may shake the cage a bit, as he said. We rattled his cage, so he responded. This government is like that. As soon as they're scared that people will rattle their cage to say to them, "Listen, we have some suggestions here"—they don't have any concern at all about the individuals and the people. They're concerned about their position.

Interjection.

Mr Curling: You're right. As my colleague from Sudbury said, it's all about democracy. That's why we're here.

The whole thing about it is that while I stand here, he's pretty proud of the fact that I'm limited to speak about the thousands of people in Scarborough-Rouge River who feel that their concerns are being addressed or their letter can be answered or they can approach a minister and approach a committee to talk about their concerns.

I am telling you, there they are, busy defending the fort so that no one should speak to them because, "We set up ourselves as the ultimate. We know it all and we'll do it all." They are now doing it to themselves. It is an

extremely bad, very depressing day to know that the place of democracy, the place of discussion, the place of good ideas that can come in many ways, through its representation and through its public hearing process, has been shortchanged and my colleagues have been shut down.

Mr Speaker, let me say this to you—and I know you will be fully supportive while you sit there—that fact is that if we are going to have legislation that reflects the people of this province, we must listen. We must be able to listen to have good legislation.

Mr Wood: I support this motion, because I support the bill. I note that this bill is part of our tough-on-crime policy that has led in the years 1995 to 2001 to a 30% drop in reported crime in this province. That record stands in stark contrast to that of the previous government, when there was no drop in crime from 1990 to 1995. There are, of course, a number of reasons for that, but one of the most important reasons for that has been the effective anti-crime policies by this government. Part of that strategy is the carrying out of the corrections process.

At the Crime Control Commission we have had some 100 public meetings in all parts of the province over the past five years. The purpose of that has been to hear what people's goals are and how they think they should be executed in the area of community safety. When we ask the people about what they want out of the corrections system, we find there are three areas in which they want results.

One purpose they see of the corrections system is, in the case of serious crime, they want punishment. In other words, if someone has murdered their spouse, despite the fact that they may feel—by that, I mean through research—that there is a relatively low possibility of recidivism, they want that person punished for an act that is repugnant to society. The punishment aspect tends to revolve around the most serious of offences.

In all the rest of the offences, however, the public has identified two goals of the corrections system. In every case they want restitution to the victim, and in every case they want an assurance that all possible is being done to avoid the offender repeating that or any other offence.

Part of this strategy is included in this bill. Victim participation at parole hearings is an important part of achieving, number one, restitution to the victim. They feel less violated. They have a chance to do something about what happened. Secondly, properly done, victim participation is going to lead to a reduction in repeat offences.

The legislation, of course, permits victims of crime greater participation in the justice system by allowing them to attend and present information at the parole hearings. It is important perhaps to remind ourselves, as we discuss this bill and this motion, what happens in sentencing. The court determines what the sentence is. The parole board and the corrections authorities determine how that sentence is going to be carried out.

It is important that the sentence be right; that it be oriented toward achieving the two or three goals, as the

case may be, that the public have indicated; and that we look at the research to make sure that the sentences and what the corrections system does actually achieve avoiding repeat offences and getting restitution to the victim. But what we are talking about today, in essence, is the question of how the sentence is carried out.

1740

Currently, victims can only express their views about parole candidates in writing, by telephone or in person at a regional Ontario Parole and Earned Release Board office or correctional centre. Victims are not allowed to watch the proceedings or comment directly while in the presence of the offender. With the introduction of this legislation, we are proposing to permit victims of crime greater participation by allowing victims to attend and present information at parole hearings. The current process in Ontario is that victims provide input prior to the parole hearings but can't participate in the hearing itself. This legislation takes this current process one step further. Under the proposed changes the victim would be permitted to attend the hearing and personally address the parole board panel. In their presentations, victims would be entitled to comment on the effect of the crime on the victim and their family at the time of the offence, any ongoing effects, the victims' and their families' recommendations about the proposed conditional release of the offender, and recommendations about special conditions if the offender is released.

I would like to refer, again, to my comments of a couple minutes ago. The function of the board is to determine how the sentence is going to be served. What the victims are doing is providing more information for the board, which I believe is going to assist the board in making a better disposition.

Victim participation at parole board hearings would ensure that the parole decision-making process is more open and accountable to the public. Their presence would ensure that board members and offenders have a clear understanding of the effects of the crimes and concerns of victims about the proposed release of offenders.

I would like to urge upon the House the importance of openness in the conduct of any part of the criminal justice system. Openness leads to accountability, which leads to better results in accordance with what the public wants to achieve. I would suggest that this is a very important step forward in achieving the goals that the public has quite clearly set out to the government and to the Legislature.

We believe that a parole hearing has everything to do with the victim, and the victim should be able to participate. Giving victims of crime their say so that the parole board will be able to hear in detail what effects the crime has on its victims is, I believe, an extremely important step forward.

A second key component of the Victim Empowerment Act calls for the introduction of a zero-tolerance policy for acts of aggression or violence against all correctional officers. Correctional staff in our institutions and probation and parole offices have a challenging job. As part

of their daily interactions with individuals under their supervision, they are at constant risk of assault.

The way things are now, inmates who assault correctional staff are subject to either a criminal charge under the Criminal Code or an internal misconduct charge under the Ministry of Correctional Services Act, but not both. The proposed legislation would allow the ministry to continue the internal misconduct process even where the inmate has been charged with a criminal offence. This makes eminent sense, and it's a very positive addition to the law of this province. This policy would apply to offenders in the province's correctional institutions and offenders in the community, including probationers and parolees.

An additional component of the proposed legislation addresses grooming and appearance standards for inmates. As has been stated previously, the health and safety of our staff and of our offenders are top priorities in all of our institutions. If passed, Bill 60 would allow for the establishment of grooming and appearance standards for provincially sentenced inmates for safety, security and health reasons.

In another key area of the act, we would further enhance ministry training programs for correctional staff by allowing for the development of standards and of professional ethics. These standards would apply to everyone who delivers correctional services in the province of Ontario, whether they are from the public, private or not-for-profit sectors. The ministry respects and supports the professionalism of its employees.

If we look back, there have been great improvements in the corrections system over the past 40 years. Security and rehabilitation, or in some cases what I would call habilitation, have improved dramatically. The goal is, ultimately, not to have people repeat-offend. We now have a much better idea of what has to be done in order to achieve that goal. Social science has advanced in a major way over the last 30 years, and I would remind the House we have to make sure that what is done in the corrections system is based on what the research tells us will avoid people re-offending. I might say as well that we have to make sure the sentences that are imposed by the courts reflect what the research tells us will avoid repeat offending.

Correctional staff undergo a comprehensive training program and this bill, if passed, would further enhance this training by allowing for the development of standards of professional ethics. These standards would apply to everyone who delivers correctional services in Ontario.

I might say as well that the proposed Victim Empowerment Act will also ensure that inmates suspected of conducting criminal activity through the abuse of phone use will be monitored, and perhaps blocked, to protect the security of the institution and the safety of victims. I regard this as another form of restitution. Surely, part of restitution is to make sure the offence does not continue. If you are actually violated again by the offender, that is a form of not getting restitution. This is as well a form of

avoiding repeat offences. I think this aspect of the bill, and hopefully the act, speaks directly to the goals the public have set out.

The blocking of offender calls to victims would eliminate victims' potential exposure to further threats and abuse during the custodial period. Blocking and monitoring of inmate telephone calls where necessary may also improve safety within the institution for employees and other inmates by reducing the incidence of contraband and other criminal activity that may be planned during telephone conversations. We want to maintain control of our facilities and ensure that while inmates are in our custody, victims can rest assured they won't hear from them.

In summary, we believe that for far too long the needs of victims of crime have been insufficiently recognized in the criminal justice process.

I would like to refer very briefly to the Office for Victims of Crime, which was established by this government and became a permanent advisor agency to advise the Attorney General on ways to ensure that the principles set out in the Victim's Bill of Rights are respected.

This is another way of assisting victims, and surely, when it comes right down to it, that is the purpose of our corrections system. We want to make sure that the people who were the victims of a crime are not the victims of a crime again. I would invite the House to support this motion and support this bill because it's a significant step forward in making our community safer.

The Acting Speaker: Mr Galt has moved government notice of motion number 41. Is it the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1749 to 1754.

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

Ayes

Arnott, Ted	Gill, Raminder	O'Toole, John
Baird, John R.	Guzzo, Garry J.	Quellette, Jerry J.
Barrett, Toby	Hardeman, Ernie	Runciman, Robert W.
Beaubien, Marcel	Hodgson, Chris	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Marland, Margaret	Sterling, Norman W.
Clement, Tony	Martiniuk, Gerry	Stewart, R. Gary
Coburn, Brian	Maves, Bart	Stockwell, Chris
Cunningham, Dianne	Mazzilli, Frank	Tascona, Joseph N.
Dunlop, Garfield	McDonald, AL	Tsubouchi, David H.
Ecker, Janet	Miller, Norm	Turnbull, David
Elliott, Brenda	Molinari, Tina R.	Wilson, Jim
Flaherty, Jim	Munro, Julia	Witmer, Elizabeth
Galt, Doug	Mushinski, Marilyn	Wood, Bob
Gilchrist, Steve	Newman, Dan	Young, David

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

Nays

Agostino, Dominic	Cordiano, Joseph	Levac, David
Bartolucci, Rick	Crozier, Bruce	Marchese, Rosario
Bountrogianni, Marie	Curling, Alvin	Martin, Tony
Boyer, Claudette	Di Cocco, Caroline	McMeekin, Ted
Bradley, James J.	Dombrowsky, Leona	Patten, Richard
Bryant, Michael	Duncan, Dwight	Peters, Steve
Caplan, David	Gravelle, Michael	Phillips, Gerry
Christopherson, David	Hoy, Pat	Prue, Michael
Churley, Marilyn	Kennedy, Gerard	Pupatello, Sandra
Cleary, John C.	Kormos, Peter	Ramsay, David
Colle, Mike	Lalonde, Jean-Marc	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 45; the nays are 32.

The Acting Speaker: I declare the motion carried.

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

The House adjourned at 1802.

Evening meeting reported in volume B.

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COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

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Gilles Bisson, Ted Chudleigh, Alvin Curling,
Gerard Kennedy, Frank Mazzilli, Norm Miller,
John R. O'Toole, Steve Peters
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David Christopherson, Monte Kwinter,
John O'Toole, Gerry Phillips,
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Bert Johnson, Tony Martin, Frank Mazzilli,
Wayne Wettlaufer, Bob Wood
Clerk / Greffière: Anne Stokes

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Vice-Chair / Vice-Président: Julia Munro
Caroline Di Cocco, Jean-Marc Lalonde,
Bart Maves, Margaret Marland,
Julia Munro, Marilyn Mushinski,
Michael Prue, Joseph N. Tascona
Clerk / Greffier: Douglas Arnott

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Vice-Chair / Vice-Président: Bruce Crozier
Bruce Crozier, John Gerretsen,
Steve Gilchrist, Raminder Gill,
John Hastings, Shelley Martel,
AL McDonald, Richard Patten,
Clerk / Greffière: Anne Stokes

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

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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: Katch Koch

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