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**Legislative Assembly  
of Ontario**

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**Assemblée législative  
de l'Ontario**

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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 21 October 2002**

**Lundi 21 octobre 2002**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 21 October 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 21 octobre 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### VETERANS HIGHWAY

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** They fought in defence of a notion and returned home to build a nation: this wonderful country, Canada. The notion had to do with freedom, the belief that all free people should continue to enjoy the benefits of freedom and that all oppressed, freedom-loving people must be liberated.

Thanks to the special efforts of Halton Regional Chairman Joyce Savoline, her council and many others, a very special ceremony took place yesterday, October 20, at the Halton region headquarters at Bronte Road. The ceremony and others that followed later that day in Milton and Acton officially dedicated Regional Road 25 as Veterans Highway. This dedication was in thankful recognition of the historic role our veterans played in both defending freedom abroad and at home and, upon their return from the war, using their considerable entrepreneurial, technical and teaching skills to strengthen the foundation and fabric of this great nation.

It is entirely fitting and appropriate that a pathway, this road used every single day by thousands of our citizens, be dedicated and known forever as Veterans Highway. This highway will now serve as a perpetual reminder of the paths travelled and walked by those who have gone before us, the men and women veterans who continue to inspire us with everyday acts of leadership and courage.

Today we stand on the shoulders of our veterans and today we are taller, prouder and stronger for it. As one of several Halton MPPs, I am pleased to affirm our Halton veterans. I'm sure this Legislative Assembly will want to join me in acknowledging each and every one of our veterans with gratitude.

#### GURU NANAK CAR RALLY

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It's my pleasure to rise today and salute the wonderful work of members of the Guru Nanak Community Services Foundation and the Ramgarhia Sikh

Association of Ontario for organizing the fourth annual Guru Nanak Car Rally in Brampton.

Named after the Guru Nanak Dev Ji, the Guru Nanak Car Rally continues to attract volunteers, participants and sponsors who seek to follow in the guru's path by volunteering and performing charitable work. Established only a few years ago, the foundation seeks to raise money in support of community projects. In 1999, the inaugural year of the car rally, \$12,000 was raised for Credit Valley Hospital; in the year 2000, \$22,000 was raised for William Osler hospital in Brampton; and last year, \$23,000 was raised for Etobicoke General Hospital.

This year's rally, which took place in Brampton yesterday, included 40 participants, 50 volunteers and over 65 sponsors. Together, these volunteers raised \$25,000 for William Osler hospital, Brampton campus, and for the new Brampton hospital to be constructed in my riding. Without a doubt, this is one of the most unique fundraising events in my riding. Over the past four years, it has continued to grow and attract more participants and sponsors. Dr Tom Dickson, chief of staff of William Osler Health Centre, along with his son, also took part.

On behalf of all members of this Legislature, I would like to congratulate Mr Darshan Singh Bilkhu, Mr Jagdish Singh Grewal, Mr Gurdip Singh Thethi, Mr Daljit Singh Gaidhu and all the other members of the organizing committee, the volunteers and the participants who worked diligently to make yesterday's Guru Nanak Car Rally a success.

#### SERVICES FOR THE DISABLED

**Mr Ernie Parsons (Prince Edward-Hastings):** My statement today is to the thousands of Ontarians with disabilities who are having trouble reconciling what this government says and what it does. I'd like to provide a little bit of interpretation for them.

When the minister said on September 30, "We've also put in place the Accessibility Advisory Council of Ontario," what that means is that he put in place five out of 12. When he says they will be gender-balanced, they have five men, zero women. Only to this government would that be gender-balanced. When the minister says they will consult, it's not with you. We're not sure whom it's with, but it's not with the disability community by any means.

When the minister says they have put in place legislation that applies in municipalities with over 10,000

people, that means they want it to sound like they are doing it. They have in fact proclaimed the portion that says municipalities must have a plan. The only section they didn't proclaim was section 21, which makes it an offence to not comply. It is absolutely without teeth for the public sector and the private sector.

When they say "no new barriers," that means nothing. When you get rid of 50 special education teachers from the Ottawa school board, those are barriers to thousands and thousands of young people who are now denied access to education.

When they say, as the minister did, "We know the private sector is ready and willing to participate with us," that doesn't apply to pizza organizations either. What a sham.

#### PROJECT AMIK

**Mr Michael Prue (Beaches-East York):** I rise today to talk about a new housing development in Beaches-East York called Project Amik. It is developed by the Frontiers Foundation, and it has been developed keeping in mind our native community in Toronto and our aboriginal and native communities in Ontario. It is a remarkable housing project, one of the first of what I hope will be many but, sadly, what are all too few in the province of Ontario since 1995.

I take my hat off to Reverend Charles Catto. He has done an amazing job in bringing together people from many disciplines, people who are willing to assist to build 74 housing units on Coxwell Avenue in Beaches-East York. This will house up to 100 underhoused people, primarily—at least half of them—native Canadians who now live in Toronto.

The total cost of building this housing is some \$10 million, of which the city of Toronto donated almost \$3 million, the federal government donated a little over \$1 million, and Frontiers nearly \$7 million. Quite sadly, the provincial donations to date have been \$148,000, or a little over 1% of what it has cost to build these. We have a crying need for affordable housing in this city and in this province. This is an example of what can be done by those who have a mind to do it. We ask the province to listen very carefully to what is happening, to recognize that this housing is needed in Toronto and in Ontario—there are 63,000 people waiting—and to please start to do something about the crying need.

#### ANDREW OXENHAM

**Mr John O'Toole (Durham):** I'm pleased to rise in the House to congratulate another one of my constituents, Andrew Oxenham, on being selected by the Professional Photographers of Ontario for submitting the best black-and-white photo in their 131st annual print competition. His photo, entitled "Floating," is an image of two dancers that was taken at the Ballet Jorgen Studio in Toronto. It was judged to be the best black-and-white photo in Ontario.

Andrew Oxenham is the owner of the Water Street Studio in Port Perry. As a photographer, his specialty has included dance and theatre topics in photography. In addition, he has expanded his excellent scope to include portraits and weddings.

He was recently featured in "Notables," a supplement to the Port Perry Star. "Notables" includes profiles on many of the leading members of our art community in Scugog township who are ranked and making their mark in the world of art and design. The featured artists included watercolour painter Karen Richardson, and artists and entrepreneurs Paula and Bill Lishman. Also featured in the publication were Brenda Clark, illustrator of Franklin the Turtle; painter Walter Campbell, whose name many here would know; gallery founder Kent Farndale; and photographer Joe Duff.

These are just a few of the talented artists from the township of Scugog in my beautiful riding of Durham that I would like to introduce to this House. Their vision enhances the life of our communities and serves as an inspiration to all.

#### NAVISTAR CLOSURE

**Mr Pat Hoy (Chatham-Kent Essex):** Last Thursday, Navistar International Corp, which employs 1,000 workers in Chatham, announced its decision to close next June and move its production to Mexico. My heart goes out to all those families harmed by this decision. They were excellent workers, making the best quality trucks in North America, part of a company that was a good corporate citizen and a vital part of Chatham-Kent. I point out that Navistar executives never once said the product wasn't up to par or the workforce wasn't skilled, yet they are closing this plant. This closing will be a huge economic loss to Chatham-Kent, a blow to the manufacturing centre of the region, eliminating more than 5% of the jobs in the city. Nearly 4,000 jobs will be at risk as a result of the negative economic spin-off.

#### 1340

The factory had made it through tough times before, including the recession of the early 1990s. Demand for heavy trucks was down then, but the plant kept operating. Now Chatham's loss is Mexico's gain because the Harris-Eves government did nothing to save these jobs. While this government worked secretly to give their wealthy friends a \$10-million tax break, there was no help for working families in Chatham-Kent.

Dalton McGuinty and the Ontario Liberals believe we can do so much better for our people with a government that's on their side. The best path to economic strength is a government that invests in our workforce. We need a government that provides leadership that works for all the people for a change.

#### SCULPTURE PROJECT

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I rise in the House today to share with everyone about "The

Fish are Here” campaign on behalf of the Walkerton Tourist Recovery Partnership Committee. The project originally stems from the Walkerton tragedy and is made possible with help from the Ministry of Tourism and Recreation. It involves 12 large fish sculptures designed by Debbie Schenk and Ken Freiburger and decorated by 12 local artists. Each one is located in high-traffic areas throughout the counties of Grey and Bruce.

The primary goal of the fish sculpture project is to rebuild Walkerton and the regional image as an outdoor recreation and safe tourism destination.

Artists for the sculptures include Jenn Tuff, Suzanne Simmie-Stier, Kevin Yates and Marcy Adzich of Southampton; Amy Cooney of Walkerton; Iriz Paabo of Elmwood; Ann Keeling and Dave Devlin of Owen Sound; Richard Mund of Neustadt; Angie McCurdy and John Cowper of Chesley; and Velda Marshall of Hanover.

The Walkerton Tourism Recovery Partnership Committee includes Barry Randall from Owen Sound Tourism; Bryan Plumstead as tourism development coordinator, along with Carole Sonier as tourism development assistant; Chris Hughes from Bruce County Tourism; Debbie Schenk from Human Resources Development Canada; Fran Hill from the Walkerton Chamber of Commerce; Garry MacGregor from Pizza Delight; Jim Coffey from the Saugeen Valley Conservation Authority; Kim Mizen from Grey County Tourism; Pat Lippert from the Walkerton Chamber of Commerce; Peter McFadden from the Southern Ontario Tourism Organization; Jack Riley from the municipality of Brockton; Vicki Young from Saugeen country; and Paul Samson from the Ministry of Tourism and Recreation. They are all valuable people in our community and we thank them for their hard work.

Thank you, Mr Speaker, and I will continue next week with some more.

#### MEMBER'S EXPENSES

**Mrs Marie Bountrogianni (Hamilton Mountain):** It's been 20 days since we first learned that Cam Jackson charged taxpayers \$104,000 so that he could live the high life. He charged expensive hotel bills. He charged for in-room movies, he charged for expensive steak dinners at upscale restaurants, he charged for alcohol and he charged for valet parking.

Once this gluttonous lifestyle was exposed, Cam Jackson was fired, and for good reason. But what the taxpayers of Burlington, Hamilton and all of Ontario want to know is, when will they be reimbursed for Cam Jackson's reckless spending of our money? Ernie Eves promised that he would launch a review of those expenses and order Cam Jackson to make further repayment, but that hasn't happened. And just last week, Ernie changed his tune. He said maybe someone is doing a review, but that wasn't a sure thing and he wasn't sure when it would be done.

That's not good enough, Premier. It's not good enough for the people of Burlington or for the people of Ontario who are owed that money. We have countless examples of inappropriate expenses: booze, hotel stays, in-room movies, valet parking, and the list goes on and on. Taxpayers of Ontario deserve some answers. Is there a review actually happening, or was this just a cynical stalling tactic by Ernie Eves? Who is conducting the review? What is the deadline for the review?

Ontario families don't get to live high on the hog at taxpayers' expense, and neither should Cam Jackson. He owes us money, and we demand that he repay those expenses. There can't be one standard for ordinary Ontarians and another one for you and your Tory friends. Get on with the job, Premier. Do the review and make Cam Jackson pay the money back.

#### BRAIN TUMOUR AWARENESS MONTH

**Mr Bob Wood (London West):** I rise today to remind all members that October 2002 is the first official Brain Tumour Awareness Month in Ontario. For many years now, October has been designated as Brain Tumour—

*Interjections.*

**The Speaker (Hon Gary Carr):** We'll let the member start over. I apologize to him. It's too tough. People do need to hear it. If we can start all over, the member has a very important statement.

**Mr Wood:** I rise today to remind all members that October 2002 is the first official Brain Tumour Awareness Month in Ontario. For many years now, October has been designated as Brain Tumour Awareness Month in Canada. It has also been proclaimed in many cities across Canada.

Brain tumour is a devastating disease that strikes people of all ages, from newborns to seniors, across all economic, social and ethnic boundaries and affects people in all walks of life. Brain tumours are the most common cause of solid cancers in children. Early detection and treatment are vital for a person to survive brain tumours.

Brain tumour research, patient and family support services and awareness among the general public are essential to promote early detection and treatment of brain tumours. Each year approximately 10,000 Canadians of all ages are diagnosed with a brain tumour. Brain tumours are the second leading cause of cancer death in people under the age of 20 and the third leading cause of cancer death in young adults between the ages of 20 and 39.

The reason for the legislation is of course to assist all who are interested in alerting people to the dangers and symptoms of brain tumours. The act provides the basis for requests to our own ministries, school boards and other institutions for help in this cause. It is my firm conviction that many lives will be saved in the coming years by this law. Thank you again to all members for supporting it.

## VISITOR

**The Speaker (Hon Gary Carr):** Just before we begin, we have with us today in the Speaker's gallery the Consul General of the Ukraine in Toronto, Mr Ihor Lossovsky. Please join me in welcoming our special guest.

## INTRODUCTION OF BILLS

MOTOR VEHICLE MANUFACTURERS'  
WARRANTY ACT, 2002  
LOI DE 2002  
SUR LA GARANTIE DES FABRICANTS  
DE VÉHICULES AUTOMOBILES

Mr Sampson moved first reading of the following bill:

Bill 192, An Act respecting warranties offered by manufacturers of motor vehicles / Projet de loi 192, Loi concernant les garanties offertes par les fabricants de véhicules automobiles.

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

The member for a short statement.

**Mr Rob Sampson (Mississauga Centre):** This bill, should the House deem to approve and pass it, would be the first so-called lemon law in Canada applying to the purchasers of new vehicles in the province of Ontario. It would provide remedies to a consumer who enters into an agreement to purchase a motor vehicle on or after the bill comes into force if a substantial deficiency arises in the motor vehicle that is covered by a manufacturer's warranty.

I ask the House and the members to read this bill very carefully. There have been a number of issues lately in the media about this that need to be dealt with.

## MOTIONS

## PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** I believe I have unanimous consent to move a motion without notice regarding the order of precedence for private members' public business.

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

**Hon Mr Stockwell:** I move that, notwithstanding standing order 96(d), the following changes be made to the ballot list for private members' public business:

Mr Hardeman and Mr Stewart exchange places in order of precedence such that Mr Hardeman assumes ballot item 79 and Mr Stewart assumes ballot item number 70; and

Mr Patten and Mr Sorbara exchange places in order of precedence such that Mr Sorbara assumes ballot item 72 and Mr Patten assumes ballot item 74, the clam chowder act.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

1350

## 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 Monday, October 21, Tuesday, October 22, Wednesday, October 23 and Thursday, October 24, 2002, for the purpose of considering government business. This motion is seconded by Mr Kormos.

*Interjections.*

**The Speaker (Hon Gary Carr):** I got the feeling that's not true.

Mr Stockwell moves that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, October 21—dispense? 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 1352 to 1357.*

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

## Ayes

Agostino, Dominic	Galt, Doug	O'Toole, John
Arnott, Ted	Gill, Raminder	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Parsons, Ernie
Barrett, Toby	Hodgson, Chris	Patten, Richard
Bartolucci, Rick	Hoy, Pat	Peters, Steve
Bountrogianni, Marie	Hudak, Tim	Phillips, Gerry
Boyer, Claudette	Johns, Helen	Pupatello, Sandra
Bryant, Michael	Johnson, Bert	Ramsay, David
Caplan, David	Kells, Morley	Runciman, Robert W.
Chudleigh, Ted	Kennedy, Gerard	Ruprecht, Tony
Clark, Brad	Klees, Frank	Sampson, Rob
Coburn, Brian	Kwinter, Monte	Smitherman, George
Colle, Mike	Levac, David	Sorbara, Greg
Cordiano, Joseph	Martiniuk, Gerry	Spina, Joseph
Crozier, Bruce	Maves, Bart	Sterling, Norman W.
Cunningham, Dianne	Mazzilli, Frank	Stewart, R. Gary
Curling, Alvin	McDonald, AL	Stockwell, Chris
DeFaria, Carl	McMeekin, Ted	Tsubouchi, David H.
Dombrowsky, Leona	Miller, Norm	Turnbull, David
Duncan, Dwight	Molinari, Tina R.	Wilson, Jim
Dunlop, Garfield	Munro, Julia	Witmer, Elizabeth
Elliott, Brenda	Mushinski, Marilyn	Wood, Bob
Flaherty, Jim	Newman, Dan	Young, David

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

## Nays

Hampton, Howard	Marchese, Rosario	Prue, Michael
Kormos, Peter	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The eyes are 69; the nays are 5.

**The Speaker:** I declare the motion carried.

## ORAL QUESTIONS

### RACIAL PROFILING

**Mr Alvin Curling (Scarborough-Rouge River):** My question is to the Solicitor General. There was to be a day when people would be judged by the strength of their character and not just the colour of their skin. Sadly, that day still hasn't arrived in Ontario. This weekend, the rest of the province learned something that every young Black knows already: we are still being treated differently. Let me be clear: the problem doesn't begin or end with the policing, and it doesn't begin or end in Toronto.

Former Lieutenant Governor Lincoln Alexander has called for a summit. I spoke to him earlier today, and I fully support him in that effort. Will you join Lincoln Alexander and all the leaders across the province to work toward finding solutions to this very regrettable problem?

1400

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I join with the honourable member in terms of our respect for the former Lieutenant Governor. As the honorary commissioner of the OPP, and I believe the honorary chief of the Toronto Police Service, he has enormous respect among the rank-and-file police officers across this province. If Mr Alexander believes there is some substance to the suggestions that have been released to the public over the weekend, I'm quite prepared, and this government is quite prepared, to sit down with not only Mr Alexander but other people who have an interest in this subject to discuss it, to see if there is a real problem here—I understand there is a real concern, but to ensure that if indeed there is a real problem here, that it's eradicated.

**Mr Curling:** Let me assure the minister that there is a problem, and I want you to know that we want to work with you to address this problem. I also want you to know that we respect our police who, as you know, put their lives on the line each day to protect us. But let us be clear: that respect does not mean these concerns aren't real.

There are two things that need to be done. First, I'd like the Premier, as the head of our government, to issue a statement on this matter today. He needs to make it clear that racism in any form will not be tolerated. Second, and perhaps most important, we have to admit we still have a problem. Those problems go beyond the police and beyond the city limits. Do you agree with me, and will you take these steps today?

**Hon Mr Runciman:** I think I indicated in the initial response that I take the concern seriously and the government takes the concern seriously. We're prepared to

join with Lincoln Alexander and others in discussing the situation.

I don't want to make a judgment here today or a commitment to the honourable member with respect to whether I share those conclusions or not. We have to sit down. I think having that opportunity to sit down and discuss this and really carefully analyze the facts is the appropriate and responsible way to proceed.

**Mr Curling:** Let me see if I can encourage you to move a bit faster than I'm hearing, Mr Minister. I want you to walk a mile in my shoes. People in the Black community want to walk home safely at night, but many are afraid. They're afraid of being targeted by criminals, and many are also afraid of the police. We're talking about good, law-abiding citizens being afraid of the people who protect them. Speaking from experience, I can tell you that parents are worried their kids will be unfairly targeted. While many of those fears are based on myth, unfortunately too many are based on daily experiences that are real.

We need to address this problem and bring it out into the open. We need to talk about this in an honest way, not just to protect the reputation of our police but to ensure that they have the trust of the public they serve. Do you agree with my analysis, and do you have any ideas of your own to improve the trust between the Black community and the police?

**Hon Mr Runciman:** I very much recognize and appreciate the member's comments. I have to say that there have been efforts over the past number of years, in terms of anti-racism training at the police college, for recruits, training that deals with racism with respect to the use of force, a whole range of initiatives to deal with this.

Despite the criticism in the media with respect to the Ontario Civilian Commission on Police Services, I think they have worked very effectively as a quasi-judicial, independent, arm's-length body to deal with complaints from the public.

I'm certainly open, and the government is open, to having further discussions. I share the member's concerns. If we have those kinds of ongoing sensitivities within the minority communities in this province, we want to address them; we want to work with you to address them.

### CONFLICT OF INTEREST

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Transportation and has to do with the Eves government's lack of standards on conflict of interest. The minister will know that Al Leach, who is a well-regarded individual, I might add, is on the board of directors of the Highway 407 Corp and SNC-Lavalin. SNC-Lavalin, by the way, is a major shareholder in highway 407. The problem is that the Eves government has also appointed Mr Leach to the board of GO Transit, where he serves as the vice-chair. In our opinion, that is a direct conflict of interest. The 407 makes an

enormous amount of money from congestion, and GO Transit's job is to alleviate congestion.

We raised it in the Legislature, and Premier Eves responded in writing that he saw no problem. We disagree.

The question to you, Minister, is this: do you agree that Mr Leach has a major conflict of interest and that he must be removed from the GO board?

**Hon Norman W. Sterling (Minister of Transportation):** No.

**Mr Phillips:** Well, I appreciate the answer, but it's unacceptable.

*Interjections.*

**Mr Phillips:** It's unacceptable to the public. Not to me; it's unacceptable to the public.

SNC-Lavalin said in its latest annual report that it invested in 1999—by the way, the highway was sold the day the election was called in 1999. Their investment was \$175 million. It's now worth four times that.

Mr Leach is on their board. He is paid \$25,000 a year as a director. He also is paid \$100,000 a year as a retainer, a consultant, and he owns 6,000 shares in SNC-Lavalin. He benefits enormously from the increased traffic on the 407.

The problem is not Mr Leach; it's you and it's Mr Eves, the Premier. You put him on the board of GO Transit in direct conflict with the 407 and SNC-Lavalin. GO is designed to take traffic off the 407; he benefits from traffic on the 407. How can Mr Leach possibly serve his private sector interest and the competing public interest at exactly the same time?

**Hon Mr Sterling:** Without going into the merits of Mr Leach's tremendous qualifications to sit on the GO Transit board, having had just an enormous background in terms of transportation in this city and in this province, let me say this. In 1987, the then Liberal government brought forward a procedure whereby this Legislature would have the opportunity to review public appointments. Mr Leach's appointment was reviewed under that Liberal procedure, the same arguments were put forward, and he was affirmed. Therefore, the procedure which you put forward—

*Interjections.*

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** You wrote the legislation.

**Hon Mr Sterling:** You wrote the book, and now you don't want to follow it. Mr Leach was affirmed by a committee of this Legislature, and I believe that's the proof in the pudding.

**Mr Phillips:** I would just say to the public, I would invite you all to read the Hansard from that meeting. I was at it. I raised these very same issues, and Al Leach dismissed me. He said, "There's enough business to go around for everybody. Don't worry about it." The Liberals voted against it and the NDP voted against it. The only reason he got through was because you rammed it through with your majority. So I say to the public again, read the Hansard. Al Leach just dismissed it.

I say again to you, Minister, we disagree with it. The committee voted against it. Is it appropriate for an in-

dividual who has a \$100,000-a-year contract, has 6,000 shares and is paid \$25,000 for the board of directors to be sitting on the GO Transit board while he has this other, separate private interest? Is that the standard that the Eves government has chosen to set for the province of Ontario?

**Hon Mr Sterling:** This very member was part of the government that wrote the legislation creating this procedure for all members of the Legislature to have their opportunity to put forward their arguments. I have read the Hansard with regard to that committee. The member put forward the same argument in the committee. He lost then, and he's going to lose now.

#### HYDRO RATES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy.

*Interjections.*

**The Speaker (Hon Gary Carr):** The member take his seat. We'll give him the time.

Stop the clock. Come to order, please. The leader of the third party has the floor now. Order.

**Mr Hampton:** My question is for the Minister of Energy. Minister—

*Interjections.*

**The Speaker:** Sit down. Take a rest.

Government House leader and the House leader of the official opposition, please come to order. Two seconds after I get down I don't need you yelling across at each other. Come to order, please.

Sorry again, leader of the third party. You can start all over again.

1410

**Mr Hampton:** Minister, consumers on fixed incomes are worried that their hydro will be cut off if they can't pay your skyrocketing hydro bills, so I want to do something about it. Later this week, I'll be tabling a private member's bill that says consumers can't be cut off or can't have their hydro cut off during the winter if they cannot pay their bills.

Minister, will you support my private member's bill so that consumers won't be forced to freeze in the dark this winter?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** I appreciate the question from the member opposite. Obviously, we're always tremendously concerned that in the colder months anyone in the province of Ontario would be without electricity and perhaps even without heat.

The member opposite has suggested that at some point in the future he'll table a private member's bill. I'm certain all members in the House will give it full consideration, as they properly should.

**Mr Hampton:** I think we know how private members' bills work in this Legislature. If the government decides to support a private member's bill, it passes.

This private member's bill is about people like Portia Southon, a disability pensioner in Hamilton who is being



threatened with disconnection. She can't afford to pay her \$225 hydro bill—it's more than double what it used to be—but she can afford to pay \$75 in the interim. But Hamilton Hydro, under your new rules, has said, "You either pay all the bill or we disconnect, and then we charge you a security deposit on top of that plus interest."

Will you help consumers like Portia Southon by passing my private member's bill banning hydro disconnects between October 1 and May 1? Will you do that?

**Hon Mr Baird:** As I indicated to the member opposite, I would be more than prepared, as I know all members in this place would be, to read his private member's bill when he has tabled it. He has not tabled it yet. I would welcome a copy of it, if he has one, and would certainly give it due consideration.

He does raise the issue of prices. Prices have come down considerably in the month of October. What we saw in October is that prices are almost half what they were just a month before that.

The NDP leader does raise a concern about those who are vulnerable, whether they're disabled, on fixed incomes or in receipt of social assistance. If he has an idea, we would certainly be prepared to look at it.

**Mr Hampton:** This is not a terribly difficult question. I want to pass a private member's bill that would in effect say that no hydro utility in the province can cut someone's hydro off between October 1 and May 1, when we happen to have cold weather in this province, when people, frankly, can freeze to death if they don't have access to adequate heat. That's the concept here.

Will you pass my private member's bill, or does your government want to see people freezing in the dark this winter? What's your answer, Minister?

**Hon Mr Baird:** I have heard members of the opposition rise in their place and say they'd like the opportunity to review a bill that we've already voted on at first reading. I've yet to have anyone ever request any member of this Legislature to adopt a bill which we haven't even read, let alone which hasn't been presented here in this House.

The member opposite has brought forward an initiative, one which I know all members of this House would want to do their due diligence on and read. Would his bill include businesses? Would it include industrial customers? Would it include retail customers? Would it include commercial customers? What would be the benchmark? We'd certainly be prepared to review the private member's bill when it comes forward and give it due consideration.

#### RACIAL PROFILING

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. Deputy Premier, the Toronto Star's study into racial profiling by Toronto police discloses the discrimination that Black motorists encounter daily.

As Attorney General, I appointed a royal commission to examine discrimination in the criminal justice system. They produced an excellent report. Your government ignored the report and failed to act.

A year ago, I worked with community leaders to develop a Building Hope action plan, which we forwarded to the Premier and other members of the government. Once again, your government failed to act. In fact, your government has undone much of the progressive work that was done out there in terms of the criminal justice system to ensure that racial profiling didn't happen, to ensure that racism didn't happen.

Will you convene a citizens' and police task force to find practical solutions to the unfair treatment that black families experience in this province?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I would refer that to the Minister of Public Safety and Security.

**Hon Robert W. Runciman (Minister of Public Safety and Security):** It's regrettable that the leader of the third party is reaching conclusions and making judgments. I indicated earlier that we are quite prepared to follow the lead and the encouragement of the former Lieutenant Governor, Lincoln Alexander, to meet with the parties who have expressed concerns with respect to the actions of police in this province and the approach they take in dealing with individuals. We're open to doing that.

I think we have responded very positively. If you take a look at the record over the past six or seven years, a whole range of initiatives have been brought forward by this government and have been very positive in terms of addressing those kinds of concerns. If there is more to do, we're quite open to exploring that.

**Mr Hampton:** Minister, this is the report, the Commission on Systemic Racism in the Ontario Criminal Justice System. I'm going to send it over to you. Maybe now you'll read it. I'll send you over a copy of the Building Hope action plan, which has been available to your government for the last year and a half and which you've failed to act on as well.

Black families aren't asking for special treatment. They're simply asking that their children be treated on the same basis as other children. They're asking for basic fairness. The Toronto Star says that isn't happening.

I'm repeating the request from Lincoln Alexander: will you put together a task force of civilians, police representatives and members of all three political parties to ensure that there is a task force that makes sure Black families will be treated like the children of every other family in this province? It's a simple request. Will you do it?

**Hon Mr Runciman:** I'm not aware of Mr Alexander requesting a task force; I think he requested a gathering, a meeting, of people who have indicated concerns with respect to this community organization's police services. I think he mentioned the Solicitor General, the Attorney General and others. I indicated in my earlier responses that I'm quite prepared and this government is quite prepared to take part in those conversations.

I recognize and appreciate there are still concerns in minority communities. If there is validity to these concerns, we have to address them, as a government, as people representing the people of this province. We're committed to doing that.

I certainly do not want to close any doors. We're quite prepared, and if there are real problems out there, this government is prepared to act on them.

#### MEMBER FOR MISSISSAUGA WEST

**Mr Monte Kwinter (York Centre):** My question is to the Deputy Premier. Over the weekend, the people of Ontario were disturbed to learn that the member for Mississauga West is neglecting his duties as an MPP. But it gets worse. Even though Mr Snobelen is failing to do the job he was elected to do, the Premier recently handed him a second set of responsibilities. On June 19, 2002, Premier Eves appointed John Snobelen to be vice-chair of Ontario Exports Inc. It may be an expense-only position for Mr Snobelen, but judging from his commitment to being an MPP, even then the taxpayers of Ontario aren't getting their money's worth.

Deputy Premier, can you tell me why Premier Eves would appoint John Snobelen to a second job when he doesn't even do the one he was elected to do?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I would like to remind the member opposite of the fact that on November 9, 2001, his leader, Dalton McGuinty, introduced the democratic reform charter. It made it mandatory for ministers and the Premier to be present for at least two thirds of the question periods in a legislative session. He said he would penalize individuals \$500 for every question period missed beyond the two-thirds limit.

We have been here for 15 days. There are about 10 members who—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Deputy Premier, take your seat. I hope you aren't going down the road to talk about somebody's attendance. I'm not going to allow it to happen.

*Interjections.*

**The Speaker:** Settle down, all of you, right now. I'm the one who's going to be in charge, and I will yell if I have to if your members are yelling while I'm standing up. I'm going to be the one to decide what's in order and what's not in order, and talking about people's attendance will not be. It has been a long-standing tradition in here, and if that's the road she's going down, I'm going to be up very quickly.

1420

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On a point of order, Mr Speaker: We're talking about people's attendance, and the response can't—

**The Speaker:** We've had the discussion on this. It is not a point of order.

**Hon Mr Stockwell:** I have a point of order, Mr Speaker.

**The Speaker:** Get to it quickly, then. It's not a point of order, and get to it quickly or I will cut you off. You've got 10 seconds to point it or I'm going to be up.

**Hon Mr Stockwell:** I will do my best. The response that the Deputy Premier is making seems to me to be no different than the question put with respect to the attendance for the member from Mississauga West.

**The Speaker:** The question was relating to his duties. It's another capacity. You can talk about anybody else's attendance in his capacity as whatever it is; I forget what it is.

Deputy Premier, you may answer it. I will remind members on both sides: members' attendance is not—what people do in their additional capacities, you can speak about.

**Hon Mrs Witmer:** I was simply reminding the House of the introduction by the Leader of the Opposition of the democratic reform charter which would penalize members if they did not attend question period for two thirds of the time. I think it's important to keep in mind that if we take a look at this two thirds of the time, there are certainly people in the opposition who would have lost a lot of money.

**Mr Kwinter:** To be on the board of Ontario Exports you need to be more than just an Ontario export. Mr Snobelen, by his own admission, has not been engaged in serving the people of this province for some time, and why he would get this appointment is beyond me. He has stated clearly that he would rather be in a saddle in Oklahoma than serving his constituents in Mississauga.

Like so many other members of this government he is putting himself ahead of the people. It's a pattern with this government. Deputy Premier, given Ontario's critical dependence on exports, what kind of signal does this send as to this government's commitment to Ontario's exports when the Premier of Ontario appoints an absentee vice-chairman of Ontario Exports Inc?

*Interjections.*

**The Speaker:** The member is right. Order. I would ask the member in the future to be very careful; I know it's a fine line between his duties here and his other duties, but I would ask that you don't get too close to it. Otherwise what you're going to have in here is the other side as well.

*Interjection.*

**The Speaker:** Yes, just a second. I would ask all members to caution when doing that because it's going to come back on both sides. As everyone knows in here, there are members on both sides and I do not want to get into battles of who's here and who's not here.

I understand that the member is walking that fine line toward his duties but I would ask him to be careful in his question. I believe he had some time left—or is this a point of order?

**Mr Kwinter:** It's a point of order. Mr Speaker, I was very careful, understanding the rules of this House, not to refer to his attendance in this House. My question deals

with the fact that he was appointed vice-chair of Exports Ontario Inc. All I want to know is, what kind of signal does that send when he is an absentee vice-chair?

**The Speaker:** He says “member,” “vice-chair.” It is a very fine line again. I would caution all members to be careful. It is a long-standing tradition and I will not allow it. It is in his capacity.

*Interjection.*

**The Speaker:** The member for Scarborough Centre, come to order, or we'll send her out for the afternoon.

*Interjection.*

**The Speaker:** The member for Windsor-St Clair, this is your last warning now.

It is now the Deputy Premier's turn for a one-minute reply.

**Hon Mrs Witmer:** I believe the Minister of Enterprise, Opportunity and Innovation would like to answer that question.

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** A word about the role of Ontario Exports Inc, which is an advisory body to the government: the board meets on a quarterly basis. The remuneration for the board members, for Mr Snobelen and the others, is a grand total of \$1 per year each as an honorarium. We value the contribution that Mr Snobelen is prepared to make both by way of his experience and his expertise.

He has the experience certainly from his business acumen, his business experience, his work internationally to export our resources as the Minister of Natural Resources in the province of Ontario. We welcome his assistance. He will stand in for the chair when necessary in his role as vice-chair. As I say, all of this is for the grand total of an honorarium of \$1 a year.

#### ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Mr AL McDonald (Nipissing):** My question is for the Minister of Northern Development and Mines. On Friday, our government announced that the ONTC would be entering into exclusive negotiations with CN around the issue of rail service in northeastern Ontario. Minister could you please outline the details of this announcement?

**Hon Jim Wilson (Minister of Northern Development and Mines):** I want to thank my colleague for the very important question. As the member has noted, on Friday our government did announce that it had directed the Ontario Northland Transportation Commission to begin negotiations for the sale of ON rail with CN.

The CN submission is the only submission of the four that clearly meets the service improvement plan objectives and provides the greatest overall value to employees, customers and the people of northeastern Ontario. Our government stands by the commitment of the service improvement plan: job protection, economic development and service improvement. The Premier has made

this commitment very clear, and a promise made is a promise kept.

The ONTC will also pursue a joint venture between ON telecom and a major telecommunications provider. Once again, customer service and job protection will guide our efforts. I want to make it clear that no final decisions have been made for entering into negotiations with CN, and it would be inappropriate to discuss any further details at this time.

**Mr McDonald:** In reading through the coverage of the announcement this weekend, I noticed several members of the opposition were insisting that we had not kept our promise when it came to job protection

*Interjection.*

**Mr McDonald:** Listen, you've asked eight questions and you haven't asked one of our ministers regarding the ONTC. I think there's a little more concern on our side.

Minister, could you please clarify our government's position around the protection of jobs for ONTC employees?

**Hon Mr Wilson:** I know job protection is the number one concern for people of the northeast, particularly the member's own constituents. Job protection, economic development and service improvement are our number one priorities. Number one among those is job protection. The Premier made it clear, both when he was running for leader of the party and when he became Premier that job protection is number one. Those principles are guiding our efforts.

CN had the best proposal at this time to best protect jobs. They have the best network, the greatest employment opportunities for the current employees. Our goal at the end of the day is to make sure everybody working today is working into the future and is working for a company that can indeed enhance their job prospects, invest money into the shops of North Bay, into the rails and into the passenger service, and actually improve the economic development opportunities of northeastern Ontario.

That's where we're headed. That's the track we're on. It's the track we're going to stay on until we come to a deal. This is satisfactory to not only the honourable member but his constituents, the union and all the people of northeastern Ontario.

**Mr David Ramsay (Timiskaming-Cochrane):** To the same minister, the Minister of Northern Development and Mines, on the same subject, the sale of the ONR.

Minister, we are not very reassured by your comments or those of the member for Nipissing—the newly elected member for Nipissing, by 19 votes, I might add—who says that there will be no job loss on his watch. I'd like to remind you that his watch is over, probably, next spring, so that doesn't give us much reassurance at all.

What we want to see is some permanent assurance from you that there's not going to be any job loss. You say in the paper that one of the reasons we chose CN was because of the tremendous job record they've had. Don't you remember the hundreds of jobs that CN has pulled out of northern Ontario and the thousands of jobs that CN

has pulled out right across this country? Talk to the people in Capreol, talk to the people in Moncton, New Brunswick, about all the jobs CN has killed in this country.

Minister, I want you to stand in your place today and guarantee the people of northeastern Ontario that there will be no losses of jobs or rail or freight services in northeastern Ontario.

**Hon Mr Wilson:** The honourable member is reiterating the commitment that the government has made. The honourable member AL McDonald, the Premier, and I as minister have said that the road we're on is one to protect the jobs of the employees at the ONTC, at the Ontario Northland Railway. CN, of all the proposals, is in the position to best protect the jobs and best create more jobs. They have deep pockets as a company. The overtures they've made so far in the negotiations leading up to this stage have been very positive in terms of wanting to invest four million additional dollars into the shops of North Bay, to actually improve the rail bed, to improve the track and to improve the passenger trains and the freight trains, the actual cars themselves, so more people will want to use the train. These are things that we're going to continue to negotiate with CN. At the end of the day, job protection is our number one priority.

1430

**Mr Ramsay:** Minister, we are in the best position to protect those jobs by government ownership of the ONR, and that's the way it should remain: government ownership. Two years ago, the employees and management came to you and said, "We want to develop an internal solutions proposal." You encouraged them to do that and said that the proposal would be given serious consideration by the Ontario government. Not only have you not given that serious consideration, but you also put a gag order on that committee so that the proposal would never see the light of day.

We in northeastern Ontario want to see that proposal. We want an opportunity to debate that proposal before you sell off our railway. I want a commitment today that you will do that—that you will release that proposal and we'll have a debate so we can keep that railway for northeastern Ontario.

**Hon Mr Wilson:** The honourable member talks about continued government ownership of this particular railway and the telephone company. On April 19, before the standing committee on government agencies, the honourable member, David Ramsay, said the following: "Over the years I've been critical of the organization," referring to ONTC. "Shouldn't we get this cleaned up and let the private sector run this?" He went on to say, "I've proposed a casino in that train, snowmobile cars, and to really get back to the idea of providing people here a northern adventure. We have a mechanism here. It probably should be run by the private sector." At the same meeting, for a third time the honourable member said, "I've really got to ask you"—the current chair of the ONTC, Royal Poulin—"do you think government should be in the telephone business today?" That's one of the

businesses run by ONTC. "Shouldn't we get this cleaned up and let the private sector run this?"

He knows full well that CN is the best rail company in North America and that CN's proposal at this stage of negotiations is the best proposal on the table to protect jobs—

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

## TOURISM

**Mr Bart Maves (Niagara Falls):** While the member for Nipissing clearly puts the interests of the people of the north in the forefront more than does any other member of the House, especially among the neglectful members opposite, I like to think that I likewise put the interests of tourism at the forefront more than any other members of the House. Therefore, my question is for the Minister of Tourism and Recreation.

Minister, small business in Ontario creates major opportunities for economic development and innovations, keeping our economy strong. Diverse and prosperous small businesses in my riding of Niagara Falls have ensured that our local economy continues to grow. After September 11, 2001, having fewer visitors come to Niagara challenged businesses, especially tourism-related small businesses. As tourism minister, what are you doing to entice more tourists to visit Niagara and the province?

**Hon Frank Klees (Minister of Tourism and Recreation):** I thank the member for Niagara Falls for his question. I know that he's keenly interested in tourism in Ontario. This government knows full well that small business and tourism are vital in Ontario's economy. There are close to 150,000 businesses in Ontario providing tourism products and services. This represents almost 20% of all of the business done in Ontario.

After September 11, we invested some additional \$10 million in marketing, which totalled some \$14 million to assist tourism in the province. Of particular interest to the member for Niagara Falls is that, working with Niagara Falls Tourism, the Ontario Tourism Marketing Partnership developed a media campaign in Buffalo, Cleveland, Rochester, Pittsburgh and Syracuse, building on the successful theme "Come On Over," and they did. Additional tourism was generated within the border area. Last year's campaigns generated 46,000 responses and a 37% increase in sales of vacation packages to Niagara.

**Mr Maves:** Thank you very much, Minister, for your response. Indeed, the increase in marketing support from the government helped in Niagara quite a bit after September 11. I congratulate you and one of your predecessors, Minister Hudak, who was minister at the time, for that initiative. Small businesses, as I say, have benefited from this government's efforts since September 11.

As you know, tourism is the world's fastest-growing industry. What are you doing to ensure that smaller tourism-related businesses in Ontario will continue to benefit from tourism?

**Hon Mr Klees:** A good question. The Ernie Eves government is working on making Ontario a top-of-mind tourism destination throughout the world. We are promoting seasonal marketing campaigns, promoting festivals and events, and supporting new product and development investment.

My ministry also provides marketing opportunities for small businesses by building alliances with businesses that have similar audiences. Promoting destinations is an integral part of my ministry's mandate. The Ontario Tourism Marketing Partnership organizes familiarization trips for international media to tour destinations throughout Ontario.

Just last Friday, I had the pleasure of launching the new tourism consumer information system. TCIS is a \$16.2-million investment on the part of our government in an interactive, integrated travel and tourism service that will make information on travelling in Ontario more accessible to travellers and tourism businesses alike.

#### STUDENT DROPOUT RATE

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Deputy Premier. Deputy Premier, you must act immediately to prevent tens of thousands of high school students taking applied courses from dropping out.

Your own Dr King—I think you'll probably know him by now—told you that things were better for these students before your government took over. We're talking about students, young people, who come from modest-income homes, people who work in factories, people who work in restaurants, in plants across this province, in the retail sector, in the service sector, in every sector. They work hard and they want better opportunities for their children.

Minister, I want to work with you. Our party wants to work with you. Are you willing to work with us to develop emergency measures to keep these students in school?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** We are always interested in working with other parties. In fact, as the member full well knows, it was his party that set up the Royal Commission on Learning under Bégin and Caplan. As you remember, that commission found that the dropout rates were 65% for students in basic level courses. For students in general level courses, they had a 58% dropout rate. Of course, they recommended that we take a look at a two-streamed approach. We did introduce the recommendations of the report that you commissioned and we have been working ever since to make sure that those students who need the extra help to succeed are not left behind.

**Mr Marchese:** They are being left behind. I didn't create the mess; you did. You and your government created this crisis, and Dr King, the person you hired to do the study, said these students are doing worse today than they were in my time. So I didn't create the mess; you did. The opportunities young people are looking for

are not there. Don't tell me about some commission that you say you worked on; King is telling you that whatever you've done has created a problem for young people who come from modest homes. These kids need a degree, need an education, without which they can't get into a college, without which they won't have the opportunities that they are desperately looking for.

I want to work with you, Minister. We need emergency measures today. I'm asking you, will you work with us to find what those emergency measures are today, not in another year and not after the next election?

1440

**Hon Mrs Witmer:** We have made progress and we are making progress. In fact, the difference between us and the other parties is that we commissioned this study because we wanted to find out how the students were doing and how we could help those students.

Furthermore, it might interest you to know that the Star article claiming a 50% increase in failure rates for students taking applied courses is totally inaccurate and misleading.

The King study shows failure rates in grade 10 were higher than grade 10 general, but by scholar percentages. In English it was less than 1%; in math it was 6.8%, and in science it was 2.9%. That's a long way from what the Star article says about 50%.

For your information, we have put policies in place to help principals identify students. We have remediation funding for literacy and numeracy in grades 7 to 10. I have asked the curriculum implementation partnership to develop—

**The Speaker (Hon Gary Carr):** I'm afraid the Deputy Premier's time is up. New question?

**Mr Gerard Kennedy (Parkdale-High Park):** Minister, I'm hoping that on reflection there might be some better answers because I'd like to ask you about the same subject matter. There is a problem, and if you don't acknowledge it, 65,000 young adults in this province will pay the price.

You brought up a new curriculum. It looked good on paper and it was popular when it was still on paper, but in practice it is failing a whole host of kids. You have this huge, thick report. It's your second report. You told us last week that you hadn't even read this report, but surely you are aware of this distinctive problem. There is a 50% increase in the number of these young adults who are failing to accumulate courses on a track to graduate; a 50% jump. Minister, 64% of the kids in this applied stream are at risk, according to the author of your report.

You're here with that huge failure in front of you. Please table with us your plan to help these kids and to do it without delay.

**Hon Mrs Witmer:** Here is this member, one more time, claiming a 50% increase in failure rates. That is totally inaccurate and misleading. The King study—

**The Speaker:** Sorry, Deputy Premier. You'll have to withdraw the word "misleading." You can't say that about another member.

**Hon Mrs Witmer:** I withdraw.

The King study clearly shows, if the person opposite would care to look, that in grade 10 applied courses the differences were: English, less than 1% increase in failure; math, 6.8% increase; science, 2.9%. That is far different than the 50% increase in failure rate that the Star article claims. Furthermore, we asked for this study because, unlike you, we want to know how our students are doing. We want to make sure we can give them the extra help.

We have put programs in place. We have new workplace experience programs, we have new co-op programs—

**The Speaker:** I'm afraid the Deputy Premier's time is up.

**Mr Kennedy:** It's too important, Minister, to bandy with you. On page 6 of the report is a 50% jump in loss of credits by kids who are trying to graduate in the applied stream.

Minister, what I do want to discuss with you and I do want your attention for is something these kids can't get by without, and that is some extra assistance. For the last four years people have been telling you that the grade 8 and grade 9 curriculum isn't fitting together, that there needs to be remedial, that there needs to be more help for teacher training, that there needs to be assistance in terms of teaching resources. Are you listening today? There is a report here, and on this hangs the future of 65,000 kids who this report says are at risk for dropping out of school. You need to focus on this and you need to tell us here today how you will be responding this year to help these kids do what all of us in this House have a responsibility to aid and abet, and that is getting them to graduate. Will you be helping them?

Dalton McGuinty and I tabled a plan in June, Minister. We asked you to focus. We asked you to give these kids extra assistance—

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

**Hon Mrs Witmer:** No government has done more in order to help our students achieve success than our government. We have been providing remediation support: \$25 million annually for grades 7 to 10 for extra help in reading, math and writing; \$70 million in ongoing funding to help improve reading skills; \$875,000 in higher achievement support for grades 6 to 9.

Recently I announced 21 million additional dollars in order to help our teachers excel in the program. As I've just indicated, I have asked the curriculum implementation partnership to further develop an action plan to make sure that we can support all of these students at risk. They will be providing a report by the end of November. They have already done very good work and we're going to build on what they've done, unlike the members opposite.

#### LIBRARY WEEK

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Minister of Culture. I understand that today marks the official launch of Ontario Public Library

Week. In fact, I know that the Minister of Training, Colleges and Universities was in her riding of London North Centre this morning at the new Central Library to mark this important week and to say a few words on your behalf.

We all know the significant social, educational and economic contributions that public libraries make to communities across Ontario. Let us not forget that libraries also promote free and equitable access to information and a world of ideas. Could you please enlighten this House as to the many other benefits that our libraries provide to the people of Ontario?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** I'd like to thank the member for Scarborough Centre for the question. I'd also thank the Minister of Training, Colleges and Universities for representing our government at this very important event.

It is indeed my pleasure to promote Ontario Public Library Week. I think of one of the finalists in the Trillium Book Award, *Make Believe Love*, by an Ontario author by the name of Lee Gowan. In that book, one of the characters refers to libraries as one of the great institutions of democracy. It's quite true. Libraries recognize no differences between race, wealth, ethnicity or religion. Libraries do open up doors for our young people through reading, through learning and to their future. It is indeed my great pleasure to speak about libraries in this very important week.

**Ms Mushinski:** Thank you for that response. It's also my hope that people around the province will go out and celebrate library week by visiting their local libraries to see first hand what services are offered right in their own community.

I know that libraries often serve as community centres, particularly in smaller areas of Ontario. In fact, I know that to many new Canadians, libraries represent a safe place to go, somewhere where they will not feel intimidated. Families wanting to spend time together may enjoy the advantages of areas dedicated to readers of all ages.

To help celebrate Ontario Library Week, I understand that many local libraries are preparing special events, such as visiting authors. I know that some are taking advantage of this time to launch new programs, like homework help sessions and cooking demonstrations.

Can you tell us how your ministry plans to recognize libraries across the province this week?

**Hon Mr Tsubouchi:** I thank the member for Scarborough Centre again. It is indeed my pleasure today to say that libraries are recognized by our ministry for excellence in two categories. One is for excellence and the other is for innovation. It's my great pleasure to announce the winning libraries right now.

The awards for innovation recognizing new ideas in public library service go to the East Ferris Public Library, the Oxford Public Library and the Pickering Public Library, which I know the Minister of Finance would like to applaud for.

The awards for excellence in public library service go to the Manitoulin Island Library Action Network, the

Powassan and District Union Public Library, the Brantford Public Library and the Windsor Public Library.

I join with all members of the House in congratulating our libraries for providing such wonderful services to the people, and especially the children, of this province.

#### MUNICIPAL RESTRUCTURING

**Mr Richard Patten (Ottawa Centre):** My question is for the Minister of Municipal Affairs. I have an affair that I'd like to talk to him about. Following the amalgamation of the city of Ottawa in 2000, the city council was obliged by your government to review its ward boundaries in its first term. The Ottawa city council unanimously decided to proceed—this was over a year ago; it unanimously agreed on the terms of reference and the criteria—all councillors; and it unanimously agreed on the three people to head up the task force—a very prestigious group of people, I might add.

1450

Ward populations range from 14,000 to 63,000 right now and, if not changed, will spread to probably five times one over and against another. Three rural associations launched an appeal at the OMB and you, Minister, took the highly unusual step of intervening by invoking a stay in the proceedings. Why would you put a stop to this process that pre-empts the OMB and undercut the city council that was told to review the boundaries by your government?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I know the minister of rural affairs wants to answer this.

**Hon Brian Coburn (Associate Minister of Municipal Affairs and Housing):** As the member opposite knows, whenever the amalgamation discussions in Ottawa were underway, one of the major considerations was representation in rural areas. Of course, as the member well knows, 90% of the city of Ottawa is in the rural portion. Three organizations that cover more than three quarters of that expressed great concern with the decision the city council made and were quite concerned about losing representation, their voice on the city council, by removing one member from the rural area.

The minister and this ministry felt it was appropriate to take a time out, and let's review the process on how we review that. Strictly, the application of representation by population was one of the things that was considered during the amalgamation, but it wasn't the only thing. The representation at the council table by the rural areas was of utmost importance.

**Mr Patten:** What you're really saying is that whatever system you put, no matter what mandate—this was going on for over a year—if you don't agree with the other party, then you walk in and take over, which is typical. I know the activities of Mr Baird and Mr Sterling in pushing for this as well.

These boundaries were set by your government, by the way, and all councillors were happy except one.

There's a man by the name of Mr Randall Denley, who's usually on this government's side, and he says, "... but it's always disturbing to see the provincial government usurping local decision-making powers. It's getting to be a bad habit. Any time something doesn't go the way the Tories want, they change the rules or fire the people involved. First they made Claude Bennett dictator for a year, then they took over the hospital board, dumped the community care access centre board and fired the school board. The province has also undercut the Ontario Municipal Board, the appeal body designed to resolve disputes about municipal decisions.

"Seems like the only guys who can get it right are the Tories themselves."

Will you do something before the end of this year so that we don't have to—

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

**Hon Mr Coburn:** With the time out there will be an opportunity to review it with the folks in Ottawa as to how they can address this situation. Our government listens to the concerns of all the people—

*Interjection.*

**Hon Mr Coburn:** —not just a select few in different areas. There is good reason—

**The Speaker:** May I ask the member for Ottawa Centre to withdraw that?

*Interjection.*

**The Speaker:** Associate Minister, sorry. Continue.

**Hon Mr Coburn:** He finds it quite convenient to reference all of the other issues that have gone on in Ottawa. Every one had merits on its own as to why we addressed those particular areas: because of accountability, because of concern by the residents and the electorate that I serve as well in the Ottawa area. Those concerns were brought to our attention.

It's a time out. There's ample opportunity there for the city council and residents to work on a process that will resolve this conflict in the future.

#### ROAD SAFETY

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Today, my question is to the Minister of Transportation. We all read about tragic events on our provincial roads and highways. In fact, we were sadly reminded of this again over this past weekend. Three teens were killed when a car hit them in the Welland area as they walked along the sidewalk. The driver of the car was also killed.

We know that many road crashes are preventable. Speeding, alcohol, distractions or just plain careless driving claim too many lives. We all agree that the loss of just one life is too many. What action are you taking to reduce aggressive and unsafe driving here in Ontario?

**Hon Norman W. Sterling (Minister of Transportation):** No matter what we do with regard to building better roads, creating safer rules around road safety, we still have a number of things that happen on our high-

ways. I want to express our sympathy to the families who were involved in that terrible crash over this weekend in Welland.

Since we came to power in 1995, our government has worked hard to curb aggressive and unsafe driving. We have introduced many tough new measures that are making our roads safer. We've allowed municipalities to establish community safety zones, doubling fines for many of the unsafe driving offences, including speeding. We've increased fines for running red lights. We have allowed municipalities to have red-light cameras. We introduced vehicle impoundment for persons suspended under the Criminal Code who continue to drive. We'll continue to work on these as long as we can, but we still must educate the public to drive safer.

**Mr Gill:** I want to thank the minister for his response. I know many Ontarians share your concern for road safety and are eager to contribute.

Despite the valuable efforts over the years of groups like Mothers Against Drunk Driving, Ontario Students Against Impaired Driving, and the Ontario Provincial Police, to name just a few, drinking and driving continues to be a problem in this province. Minister, what is your ministry doing to address the problem of drinking and driving in Ontario?

**Hon Mr Sterling:** It's a combination of things. We are working co-operatively with our police forces across our province to ensure that drinking and driving don't go together. We've introduced a 90-day administrative driver's licence suspension. We have 12-hour roadside licence suspension for drivers with a blood alcohol content between 0.05% and 0.08%. We have a zero blood alcohol level for novice drivers. We have a mandatory remedial measures program involving assessment, education, treatment and follow-up for convicted offenders.

I guess the most recent innovation, brought forward by Garfield Dunlop, is the ignition interlock program which we will be instituting in January of next year.

We will continue to look for more and more ways of preventing drinking and driving together.

#### SCHOOL BOARDS

**Mr David Christopherson (Hamilton West):** My question is to the Minister of Education. Minister, you will know, or should know, that last Wednesday your personally appointed supervisor of our school board spoke at the assembly of school councils at Westmount Secondary School. At that meeting, he stated that he had now formed a community advisory council that was advising him on all of the big questions facing him, and I would assume that would include the strike involving the educational assistants that is keeping hundreds of children out of the classrooms. During the course of the meeting, Minister, citizens asked if they could be told who is on the advisory committee. Your supervisor said that he was not going to release the names of the members of the advisory committee.

Minister, this is unacceptable on our side of the House. I want to know if this is acceptable to you, to

have a secret advisory committee, or whether you're going to direct the supervisor to make those names public.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I understand that the supervisor in Hamilton is being advised by many people. I understand he's had extensive consultations with people in the community and I understand he's very close to being ready to present us with a balanced budget.

**Mr Christopherson:** That is exactly the point. The budget is everything at the end of the day in terms of education and the crisis that we face in Hamilton. It is your supervisor who made a specific point to say that the steps he was taking involved the formal setting up of a community advisory council. We want to know who is on it. It affects our kids. He's keeping it secret. I want to know whether you find it acceptable that there's a secret advisory group advising your supervisor on how our education system ought to run, or whether you're going to stand in your place today and say that that is unacceptable and that you are directing your supervisor to release the names of his secret advisory group.

**Hon Mrs Witmer:** I can assure you that in everything the supervisor in Hamilton has undertaken, he has always done so with the best interests of the students at heart. In fact, I know he has made visits to schools to personally see the state of the schools and to meet students, parents and teachers. I can assure you that as he makes his decisions, he has consulted widely with a wide-ranging group of individuals in the community of Hamilton.

1500

#### PETITIONS

##### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** I have several thousand names on this petition, which is a part of the 26,000-name petition dealing with Highway 69. It is to the Legislative Assembly of Ontario, and 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 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 im-



mediately 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. I give this petition to Nazir, our new page, who will bring it to the table.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have more petitions on adoption disclosure reform. It reads:

“To the Legislative Assembly of Ontario:

“Whereas in Ontario, adopted adults are denied a right available to non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

“Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

“Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

“Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

“We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person’s amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling.”

I will affix my signature to this petition.

#### VOLUNTEER FIREFIGHTERS

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** This is a petition to the Legislative Assembly of Ontario.

“Whereas double-hatter firefighters have historically provided a vital service to small and rural communities across Ontario by volunteering services to their local fire departments in addition to their professional firefighter duties; and

“Whereas by volunteering, these full-time firefighters provide highly valued expertise, skills and training for fellow volunteers; and

“Whereas the vital input, support and work of our full-time firefighters are now being placed in jeopardy by reported union pressure, including charges and threats of charges aimed at putting an end to this vital volunteer service; and

“Whereas MPP Toby Barrett”—and others—“the Association of Municipalities of Ontario and the Firefighters’ Association of Ontario have made clear their support for this legislation;

“We, the undersigned, respectfully petition the Parliament of Ontario as follows:

“That the government of Ontario support Waterloo-Wellington MPP Ted Arnott’s Bill 30, a private member’s bill titled the Volunteer Firefighters Employment Protection Act, and enshrine in law the right of full-time firefighters to volunteer.”

I have signed this also.

#### EDUCATION FUNDING

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):**

“To the Legislative Assembly of Ontario:

“Whereas we believe that all education resources should be directed to our public schools, not private schools;

“Whereas the Harris-Eves government has been attacking public education for six years, chopping \$1.8 billion from the classroom, and now wants to pay parents to leave public education for private schools;

“Whereas we believe that a voucher plan for private schools is wrong, unfair, steals money from public education;

“Whereas we believe that these funds being invested in private schools would be better spent on rebuilding public education through such measures as bringing class sizes down to 20 students per class in the early years;

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

“Do not turn your back on Ontario’s working families, fight the Harris-Eves voucher system for private schools, fight for smaller class sizes, and fight for public education.”

I’m very happy to sign my signature to this petition. I will be handing it to Maureen, who has just started as a page today in the assembly.

#### HYDRO RATES

**Mr Dominic Agostino (Hamilton East):** “To the Legislative Assembly of Ontario:

“Whereas the Ernie Eves government promised the people of Ontario that the opening of the electricity market would deliver lower hydro rates and improve service; and

“Whereas hydro rates have risen 21% over the past five months since the opening of that market; and

“Whereas consumers have been advised to expect power shortages in spite of higher costs; and

“Whereas consumers have not been adequately informed about the unbundling of charges and therefore do not understand and cannot reconcile the charges shown on their hydro invoices;

“Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to convene

a legislative committee to oversee electricity issues in order to inform and protect the public interest.”

Speaker, I'm pleased to add my name to the petition and I will give it to Hin-Hey, our new page, to bring over to you.

#### VOLUNTEER FIREFIGHTERS

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I also have a petition entitled “Support the Right of Full-Time Firefighters to Volunteer.” It's signed by a number of people in my riding, people from Port Dover, Caledonia, Simcoe, Delhi, Vittoria, Walsingham and Langton.

“Whereas double-hatter firefighters have historically provided a vital service to small and rural communities across Ontario by volunteering services to their local fire departments in addition to their professional firefighter duties; and

“Whereas by volunteering, these full-time firefighters provide highly valued expertise, skills and training for fellow volunteers; and

“Whereas the vital input, support and work by our full-time firefighters are now being placed in jeopardy by reported union pressure, including charges and threats of charges, aimed at putting an end to this vital volunteer service; and

“Whereas MPP Toby Barrett, the Association of Municipalities of Ontario (AMO) and the Firefighters' Association of Ontario (FFAO) have made clear their support for this legislation;

“We, the undersigned, respectfully petition the Parliament of Ontario as follows:

“That the government of Ontario support Waterloo-Wellington MPP Ted Arnott's Bill 30, a private member's bill titled the Volunteer Firefighters Employment Protection Act, and enshrine in law the right of full-time firefighters to volunteer.”

I will add that hearings from interested parties continue before the standing committee on justice and social policy. I'm in agreement with the sentiments of this petition, and hereby affix my signature to it.

#### 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 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 persons from Grande Pointe, Chatham, Port Lambton and Tilbury, and I too sign this petition.

#### AFFORDABLE HOUSING

**Mr Michael Bryant (St Paul's):** “To the Legislative Assembly of Ontario:

“Whereas the number of tenants receiving above-guideline increases is growing exponentially; and

“Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

“Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

“Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

“Whereas tenants should not be receiving rent increases where there are work orders issued for the building;

“Therefore be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass the Liberal bill entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline increases once the bills have been paid.”

I feel so strongly about this one that I'm going to affix my name to this one myself.

1510

#### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** I have more names on this 26,000-name petition. It's dealing with the multi-laning of Highway 69, and it's to the Legislative Assembly of Ontario.

“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 any 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. I give this to our new page, Natalie, to bring to the front desk.

#### WATER EXTRACTION

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

"Whereas we, the residents and cottagers of Bob's Lake, strenuously object to the permit issued by the Ministry of the Environment to OMYA Inc to remove 1.5 million litres of water per day from the Tay River, without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest; and

"Whereas it is our belief that this water taking will drastically impact the environment and seriously affect the water levels in Bob's and Christie lakes. This in turn would affect fish spawning beds as well as habitat. It would also affect the wildlife in and around the lakes; and

"Whereas Bob's Lake and the Tay River watershed are already highly stressed by the historic responsibility of Parks Canada to use Bob's Lake as a reservoir for the Rideau Canal; and

"Whereas the movement of water from the lake through the watershed for navigation purposes in the canal provides sufficient stress and problems for the lake. This water-taking permit will only compound the stresses on the waterway;

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

"We request that this permit be rescinded until a comprehensive evaluation of the impact of water taking by OMYA Inc on the environment, the water levels and the water needs of these communities is complete. An independent non-partisan body should undertake this evaluation."

I am very happy to sign this petition because I am in full agreement. I'm going to hand it to Grant, who is with us today for the first time.

#### SCHOOL BUS SAFETY

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

"Whereas some motorists are recklessly endangering the lives of children by not obeying the highway traffic law requiring them to stop for buses with their warning lights activated;

"Whereas the current law has no teeth to protect the children who ride the school buses of Ontario, and who are at risk and their safety is in jeopardy; and

"Whereas the current school bus law is difficult to enforce, since not only is the licence plate number required but positive identification of the driver, which makes it extremely difficult to obtain a conviction;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the measures contained in private member's Bill 112, An Act to amend the Highway Traffic Act to protect children while on school buses, presented by Pat Hoy, MPP, Chatham-Kent Essex, be immediately enacted. Bill 112 received the unanimous all-party support of the Ontario Legislature at second reading on June 13, 2002.

"Bill 112 imposed liability on the owner of a vehicle that fails to stop for a school bus that has its overhead red signal lights flashing; and ...

"We ask for the support of all members of the Legislature."

This is signed by a number of residents from the Chatham area. I have hundreds and hundreds of names on petitions, and I too have signed this one.

#### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** A further petition on the multi-laning of Highway 69, and it's to the Legislative Assembly of Ontario:

"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 any 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, of course, affix my signature. I ask Matthew, our new page, to bring it to the table for us.

#### ORDERS OF THE DAY

##### TIME ALLOCATION

**Hon Doug Galt (Minister without Portfolio):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 181, An Act to amend the

Legal Aid Services Act, 1998, when Bill 181 is next called as a government order the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment and at such time the bill shall be ordered referred to the standing committee on justice and social policy; and

That the vote on second reading may, pursuant to standing order 28(h), be deferred; and

That the standing committee on justice and social policy shall be authorized to meet for one day at its next scheduled meeting time for the purpose of consideration of the bill; and

That, no later than 4 pm on that day, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond its normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession, with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration. In the event that the committee fails to report the bill on that day, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the standing committee on justice and social policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading, which order may be called on that same day; and

That, when the order for third reading is called, the Speaker shall put every question necessary to dispose of this 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; 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 Speaker (Hon Gary Carr):** Mr Galt has moved government notice of motion 44. Further debate?

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I will be sharing my time with several esteemed members of my party who are asking me to do so.

Just to remind the people at home so that they can follow as I go along, today we are going to be debating a motion to send Bill 181, the Legal Aid Services Amendment Act, to the standing committee on justice and social policy for its consideration. This motion comes after three sessional days of debate on this bill with numerous speeches from all sides of the House.

In an effort to save some time this afternoon, I'll do the House a small favour. I'll both raise and rebut the tired arguments that the opposition trots out every time the government tries to move a bill forward. I'll then explain again why Bill 181 is essential to the proper administration of justice in Ontario and worthy of the approval of this House. Hopefully, the opposition will return this favour by not inflicting their usual time allocation rant on their very fellow members and people at home.

**1520**

The first opposition argument comes courtesy of the member for St Paul's. His argument goes like this, and this is historic opposition argument number 1: "Since 1995, the Harris-Eves government has time-allocated 80 bills." This is how he'll say it. I'm sure he'll get a chance to say that again today. I'm sure you've seen that before. "This government has made more guillotine motions than Madame Lafarge." That's what he'll say.

It's true that this government has made use of the standing orders of this House to advance a bill efficiently, but only after a substantial period of debate. In fact, some might say it's our job to pass legislation—the people of Ontario have given us that right and that mandate—and not to debate it to death.

In the case of Bill 181, we'll have had about 10 hours of debate by the end of this session. We've heard a number of speeches from every party, including an opening speech from the Attorney General and speeches from the main Liberal and NDP opposition critics that went on one full hour apiece. So let's be clear: we have dedicated a great deal of time to debating Bill 181 in this House.

The next argument is one the member for St Catharines likes to use, and that is stock opposition argument number 2: the word "Parliament" is derived from the French verb "parler," which means "to talk." Time allocation motions diminish democracy and the ability of the members of the Legislature to talk about bills of interest to them and to their constituents.

This is how the member for St Catharines will start his argument. I'm sure you'll agree that the opposition's knowledge of the French language is impressive; however, the failure to remember or acknowledge the 10 hours of debate on this important bill before today is not.

The government's position on this bill is very clear. Regrettably, so is the opposition's. Let's remember that the opposition does not agree with the bill. They do not believe the House should approve a bill that would provide legal counsel to hundreds of poor Ontarians who currently have none. Why is that so? For the New Democrats, the reasons are perhaps ideological. For the Liberals, the reasons were probably dictated over the phone by policy director Warren Kinsella. At any rate, because they oppose this bill, they will do anything, including subjecting the House to epic speeches by the member for Niagara Centre, to slow down or prevent its passage.

Should they be more co-operative? Perhaps they should be. Every day the opposition calls upon the gov-

ernment to take immediate action to help those in need. With Bill 181, that's exactly what we're doing: taking swift action to make sure those in need can have legal representation. Yet here they are asking us to delay and delay more. Is that in the interests of the people who rely on Legal Aid Ontario for help? Clearly not. So in whose interests are the Liberals and NDP arguing when they say they want to drag this bill out? It's not clear to me or to many others here, as well as to people at home.

Personally, I think that if the opposition adopted more of our policies, particularly relating to taxes and public safety, they might find themselves a little more successful at the polls. I can assure the members of the opposition that the women and children who need legal aid lawyers will find little comfort in the knowledge that Liberals and New Democrats believe it politically expedient to talk till they drop. Members on this side of the House want to do right by these people. Why don't they?

Now we come to stock opposition argument number 3, and I quote: "Time allocation motions are a way for the government to prevent members of the opposition from examining or criticizing ill-considered bills. That's censorship." That's what they will say.

**Mr Michael Bryant (St Paul's):** On a point of order, Mr Speaker: Is there quorum?

**The Deputy Speaker (Mr David Christopherson):** Do we have quorum?

**Deputy Clerk (Ms Deborah Deller):** Quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Deputy Clerk:** Quorum is now present, Speaker.

**The Deputy Speaker:** Quorum being present, the member for Bramalea-Gore-Malton-Springdale may continue.

**Mr Gill:** Thank you, Mr Speaker. I do want to thank all the members who came back to listen to my speech. I appreciate that.

Let me remind the House that as we speak, some lawyers in this province are choosing to deny legal representation to some very vulnerable people: women and children. This is unacceptable, to this government anyway. I can't understand why the opposition, particularly the NDP, do not favour speedy consideration and passage of this bill. Consider my surprise to read Hansard and find the member for Toronto-Danforth stating that she opposes this bill because legal aid lawyers making \$88 per hour are underpaid. Although I knew the New Democrats wanted to raise Ontario's minimum wage, I would never have guessed that they meant raising it from \$88 per hour to \$150 per hour, perhaps.

Stock argument number 4: "This bill will fundamentally alter the way we have delivered services in the province of Ontario; therefore we need public hearings on this bill." You've heard that.

They want public hearings on everything. Last week the member for Toronto-Danforth stated that she wanted public hearings on this bill. Why? Because their resident justice expert, the member for Niagara Centre, said it would be a good idea. Mr Speaker, it's just too easy.

They want public hearings on everything. They don't want this House to move on and do the right thing for Ontarians. They just want to drag this thing out, debate it to death. Those calling for public hearings are the same people who have been calling on us to act quickly to solve this problem. It's amazing. They ask us to move quickly, we do, and now they want us to take the bill on the road for weeks and weeks to hear what lawyers think. With respect, we already know what they think. Lawyers have made it abundantly clear with their tactics. The people in Brockville who can't get a lawyer don't need public hearings. They need help, and we're going to give it to them. And they need the help now.

The reason we need to move forward with this bill quickly is clear to everyone but the opposition. Maybe they just don't understand the bill. This is quite likely, given some of the remarkable comments made by the members for Hamilton East and Scarborough-Agincourt about Mississippi and the death penalty. So as I promised earlier, I'll explain to them again what this bill will allow Legal Aid Ontario to do.

**1530**

To ensure that the interests of justice continue to be served, our government is proposing to amend the Legal Aid Services Act. That's what this bill is about.

As you have already heard, the purpose of this bill is to achieve a balance in the way legal aid services are provided in this province. The legislation would, if passed—and again, it's still being debated—place various tools or options at the disposal of Legal Aid Ontario. These options would include hiring more staff lawyers, expanding the role of duty counsel and contracting out work to private lawyers and law firms.

Legal Aid Ontario, the provincial agency responsible for administering legal aid services, established a pilot project two years ago in which family law staff offices were opened in Thunder Bay, Ottawa and Toronto. The evaluation of the pilot project has determined that the mixed system is a success.

In Canada, legal aid is provided through separate legal aid plans in each of the provinces. Though each province and territorial government has developed its own legal aid scheme, three general models have been adopted: a staff system, a judicare system and a mixed system. Several provinces either rely almost completely on staff lawyers or on a mixture of staff and private counsel.

I would like to use this time to remind members of the opposition who claim that this bill will lead to an Americanization of the Ontario justice system—I guess this is why they like to talk about Mississippi and death row. This is simply not the case. If the Liberals and New Democrats would employ their researchers to do something more useful than sorting through cabinet ministers' trash, they would know this. Let me explain what other provinces are doing so that they can see where Ontario's going and how our direction compares to legal aid plans in other parts of Canada.

New Brunswick, Ontario and Alberta are the only provinces that have primary judicare or private bar,

although there are circumstances where there are staff lawyers available. Other provinces make use of what is called a staff system. Under a staff system a legal aid plan directly employs lawyers to provide legal aid services. Newfoundland and Labrador, Prince Edward Island, Nova Scotia and Saskatchewan have adopted this approach.

In staff systems, the private bar may still be used when circumstances warrant; for example, if there are conflicts of interest or staff lawyers are unavailable. A mixed system combines the *judicare* and staff systems and utilizes both private and staff lawyers in the provision of legal services.

The legal aid plans in Quebec, Manitoba, Northwest Territories, Nunavut and Yukon operate mixed systems of legal aid. In most of these jurisdictions, the client has the right to choose counsel, either staff or private, from a panel of lawyers providing legal aid services. Quebec has made use of this type of system for decades. I think it's about 30 years.

The mixed models have a proven track record of providing high-quality legal aid services to clients, and this is the type of system that Legal Aid Ontario would deliver if Bill 181 was passed.

So much for the Americanization of legal aid. In fact, this is more like the Canadianization of legal aid.

I would now like to describe the mixed legal aid system used with great success by Manitoba and Quebec in greater detail.

The Legal Aid Service Society of Manitoba was established in 1972 and is responsible for the administration of legal aid services in that province. Similar to Ontario, it is an entity governed by an independent board of directors whose members are appointed by the provincial government. In mixed-service models such as Manitoba, the legal aid program provides formal representation in the areas of criminal, family and poverty law. The program also represents groups in cases of public interest.

When a client applies for legal aid in Manitoba, they can request a specific private bar lawyer. The plan will usually send the certificate to that lawyer. If the lawyer is available and willing to accept the certificate, he will so engage. If the applicant does not specify a lawyer, the plan will usually assign a staff lawyer.

Legal Aid Manitoba provides legal services to individuals who appear in court but do not have a lawyer acting for them. This service is available in criminal, youth and some child welfare courts. Legal aid offers duty counsel services in approximately 50 communities in Manitoba. Staff lawyers provide 95% of these services. Staff lawyers, private lawyers mandated by Legal Aid Manitoba, or paralegals provide legal services to individuals who are arrested outside of regular business hours. This service is usually provided over the phone and is available from 4:30 pm to 8 am the next day.

The first legal aid services emerged in Quebec in the early 1950s as an initiative of the bar section of Quebec City. During the following years, the Quebec government and the bar of the province of Quebec signed agreements

relating to the provision of legal aid services. In 1972 the Quebec Legislature passed the Legal Aid Act, which in turn established the legal services commission.

The commission has the authority to establish legal aid centres, and currently has 11 regional and two local centres overseeing the delivery of services in 128 legal aid offices. Each regional and local centre is governed by its own board of directors whose members are nominated by the commission. The commission operates a mixed *judicare* staff model. Clients can be represented by the private lawyer of their choice if they are available, just like the Manitoba system; otherwise they're represented by staff lawyers.

Legal aid is provided for a range of civil and criminal cases, including criminal charges involving an indictable offence, family cases, youth protection, youth offenders and income security matters. Staff lawyers provide duty counsel representation at all criminal, administrative and family court locations across the province. Only summary legal assistance is provided through duty counsel representation.

Why is the opposition so afraid to debate this proposed legislation on an apples-to-apples basis by looking at the system used in separatist Quebec and socialist Manitoba instead of constantly and inaccurately comparing the system contemplated by this proposed legislation with the American experience? Is it because they know we are doing the right thing and don't want to admit it, or is it because they just can't make any reasonable criticism of the bill based on facts?

If the Legal Aid Services Amendment Act is passed, Legal Aid Ontario would be taking advantage of the strengths offered by both staff and fee-for-service lawyers to provide effective legal aid services. As has been mentioned previously, the current legal aid system grants private bar lawyers a monopoly over the provision of legal aid services in the areas of criminal and family law. The proposed legislation will help Legal Aid Ontario in ensuring the stability and sustainability of the system. This is a very important point. The legal aid system must protect the rights of those in need. It must also be able to prevent disruption of the judicial system. The proposed legislation would allow us to meet our obligations and responsibilities to ensure everyone's right to legal representation is protected. Legal Aid Ontario would be given the tools to achieve a balance in the way services are delivered, including hiring more staff lawyers, expanding the role of the duty counsel, contracting out work, and reducing the nearly total reliance on the private bar.

#### 1540

As I noted at length earlier, the mixed model that uses staff lawyers is operating elsewhere in Canada and works well to ensure high-quality and cost-effective services.

The private bar would continue to perform a significant part of service delivery in the areas of family and criminal law matters. Our proposed legislation would simply expand the method of service delivery and broaden options available to clients.

We believe that a mixed system is the best way to achieve a balanced and sustainable legal aid system and provide the legal services Ontarians need. That is why we are supporting this bill, and that is why we want to move forward with it quickly.

**The Deputy Speaker:** The floor is open for further debate.

**Mr Bryant:** I will be sharing my time with the member for Prince Edward-Hastings.

**The Deputy Speaker:** It will just rotate around and they'll get their turn in rotation.

**Mr Bryant:** To listen to the member opposite, one would think that we are bringing in a bill which permits the government to do something which it cannot do right now. That is simply untrue. It is untrue to suggest that the government of Ontario does not right now have on the books a law that permits Legal Aid Ontario, an independent body, to deploy staff lawyers in certain jurisdictions in the province. In fact, Legal Aid Ontario has a statutory mandate, under a bill passed by this government in 1998, to use creative means in order to provide legal assistance. They have that power and they have exercised that power in the past. That is not what this bill is about.

This bill is not about creating new legal tools for Legal Aid Ontario; rather, this bill is about a dispute between the Attorney General of Ontario and counsel, in particular in parts of southeastern Ontario. This partisan trump card of a bill is nothing less than a blank cheque to deliver a mortal wound to legal assistance in the province of Ontario. It goes right at the heart and pierces the purpose of the very bill that this government passed in 1998 to empower an independent body to provide legal assistance in a flexible way.

Incredibly, notwithstanding the importance of that independence, and notwithstanding the importance of that law that this government passed, and notwithstanding the rights at issue—in some cases the liberty of individuals, in some cases the security of the person, both protected under section 7 of our Charter of Rights and Freedoms—and despite the fact that the Attorney General has special constitutional and statutory obligations to safeguard our Constitution and to safeguard the administration of justice, despite all of that, we have here before us a motion to end debate on this matter.

I don't know if people who have either a passing interest in this subject or a keen interest in this subject understand what is happening here. This is not a motion to hasten matters. This is not a motion to limit debate. This is a motion to kill debate. It's over after this. I don't know if the people involved in this issue across the province of Ontario—whether it be in Legal Aid Ontario, whether it be the bench, whether it be the bar, whether it be the academy—understand that it's over with this motion, which will pass today under the majority. It's over. The debate on this is over. Not only will there be no more debate on the bill after this; there will be no third reading debate; there will be no debate in committee.

The government purports to be providing amendments, we hear. We don't know what those amendments

are. He has provided some assurances through the media, though not in this Legislature, about those amendments, and we're not even going to get to look at them in committee. Why? Because we will have somewhere between zero and 30 minutes of committee hearings—if you want to call it a hearing—after which it is over; the amendments shall be deemed to be passed. Second and third reading shall be deemed to be passed. It will all be over. Depending on when the committee is meeting, it will be over by the end of this week—no debate, no hearing, nothing; no public hearings, God forbid, no public hearings whatsoever. No witnesses will be called. Even the critical amendments that I think speak to every aspect of legal assistance in the province of Ontario, we're not going to get to look at them, for zero to 30 minutes, because on a day when the Legislature ends at 3:30, as we had today—it was a little early—we would have 30 minutes in committee hearings. Some days it goes much later. Committee hearings can't begin any earlier than 3:30. The clerk is loath to call any witnesses before 4 o'clock under the circumstances. In this circumstance, we have to go through the amendments by 4 o'clock and they'll be deemed to be passed, with no scrutiny whatsoever.

This motion is an affront to democracy and to due process, considering particularly the rights at stake, the minister who is making this motion and the bill that's before us now. What rights at stake am I talking about? Well, don't take my word for it; I know government members wouldn't. Take the word of the former Chief Justice of Canada, the Right Honourable Antonio Lamer. Section 2(b) of the Constitution guarantees the right to counsel. The Supreme Court of Canada has addressed that issue and determined that in all likelihood that does not include the right to public funding of counsel. That said, section 7 of the Constitution has seen, potentially, a positive constitutional obligation on every province to ensure adequate funding for legal assistance. I'll get to that in a moment. The International Covenant on Civil and Political Rights, to which Canada is a party by article 11(d), provides a right to legal assistance without payment by the person charged, if he or she does not have sufficient means to pay for it.

American jurisprudence is along the same lines. In 1999, the Supreme Court of Canada delivered its judgment in a case called *New Brunswick v G(J)*. It involved an indigent parent who was having her child, in an application in the hearing, come up for wardship. It was a case in which the parent might lose custody of their child—pretty important rights at stake, I think everybody would agree. She was denied legal aid. She couldn't afford a lawyer. The court said that the security of the person was implicated by the proceeding to remove her children, therefore the principles of fundamental justice would be violated if she were not represented. Section 7 of the charter was breached. The court held that what happened in that case was not a reasonable limitation under section 1.

Chief Justice Lamer said something that I am sure woke up every Attorney General in the country, federal

and provincial. He said that although there is no obligation under section 10 to provide state-funded counsel, "that doesn't preclude an interpretation of the Constitution that imposes a positive constitutional obligation on governments to provide counsel in those cases when it is necessary to ensure a fair hearing."

So, obviously, one would think, post-1999 every single opportunity that arose in every single province across this country to amend legislation involving legal aid, involving legal assistance generally, would try to ensure that our system in Ontario is aligned with this fairly dramatic finding of the Supreme Court of Canada. So, are we debating whether or not the new legislation is aligned with the Charter of Rights and Freedoms? No, we're not. We're not doing that, because the debate is over after this afternoon.

**1550**

Are we having public hearings? Are we hearing from Legal Aid Ontario? Are we hearing from Professor John McCamus, who wrote the blueprint on the present system? Are we hearing from those in the legal clinics who might be affected by way of collateral damage or reward perhaps? Are we hearing from any of the parties involved in the dispute? Are we hearing from any of the elected representatives of the people involved in the profession itself; in other words, the regulatory body, the Law Society of Upper Canada? Are we hearing from any of the countless experts who have spoken to and studied this, some of whom were cited in support by the government during their debate? Are we hearing from any of those people?

Are we hearing from any of the people who are going to be affected by this? Are we hearing from the people who currently cannot afford counsel and are not being represented? Are we hearing from any of them? We're hearing from none of them, because there are no public hearings. This motion kills the debate. It's an affront to democracy but also to due process because this bill means we won't have the opportunity and ensure that in fact the present laws of Ontario and the potential laws of Ontario align with this finding of the Supreme Court of Canada in 1999.

The dean of constitutional experts in Canada, the person who has been cited by the Supreme Court of Canada on constitutional issues more than anybody else, who is right now also the dean of Osgoode Hall, Professor Peter Hogg, said in his tome on constitutional law in Canada, in assessing this particular finding of the Supreme Court of Canada, "Obviously, there is now a very broad basis for the judicial review on constitutional grounds of denials of legal aid, and every province will have to examine the design, funding and staffing of its provincial legal aid plan to see if it meets the new standard."

Are we doing that here today? No, we're not. We're not doing that. We are not debating this. We are not seeing if the design, funding and staffing of the Ontario legal aid plan meets the new standards set by the Supreme Court of Canada. We're not. This government

is asking for appeals and lawsuits out the yin-yang over this because the time isn't being taken to get it right.

We may disagree on the merits of this bill—we do. I do not support this bill. Dalton McGuinty and Ontario Liberals do not support the bill, because we see it as eroding the quality of legal assistance in Ontario. We see it as potentially costing the taxpayers more because the economics of a public defender plan are never satisfactory. We see it as violating the independence of the very statute this government passed in 1998. We see it as violating the Attorney General's ability to provide some independence not only to this Parliament but within our judicial system, because the same people, the appearance might be, might be providing both prosecutors and the defence counsel so that it would look like defence won't want to bite the hand that feeds it.

So we disagree on that, but I would have thought that this Attorney General would have wanted to make sure, while he totally disagrees with me in terms of my assessment of his bill, at the very least we're going to get this one right, we're going to get this bill right, so that we meet this new standard set by the Supreme Court of Canada, particularly when the powers that the Attorney General purports to be seeking in this bill are already there. It's as if he didn't read the legal aid bill that's on the books passed by his government. It's there in the books. You can do it. And if he disagrees with a particular decision of a particular judge, a particular interpretation of that bill, he's going to do what he does every day in the courts: he will appeal it expeditiously. He will put forward his case, and the courts will resolve the matter.

The Supreme Court of Canada in the case I cited before in New Brunswick directed that the province provide legal aid at a rate and in a manner exactly the same as is happening in the province of Ontario. This can't be a suggestion that some rogue counsel and rogue bench is engaging in some rogue activities. The Supreme Court of Canada did this. Surely they're not saying, "A pox on our entire system of justice."

I would say, before I share my time with my colleagues, that it is unbelievably important that those who think this bill is about providing a mixed model understand that it's not. We have a mixed model right now on the books. Legal Aid Ontario can employ a balanced mixed model right now. That's all I hear from the other side in terms of why we need this: we need to have a mixed model so that I guess legal assistance can be provided in a flexible manner. We have it. We have it now. Read the statute. The government knows it.

This is an opportunity, a political opportunity—I understand—for the government to create new powers for the cabinet to permit the cabinet to usurp Legal Aid Ontario. I know, through the media, the Attorney General has suggested that that will be tackled, but we in this Legislature will never have an opportunity to review that. We in this Legislature in committee or in debate will never have an opportunity to consider whether the amendment is a good one. If it's such a good amendment,



why wasn't it in the bill in the first place? If the Attorney General were infallible, then he wouldn't have to be bringing these amendments. But even he wouldn't suggest for a moment that he's infallible. Rather, he would say, "Well, we've listened to a few people and we're going to make some changes." Well, that's the democratic process. That's not about delaying a bill; that's about debating a bill. That's about hearings. That this bill would come forth without any public hearings, without hearing from anybody; that this bill would come forward on a guillotine motion is—I'm speechless. I've run out of clichés. I can't believe it's happening.

We won't get to debate or review amendments and to see whether or not the independence of Legal Aid Ontario is protected. We won't get to debate and review amendments to see if the quality of legal assistance is affected and whether or not it's going to end up being overturned by the courts down the line anyway. We won't get to debate or see whether or not the economics of this makes any sense, or whether or not in fact all we're doing is driving up the costs and driving down the service to Ontarians anyway.

I say again, this bill is a partisan trump card, and we will have to agree to disagree on that. But that we in fact are not going to get the opportunity to debate, to consider, to fix, to improve, to review this bill through continued debate; that we will be denied further debate in the Legislature; that we will be denied any public hearings; that we will be denied anything more than zero to 30 minutes of consideration of critically important amendments, is an affront to our democracy, is an affront to due process. We oppose this motion in that regard and with as much vigour as I can possibly convey.

**Mr Wayne Wettlaufer (Kitchener Centre):** It's hardly a surprise to hear the member from St Paul's say that they're going to oppose this bill, this motion. We are debating a motion that would allow this House to proceed quickly with the consideration of the Legal Aid Services Amendment Act, 2002.

Why do we want to proceed quickly? We've long heard the cliché that justice delayed is justice denied, but what about justice denied for the disadvantaged, for the poor? If we don't proceed with this bill, that's exactly what is happening across this province: justice is being denied because lawyers have taken job action across this province.

Imagine a profession in this province taking job action because they feel that the offer of a 5% increase to legal aid panel lawyers isn't sufficient, and because they feel that an offer of a 23% increase to duty counsel is not sufficient.

Let's put this in perspective. Lawyers have never been expected to devote all of their time to legal aid cases. It's never been considered that would be their sole occupation. However, if it were their sole occupation, and if they worked a 37.5-hour week, doing nothing but legal aid, using the offer that we have on the table of \$87.93 an hour for legal aid panel lawyers and \$70.35 an hour for duty counsel, that would mean that legal aid panel

lawyers would make \$171,463 per year and duty counsel would make \$137,182. That's only if they do legal aid full-time and do nothing other than legal aid.

**1600**

We know that legal aid lawyers in many communities have engaged in a series of disruptive tactics. We said to them, as another sop, that people up north are really having trouble finding legal aid lawyers. If you go up north, if you travel more than 200 kilometres up north, you will then get a 10% increase on that hourly wage and a guarantee of \$800 a day. Whoops, now we're saying that if a lawyer travels 200 kilometres a day one way to a northern community and he did that a couple days a week, now we're into the couple hundred-thousand dollar figure per year. Not bad.

It's a package that will cost the province \$21 million over three years, and some lawyers feel it's not enough. But we said to the lawyers that this would be the first step in an ongoing review of the province's legal aid system. We committed to working with Legal Aid Ontario and other lawyers' groups to try to find a long-term solution. The government also made clear that the pay increase was a first step. We made it clear that it would be a first step. The Attorney General said, "Attracting and retaining lawyers who perform legal aid work is critical to ensuring that Ontario's poorest citizens have access to the high-quality legal representation they deserve."

Yes, that's what it's all about. Why did some of these lawyers react so badly? Why did, for instance, one say, and this is in the Brockville Recorder and Times, "It was obviously a decision made without logic or common sense. It's tokenism in the worst sense of the word. I would have been less offended had he offered no increase rather than throwing us a few crumbs"? Is \$171,463 a year a few crumbs?

In the Kingston Whig-Standard it was quoted, "This is an insult rather than an offer. The Premier should be hanging his head in shame. This is disgusting." Is \$171,463 disgusting?

The Ottawa Citizen: "A spit in the face." Is \$171,463 a spit in the face? I'm sorry, I don't accept that. Too many legal aid lawyers have continued with work boycotts and other destructive tactics. They point to the disparity between the legal aid tariff and market rates for their services as justification for these actions. That's justification? How much do they make in private services when legal aid pays \$171,463?

**Ms Marilyn Mushinski (Scarborough Centre):** Just ask Mr Bryant.

**Mr Wettlaufer:** Yes. Mr Bryant, the member for St Paul's, wants to speak out of both sides of his mouth. He wants to say on one side that it's not enough; on another he wants to debate this forever so that the poorest people in the province who don't have any access to legal aid will continue to not have any access to legal aid.

The current legal aid system in the province is set up in such a way that the private bar has a near monopoly on the system. The disruptions compromise the integrity of the legal process. We cannot have that in this province.

These disruptions were part of a well-planned campaign by groups who claim to represent legal aid lawyers.

Speaker, I know you heard what the president of the Criminal Lawyers' Association told members of the association, but I wonder if you would give me a little leeway to say it again, and I quote:

"We understand that some members rely on legal aid certificates. As part of our efforts to maintain pressure and display our dissatisfaction with the lack of reform, we suggest the following options to indiscriminately accepting legal aid certificates.

"(1) Critically canvassing with clients whether or not a cash retainer is a realistic option.

"(2) Discussing with clients the possibility of a payment schedule.

"(3) If it is apparent that the client cannot in any manner afford counsel, bringing Fisher application where appropriate materials for such an application will be posted on the CLA Web site beginning in September.

"If you bring the Fisher application, you have to understand that if you are unsuccessful, you must be prepared to walk away from the case."

The fourth option: "Considering whether or not you should be taking legal aid certificates at all.

"Having seen the success of our work in August, we are now focusing our collective energies on the GTA revolving court boycotts beginning March 1. This strategy is expected to result in court backlogs, media attention and continuing pressure on the Ministry of the Attorney General while allowing counsel to continue to represent clients and meet expenses."

The last thing he says is, "The purpose of the strike is to shut down the courts on the weeks indicated in the calendar. It is vital that the strike days apply to all matters, legal aid or private."

This country is based on a sound justice system and that means every citizen, regardless of means, would have access to the legal system, to justice, and this is a denial of justice to those who are ill-prepared to afford it.

I'm sure the NDP will support us on this. I can't believe the Liberals want to take a position that is directly opposed to justice for the disadvantaged.

Legal aid lawyers who are participating in an ongoing work stoppage are not serving the interests of justice. They are not protecting the rights of those in need. That's what the legal aid system exists for. It's not for the benefit of lawyers. It's for the rights of those in need.

When preparing this speech, I noticed a very appropriate quote from Hugh MacMillan and it's from a speech he made early in the last century, entitled *The Ethics of Advocacy*, and he says,

"The practice of law is more than a mere trade of business, and ... those who engage in it are the guardians of ideals and traditions to which it is right that they should from time to time rededicate themselves anew."

I want to remind opposition members, who seem to stand shoulder to shoulder with lawyers who believe that shutting down our courts is a responsible course of action, that those in need are frequently the most

vulnerable people in our province, such as women and children.

You can't be all things to all people, as the Liberals seem to think. You have to take a stand. You can't take a stand on one side of an issue one day and another side of the issue another day. You can't be like the member from Timiskaming-Cochrane. During question period today, he took one position and it was found that he had taken a position directly opposite to that several times only months ago.

It is time we all dedicated ourselves anew to ensuring that the interests of justice continue to be served in this province and in this country. To that end, our government is proposing to amend the Legal Aid Services Act. We have been debating it and we want to move forward quickly. The rights of women, children and the accused to legal representation cannot wait.

**1610**

We've heard the member for St Paul's, who opposes the bill, saying that there is no need to pass this bill quickly because it already allows Legal Aid Ontario to make use of staff lawyers. Well, existing legislation does not allow that. A Superior Court judge disagreed with that only two weeks ago. How is it that the member for St Paul's seems to think he knows more than a Superior Court justice?

There are almost 200 people in Brockville who presently cannot find legal aid representation—in the city of Brockville, 200 people. That's not acceptable.

In an earlier debate on this bill, the member for St Paul's stated, "It is certainly incumbent on the Attorney General of Ontario to be aware of—and I'm sure he is; I know he is—the important rights that are at stake on this particular issue." He is aware and we are aware as members of the government. I hope the members opposite recognize what is at stake too. I hope they recognize it soon and give this bill the support it deserves.

The court decision illustrates to everyone in this House why it is so important for us to move forward quickly with our consideration of this bill. I urge everyone to support it. It is necessary if the less-advantaged people of this province are to achieve justice.

**The Deputy Speaker:** Before we go to our next speaker, I know that members of the House would want me to recognize the presence in the government members' gallery of the Honourable Herb Gray. Welcome, Mr Gray. We're pleased to have you here, sir. I might note that you're about the only thing that could draw Jim Bradley over to that section of the House, too.

**Hon Norman W. Sterling (Minister of Transportation):** On a point of order, Mr Speaker: The former Deputy Prime Minister is sitting on the government side because he has been on the government side so long in the House of Commons that he really couldn't pull himself to go over to the other side of the floor.

I do want to announce that we've just appointed Mr Gray to a board so that the Liberals can no longer complain about appointments to boards from our party.

*Interjection.*

**The Deputy Speaker:** Your mike is off anyway. You got your announcement in.

The floor is now open for further debate.

*Interjection.*

**The Deputy Speaker:** It's your turn. If you want to wait, we'll go to him. It's entirely up to yourselves.

**Mr Ernie Parsons (Prince Edward-Hastings):** I think I'm ready, Mr Speaker.

**The Deputy Speaker:** Very well. The member for Prince Edward-Hastings now has the floor.

**Mr Parsons:** There are really two aspects to this action today that concern me and that I think should concern all the people of Ontario.

First of all, this is yet another instance where debate is being limited. Now, when I came to this Legislature, and I'm in my first term—

**Mr John O'Toole (Durham):** That's one too many.

**Mr Parsons:** —I had certain expectations. Yes; serving with some of the members, it does feel like one too many. However, I understand that they have their weaknesses, and we just have to roll with that.

I believed, as I think the people of Ontario believed, that a government is going to restrict debate when there is something of great urgency and major importance that needs to immediately be put into effect. But we've seen this government limit debate on virtually every bill of substance. We can look at previous Premiers who did it for one or two bills in their entire term. Every bill now of any significance is put through by the government on time allocation, and when they do time allocation, it isn't Ernie Parsons's voice they are stilling, or Jim Bradley's or Caroline Di Cocco's. It is the people of Ontario who have come to us with their concerns. It is their voices being excluded from the debate.

No government possesses all wisdom. This government seems to believe that when they have put together a bill it is absolutely perfect. However, time and experience have shown me that we re-do and re-do bills, and we do a new bill to try to correct the last bill. Why not do it right the first time? There's an expression I like that says, "Never time to do it right, always time to do it over." The people of Ontario deserve input into something as significant as this bill, and yet once again I am saddened to see it limited. If it is a good bill it will withstand public scrutiny. Public consultations, if it's a good bill, would affirm the wisdom of it, but if it's not a good bill let's change it now.

The question that begs to be asked on this and all of the other bills is, what are you afraid of? Why are you afraid to have debate? Why are you afraid to have the public comment on a piece of legislation?

When we consider the price that has been paid for freedom, the price that has been paid by so many young people in the wars to ensure that we have democracy, and then to override what is in a very real sense almost a dictatorship—this is the solution, we know what's good for you and if it's not, well, it's too bad. So I'm saddened yet again. Whether a bill is good or bad, Dalton McGuinty and the Ontario Liberals will vote against it

because we believe bills should be subject to considerably more public scrutiny than this government is prepared to do.

The bill itself has again come into existence without consultation even prior to that with the group that is highly affected by it, and by "highly affected," I'm going to say the lawyers in Ontario who do legal aid work, though the group that is most affected are the clients and potential clients of these lawyers and of the justice system. Certainly recognize that one of the gravest injustices that we could ever do in this province or in this country is to lock someone up unfairly. There have been horrendous cases of people who have been convicted of offences and subsequently, not after a week or a month in jail but sometimes after years, 15 to 20 years in jail, we learn that in fact there had been a miscarriage of justice and they were not guilty. We're not on this earth very long. To have someone lose 15, 20 or 25 years of their life in a jail cell is unthinkable to me. We need justice. There need to be consequences for wrongdoings, but we need to have justice.

This government with this bill, like so many other of its bills, looks to the south for their examples of legislation to model. Yet programs such as 60 Minutes, which I find fascinating, share with us over and over how there has been a miscarriage of justice and how there is different justice for the well-to-do and for those who do not have money. In the US we see significant amounts of cases that have been subsequently overturned years later. We see the courts becoming justice mills that simply take people on a formula and put them through.

We need to learn from their lesson and say here in Ontario, as far as the performance of lawyers go who have been serving legal aid clients, it has been superb. That hasn't been the problem. The problem isn't that the justice system is not working. The problem is this government doesn't want to fairly fund the justice system. We see every bit of momentum from this government moving toward giving tax cuts to big, successful industry. I would suggest big, successful industry wants a fair justice system for them and their employees and for the province. It's ironic in many cases that big industry is a better corporate citizen than this government is toward the people in Ontario. We need a justice system that will be fair.

Certain things cost money. I don't know of anyone who has ever said to me that we want the cheapest police force that we can have, we want the cheapest fire department, we want the cheapest hospital system and we want the cheapest legal system. No, that isn't the pressure. In Ontario, our strength has been that we had a superb education system. This government is currently dismantling it and shifting toward the private sector. We had a superb health care system. We're seeing privatization taking place within the health care system, and yet the US health care system costs about twice as much per patient as ours. We're seeing efforts on every front from this government to privatize or produce the cheapest, where the goal should be the best.

1620

Much of the experience my wife and I have had in the justice system has been as foster parents. We're called upon from time to time to testify in court when there is a case where the children's aid believes that the children should not go back to their parents. It is absolutely vital that we have a justice system that works even for custody as opposed to a criminal matter.

In custody cases, we're dealing with children who have been removed from their parents. That is not a natural action. In the cases we've worked with, it's justified. But there is tremendous onus on the part of the government to prove it was justified, and I believe there is an equal onus upon the government to provide the best legal defence that it can to the parents. We have to have a justice system that ensures that whether you're a multi-millionaire or whether you're living on ODSP on \$708 a month—by the way, you should be ashamed that there are people living on \$708 a month—you are entitled to the same quality of legal defence as a multi-millionaire.

If we take this bill and we look at the US model, we see grossly overworked lawyers retained as public defenders whose object is to keep the justice system flowing. We know that if justice is denied, in fact it's not justice. We've had many instances in the last few years, even in this province, where judges have dismissed charges because the accused has not had an opportunity to have a trial and a court hearing in time. Very clearly, the system itself suffered from the situation that the government was not prepared to fund justice. It wasn't that they were going to deny it, but they wouldn't fund it.

Suddenly, as with so many other things, out of the blue comes this announcement. They've been meeting on a regular basis with lawyers to determine a fair compensation for it. I would even go so far as to say that in many respects they've misled the lawyers they are negotiating with, because as they were sitting at the table discussing, the government representatives already knew they were going to spring this surprise on them. If it is a good surprise, if it is a system that will work, then do some public hearings on it. Let people talk. Give them an opportunity to share with you, give the committee an opportunity to look at how this model has worked in other places.

It was once told to me that a definition of "stupidity" is doing the same thing over and over and expecting a different conclusion each time. The public defender system has not worked well in the US. There isn't a real need for you people to make your own mistakes, there really isn't. As an opposition member, I appreciate the number that you do make. Question period could be three hours to run through it, and we still wouldn't get to all the things you've done. As a government you have been absolutely wonderful for creating issues, but I wish you wouldn't do it. I wish you would say, "We're going to do it right the first time. We're going to recognize that we're not necessarily the experts on it, but there are experts."

I can recall a day when former Premier Harris was here—there weren't a lot of days, but I do remember

when he was here one day—and he made a comment, "I'm not interested in what teachers have to say about education." That astounded me, because I'm interested in what doctors have to say about medicine, I'm interested in what lawyers have to say about law, and I'm interested in what teachers have to say about education.

These are people who haven't just taken a job. Someone didn't become a lawyer by just saying, "I've got nothing to do today, I think I'll put a sign out front." Lawyers made a decision to commit their lives to a particular cause. I suspect there are very few lawyers who are simply in the business for money. Lawyers are in the business because they believe in the justice system and they believe in providing justice to each and every citizen in Ontario. The manner in which you're doing time allocation on this bill, the manner in which you suddenly announced it to the media without any consultation says to me that you're not interested in what they have to say, and I think that's a shame. It's a shame not just for the treatment of the lawyers, but the lawyers could without a doubt bring forward hundreds of examples of cases where the system has worked.

The people who have come into my office and into your offices over the last few years talking about legal aid haven't talked about bad lawyers. I've not had one talk to me about a bad lawyer. They've come and said they can't access a lawyer. They can't find a lawyer who will take the legal aid document to allow them to have a defence.

How can you sleep nights knowing that we have citizens of this province who have become victims of your justice system because they can't access a lawyer?

The numbers that you pay the lawyers have not changed in I forget how many years, but it's a significant number of years since you gave any increases to them. You've looked after your own staff very well. The last raise was in 1987. You've just given them a 5% raise. That's a 5% raise over 15 years, so that's about 0.3% a year. Inflation alone has gobbled that up. I would suggest that maybe you could look at lawyers and at people who are on the Ontario disability support program and say, "You know, the percentage raise that we did for the Premier's staff—

**Mr Rick Bartolucci (Sudbury):** That's not even worth a steak at Bigliardi's.

**Mr Parsons:** Yes, that's not even a steak. Just take a break from the steaks. Cancel one of your steak dinners one evening and take some of that money and devote it toward this.

It isn't that you people are opposed to spending money. You're opposed to spending money on those people who need it. It is a selfish—

**Ms Mushinski:** That is total rubbish.

**Mr Parsons:** That is not totally false. We have Ontario disability support people who live in this province on \$708 a month. If you think they get too much money, you take the \$930 a month and rent an apartment and live in Toronto.

This government does not want to spend money on most of the citizens of Ontario; they want to spend it on

those with high income, on their friends. I have no qualms whatsoever in saying that.

This is a deal to deny justice to many people in Ontario and to funnel the money somewhere else. There's no doubt in my mind that the money saved here will show up somewhere else.

**Mr Bartolucci:** It's a steak solution.

**Mr Parsons:** Yes, it is a steak solution. "Let them eat steak," was not an expression that you intended to apply to the vast majority of people in Ontario.

There are people in this province who are hungry. There are people in this province who do not have shelter. There are people in this province who truly hurt. When they become part of this justice system, you're saying, "What is the cheapest, lowest level of service we can provide to them?" You should not sleep nights if you think that there's one person in this province unfairly in prison because of your goal of trying to save some dollars in the justice system.

People have gone to war and there have been riots and rebellions in countries where the justice system was perceived as not working. You're down that slippery slope of saying, "We're not interested in justice for the poor." We've been concerned and have known for some time about a two-tier health care system. Now we're talking about two-tier legal defence.

If your system is good, if your system will work, why are you ashamed to deal with the public with it? Why did you feel it necessary to slip it in? Why did you not spend some time and talk to the lawyers involved in this and say, "Give us some advice"? Why did you not look to the US and say, "What are you doing down there and how does it work?" Because you didn't want the answer. You had already decided what you were going to spend, and you needed a system to do it.

The object is to get a justice system, not to get the cheapest thing. Once again, the poor people in Ontario are not being served by your government. I have to say that you don't care, and you should care if anyone whatsoever is at risk.

The penalties you put into place in your form of justice are horrendous. If someone cheats on welfare—and we do not condone that—they're penalized for the rest of their life because they took money that wasn't theirs. On the other side, if you used public money that you weren't supposed to use, well, pay it back. If I see a citizen in my community who robs—and wrongfully so—a bank, can they simply stop and give it back?

**Ms Mushinski:** Just like Greg Sorbara.

**Mr Parsons:** Don't give me any moral high tones. You have used the poor as a whipping object in this province since you were elected, because it takes the heat and attention off what you were doing yourselves.

I urge the government to take this bill, do public consultations all across Ontario and allow the people in Ontario to comment on it, allow some of the experts to comment on it. To ram it through this House is wrong.

*Interjections.*

**The Deputy Speaker:** If we could get just a little more order before we move on, that would be most helpful.

1630

**Mr O'Toole:** It's my pleasure to speak on this time allocation motion and on Bill 181 which, by the way, was introduced on September 30 by our Attorney General, the Honourable David Young.

Now, the Liberals on the other side have been talking about this very difficult bill on which they want to comment broadly. I want to put on the record some of the history and the motive in terms of what the Attorney General attempts to achieve here.

There has been debate on this for many years. In fact, I am looking back at the Hansard, the official debate on this bill. We've had a number of hours. This time allocation motion is to bring some conclusion to this important debate. All members have stood in their place on each side of the House to try to bring some semblance of order to it, but in the debate exchanged on Tuesday, the 15th, about a week ago, Mr Kormos, the critic for the NDP—who, I might add, is a lawyer and probably has his own interest in making sure that we put more money in the coffers here. In the process of the debate on Bill 181 at the time—I'm going to put on the record some of the comments that were made by the Attorney General, but also, more importantly, by the speaker at the time. I'm quoting from page 2096 in the Hansard of that date, and this was Mr Kormos speaking, the NDP member. He said:

"Let's understand one thing very clearly: the lawyers have now laid down the olive branch. This morning's news reported ... Mr Steinberg, the president of the Criminal Lawyers' Association, calling upon ... members"—now this is most important, for the few members who are still here to participate—"to discontinue any purported boycott of legal aid certificates." In other words, it's clearly on the record by Mr Kormos that there was a boycott of taking legal aid certificates. That boycott was part of a kind of work-to-rule situation in the province. It was justice being denied to those very vulnerable people who each of us would like to see have access to the justice system.

This is Mr Young's response. I think it is a very good commentary. It's worth putting back into the record and it saves me writing another speech, because I have spoken on this. I'm reading Mr Young's response to Mr Kormos on page 2096. This is the Honourable David Young, Attorney General and minister responsible for native affairs: "I certainly appreciate having an opportunity to respond to the member who spoke immediately prior. The only difficulty I have is that I have but two minutes to respond to what was an hour of some rather interesting comments—some might call it ranting." Well that's possibly true.

"The difficulty I have at the outset is that the last speech came from a member of the New Democratic Party who has been a member of this Legislative Assembly for some considerable time and indeed was a member

of the government from 1990 to 1995....” We refer to it as the lost decade, although that’s half a decade. The other half was occupied by the Liberals.

“The difficulty I have in understanding his position, and that I’m sure the members opposite in the Liberal ranks and those who are Conservatives and indeed the many New Democrats who choose to be here this evening have, is that when the New Democrats were in office, they chose not to increase the tariff,” not one cent. That’s five years with no action. They had plenty of time. The issue, of course was being debated from 1985 to 1995 and continues today. When they want to go for public hearings, that’s all about delaying debate; that’s all about delaying legislation. They are crying wolf on the other side and I call that pure chicanery.

“Indeed,” he says, the NDP “applied the social contract, which for all practical purposes clawed back 5% from those lawyers doing work for individuals across the province who couldn’t otherwise afford lawyers.”

So the debate has been long and arduous, I might say. So I am puzzled, as I heard him go on about how more money was the answer. I know the Liberals said the same thing when they spoke: more money for defence counsels. Over and over again, tax and spend. Clearly, when you hear the Liberals, whether it’s the member from Prince Edward-Hastings or any of the members of the Liberal side, they are back to their same moniker: they are going to solve every problem by spending money. The only way they get that money is—and the people viewing understand this—they have to tax. That’s the part of the message they don’t communicate. But the people have to learn, and history is a great teacher, that the Liberals moniker—always remember this, and you see it in Ottawa all the time, where they are spending it on golf courses and a lot of things perhaps that don’t belong—is they tax and spend. Shawinigate is probably a case in point.

So I put this on the record. It’s an important response by the Attorney General, who’s accounted for the Liberals and NDP in the last decade—the lost decade, actually: there was not one cent of increase to the tariffs.

This rather onerous bill, and I’m going to show—it’s a good pictogram here. By the way, it’s bilingual, so it’s really half a page. I mean, I can read it; in fact, I probably will. I have time here to do it. In the purpose clause here, it says, “Contracting out is added to the range of methods by which Legal Aid Ontario is authorized to provide legal aid services”—so the ability to engage more lawyers who want the work as public defenders and to have full-time staff.

The whole point is, this is not new; this is not rocket science. Our Attorney General has looked at best practices—

*Interjection.*

**Mr O’Toole:** If people want a copy, I could fax it to you, because it’s really quite small. All it’s doing is amending Legal Aid Ontario, authorized under clause 14(1)(a.1). I could probably read that too, but I don’t have the original bill with me.

Access to justice is what this is about. Justice delayed is justice denied. We’ve all heard that. The provincial government has the responsibility to provide high-quality legal aid advice is available to people in need. We’re talking about people who have to have representation. Despite the lack of tariff increases by the previous government that I’ve mentioned before, we have increased the tariff. It’s my understanding that we are the highest in Canada; \$88 is my understanding. We could do the numbers. I gather if you work, 2080 hours—40 hours a week for 52 weeks is 2,080 hours, roughly. You do the numbers. They make more than the Attorney General, who makes about \$110,000, all taxable, of course. There’s no tax exemption, as the federal government has.

**Mr James J. Bradley (St Catharines):** And the municipalities.

**Mr O’Toole:** And the municipalities as well. They have one third tax-free, which never really gets accounted for.

Mr Speaker, as you are no doubt aware, during the speech made by the member from Nipissing, “... under a staff system, a legal aid plan directly employs lawyers to provide legal aid services. Newfoundland and Labrador, Prince Edward Island, Nova Scotia and Saskatchewan have adopted this approach....”

“In staff systems, the private bar may still be used when circumstances warrant—for example, if there are conflicts of interest or staff lawyers are simply unavailable....”

The point here is that there are other jurisdictions that use this system. It’s tried and true. It doesn’t deny people access to the judiciary, as is happening, as I recounted here, in the boycott. So in this time allocation motion, in the very little time that I have left—other members perhaps want to get on the record; I know the member from Bramalea-Gore-Malton-Springdale offered his opinions today, and I did listen to some extent with these.

“Legal aid provides for a range of civil and criminal cases, including criminal charges involving an indictable offence, family cases, youth protection, young offenders and income security matters. Staff lawyers provide duty counsel representation at all criminal, administrative and family court locations across the province....”

“Only summary legal assistance is provided through duty counsel representation.... If the Legal Aid Services Amendment Act is passed”—we hope it will be—“Legal Aid Ontario would be taking advantage of the” strengths offered by “both staff and fee-for-service lawyers to provide effective” and timely “legal aid services” when and where we need it.

**1640**

I want to stop for a moment there and think of the \$88 an hour, and I think of the people they’re serving. If they knew that it wasn’t free, that they’re actually being paid—whether it’s enough is a debate that can and will and should be had—they’d be surprised that they were getting that much. In fact, if you went out to the public and asked, “Should lawyers be paid more?”—I’ve heard

many jokes about how many lawyers are at the bottom of the ocean or whatever. But I'm not trying to bad-mouth lawyers. They're not held in very high regard. I withdraw that, and to justify and legitimize that I'm not somehow—my oldest boy, Erin, whom I'm very proud of and I've spoken of here in the House many times—actually most speeches—is in his final year at law school at Dalhousie. He's actually finished and he's going to be articling with a very prestigious firm here in Toronto. I know that most lawyers, as professionals—and I would say “all” without too broad a generalization—are committed to representing the concerns and priorities of their clients. That is not a question.

As a profession regulated by the law society, in the public's mind they are still viewed somewhat suspiciously as being, as some would say, adequately financed. Whether or not a legal aid lawyer, someone doing this duty counsel work, should be paid the same as some corporate lawyer—they can enter the marketplace. They still have that right, to do mixed business. Then there's the argument whether or not they should be doing more pro bono work. I believe many large firms—and it's significant. We see the big names taking on these hard-to-solve cases many times and often it's pro bono work.

I know our Attorney General has tried to work with the profession, the Criminal Lawyers' Association and others, to find the right balance. What we're trying to find here is access to justice. We don't need boycotts by people where this is not their only source of income. If they're in a group practice, some of the overhead—costs of staff, receptionists—is often borne by the other partners in the firm who are doing fee-for-service work.

When I look at the broader issues before this government, the funding review of education, the onerous demands on Minister Clement for increased drugs and other things in health care, our priorities are clearly on the side of the people. Health care is number one, and close beside it, if you will, would be education, and beside that is a clean, sustainable environment—not to speak of, in the very limited time, the whole challenge of having market-priced energy.

On a list of one to 10, the Liberals and the NDP clearly want to spend more time—in fact, wasting taxpayers' money—talking on an issue that's been talked about for 15 years. What's different about our Attorney General? He's actually doing something about it. That will not preclude access to legal aid certificates, but the public defender's role will assure the people of Ontario that they have access to justice.

In conclusion, any disparaging remarks I may have said about lawyers—I withdraw them all. I've never had occasion to really use one. I know the Honourable Norm Sterling, Minister of Transportation, is here. He's not only a lawyer; he's an engineer. He can actually invent the problem and then solve it, possibly. But he's here now as a legislator. I know his heart is in his work and he puts people first.

The members on this side want to get on and have access to justice. I encourage the opposition to drop their

filibustering, support this bill today, and let's pass it and move on.

**Mr Bradley:** The people of Ontario should know that whenever there's a debate which is not a snappy one-two-three debate in this Legislature, members of the government are given notes from the north wing—the luxurious new north wing, by the way, where the Conservative research is located—to read into the record about how somehow any kind of significant debate on a piece of legislation is being disruptive.

This is a government that doesn't sit half the year. This is a government that, when it does sit, wants to sit day and night, and then the government complains and starts ramming through time allocation motions. Part of the argument on all of these time allocation motions revolves around the issue of, shall we say, democracy, if we look at it in the large context.

I want to note as well that I always wonder what the impact will be of something like this on the fundraisers the Conservatives hold, because when you look down the list of contributors to Conservative parties over the years, you can see a large number of members of the legal profession have donated to the Conservative Party. At first I thought this was a very unwise thing to be doing, to provoke them this way, but a wise sage said to me, “You have to realize that perhaps that is the opposite in some circumstances”—

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** That's redundant.

**Mr Bradley:** Yes, that's a little emphasis, I'll say that to the member—that in fact, of course, this can bring more lawyers to the Tory fundraisers. I never thought of that, but it always helps to have a wise sage in the House, and that's for emphasis when I say that a wise sage points those things out.

Yes, instead of a time allocation motion, I'd like to be talking about significant issues to all of us in the House, whether it's you in Hamilton, myself in St Catharines and Niagara, or members from anywhere in the province.

We have, as so many areas of the province have now, for instance, an acute doctor shortage. Every time a doctor retires and there are hundreds or perhaps thousands of people who go out into the market looking for a doctor, they find out that there are not signs around their city saying, “Please come to my office; I'm prepared to take on new patients.” So it is an absolute crisis for many people. It's bad enough for people who have resided in a community for a large number of years. They have a lot of friends and neighbours and relatives and so on whom they can ask, “Do you have a doctor? Do you think your doctor might take on another patient?” It's particularly difficult for new people coming to a community or people who don't have a wide social circle to go out and try to find a doctor. It's just a critical situation for family physicians or general practitioners in St Catharines and in Niagara, and other specialties as well. So I would have thought if we had a piece of legislation before us today to discuss on that matter, it would have been much superior to dealing with a time allocation motion.

If we were dealing with the Kyoto accord, for instance, and the provisions that are going to be required—and one of the members who was speaking today is up from time to time in the House talking about the Kyoto accord. I often have to look over to see if it's Ralph Klein speaking, but it is not; it is my friend Raminder Gill who is speaking instead. But they'll get a chance to see Ralph a little later on in the week standing side by side with our Premier, I hope, not getting his marching orders on the issue of climate change and air quality.

We could be talking about the new rules for Visudyne. Those of us in the opposition who fought to have Visudyne covered finally, at long last, as a treatment for macular degeneration now find that the rules are being written very narrowly to exclude a number of people and to again force people to go into their pockets.

**Mr Bartolucci:** Highway 69.

**Mr Bradley:** The member for Sudbury mentions Highway 69. If you have travelled up north, Mr Speaker, you know what a very dangerous highway that is in terms of passing lanes, which are very few, in terms of the construction of the highway and the needs there.

We could be talking about the Ontario disability support program, where so many people are struggling to get through the bureaucratic maze simply to be covered by the ODSP. It's a lot easier to get money, apparently, if you're a professional sports franchise. You can get \$10 million with a snap of the fingers and have half the cabinet say, "I didn't know anything about it," and the other half say, "The devil made us do it," or it was Mike Harris or somebody else. But people who are trying to secure a basic living through ODSP have to fight for months upon months and marshal as much evidence as possible. We could talk about that.

We could talk about the Niagara Grape and Wine Festival. You'll see my tie today, because the Ontario Grape Growers' Marketing Board is here at the Legislature with some of their product. I have a grape tie on. I have a great attachment to the term "Niagara Grape and Wine Festival." We have somewhat of a controversy going on in the Niagara region over whether it should be called the Niagara wine festival, which I understand has prevailed. Nevertheless, I do mention that's an important thing, the support for grape growers, to ensure that we can have an agricultural preserve in the Niagara Peninsula that preserves farmers, not simply the land but the farmers, because those two go hand in hand.

I would like to be talking about the huge increases that you're getting calls about at your office, and I am, in electricity costs in this province going through the roof. I've never seen the number of calls that I've received in this particular regard, or people calling about the increase in natural gas costs to them. Insurance rates are going up, water rates are going up; in other words, very basic needs that they have to meet out of their daily paycheque, if they have one, especially if it's modest or a fixed type of income. Those are the kinds of issues they wish we could talk about, instead of time allocation motions or motions which are here to close off the debate.

We could be talking about what we have petitioned in this House on many occasions; that is, senior citizens and the vastly increased costs of accommodation for the most frail and elderly senior citizens in our province, in our nursing homes, and the lack of adequate care available because of inadequate funding from this government while they have \$10 million for each of the sports teams which are professional in nature.

There are a number of issues, in other words, which we could be canvassing at this time instead of a time allocation motion.

**1650**

The bill itself is a controversial bill. What's quite frightening to watch, although not surprising, is the government attempting to demonize a particular profession, in this case the lawyers. Are they among the most popular people in the world when you talk to the general public? Probably not. They perform an essential role in society. But to listen to governments get up here and take runs at them gleefully, they obviously have politically calculated, "Here's another group we can put the boots to and get some votes by putting the boots to them." This is a complicated issue in this bill. I don't deny that. Seldom are there bills that don't have some level of complication. But I look at the bill and I'm extremely concerned that we're liable to create a two-tier system of justice in the province. I hope that doesn't happen.

I thought there could have been a better exploration by the Attorney General of a solution to what is called the certificate program. This should have been foremost as a policy goal before anything else happened. I don't want to see a plea bargain factory being set up there, where low-income people are represented by poorly prepared lawyers with huge caseloads. We know that in many jurisdictions in the United States, rich people never go to the gallows because they have the lawyers to ensure that they don't, where there is a very large number of people who are low-income, without means, who end up having to be on death row.

One of the notes I have here that I thought was particularly significant emerging from all of this said, "Most importantly, the government's legislation is dangerously limited on detail." We're often concerned about that. There is no mention of funding, of how many lawyers they would consider hiring or how they would determine if that number is the right one, at what salary they would be hired, of whether this would be a less expensive method than paying a higher tariff rate, and whether or not this would be an improved way to provide access to justice for low-income Ontarians in need of legal representation. I think these issues have to be canvassed.

At the end, the government will prevail. But with the appropriate modifications to this legislation and putting aside the lawyer-bashing rhetoric that we've heard in this House, I think we'd do far more than we would with the legislation as it is now. I'll leave my remarks at that, because I think there is an opportunity for a peaceful resolution of this, one which will help the public who require services in the legal department.



**Mr Michael Prue (Beaches-East York):** I had delayed on purpose starting my speech until now. I was hoping my colleague Mr Bisson would arrive. He did want to split the time with me. Unfortunately, he has not arrived, so I'm going to deliver two speeches, and I know for the edification of all those members opposite.

*Interjection.*

**Mr Prue:** I'm going to try. I'm going to hang tough.

We have here a very small bill in terms of the number of pages—two—and in terms of the number of words—a couple of hundred—that has been translated into French. It is a bill that members opposite would purport to say has maybe small ramifications, does not need public debate, and in fact should just be simply and merrily allowed to proceed through without having much public input or much input, really, from the legal profession.

I beg to differ, with the greatest of respect. I am old enough to remember a time in this province when there was no legal aid. I am old enough to remember when people who were poor did not have an opportunity to have a lawyer to defend them in a variety of criminal and civil jurisdictions. I am old enough to remember when those people went to jail, and I'm old enough to remember that a great many of the people who were tried and convicted who did not have representation, or proper representation, which legal aid provided to them, came from immigrant groups, came from our native population, came from places like Regent Park and Jane-Finch. All this has happened in my lifetime. All of the changes that took place by a then Tory government to beef up and to allow for legal aid so people could be properly represented happened only some 30 or 40 years ago. It is not a long time ago in the history of this province or of this country that such a system was put in place.

It was a good system because it allowed people of modest income, of modest means, of modest education and modest abilities to have an opportunity to defend themselves when they were required to go to court. A great many people find going to court to be a very unsettling experience. I would say that many people in the general public who have been called to jury duty for the first time are afraid of the fact that they are going to have to sit there on a jury, sometimes for days or weeks, and make a decision on another individual. They are simply unprepared for the duty that is required of citizens.

I would invite you to think of people who are called for the first time to give evidence in court, when their memory may not be as good as it should be to give that evidence, sometimes six months or a year or two years after the alleged event. They come to court and a good lawyer will be able to run mincemeat around them because they're not sure of how to act or what to say. All of this happens with ordinary citizens and it happens, too, with the accused. It happens to people who are being sued; it happens to people with family or immigration problems. They require the expertise of a person who has been properly trained in law, and they require the best person they can possibly get.

We also see that people in days gone by would spend money to defend themselves, sometimes to the point of bankruptcy, sometimes to the point of trying to clear their name when they lost their homes, when they lost their businesses, when they lost everything that was near and dear to them. We saw that happen because there was no system by which people, once involved in the criminal or civil process, could avail themselves of someone who was legally trained without going into hock to do it.

All of that happened in a system of Tory Ontario, which I thought in those days was a really remarkable step. It was a step to allow ordinary people to have an opportunity to be equal to or on a par with others in court. You could have someone who would advocate on your behalf, who knew what the law said, who knew properly how to say it.

Legal aid was one of the great equalizers of this province. It was on a similar par to education. It was on a similar par to medicare and to other great strides that were made in this country and in this province in the 1950s, the 1960s and the 1970s. It was a great equalizer, because for the first time those who were of modest income would have an opportunity to have equality before the law with those who had a lot more money. It would also provide for those people who had limited or no incomes, limited or no assets, an opportunity to properly defend themselves when they needed that defence.

Legal aid gave an opportunity for the first time for a person to have a good lawyer of their choice. Remember, this isn't just somebody who is a public defender who was given to you at the last minute. This was an opportunity for an individual to go out and canvass the law society, open up a telephone book and make the phone calls to find a lawyer who specialized in the type of law and in the type of case in which they were involved. It is no good sometimes to go to a generalist; I have to tell everyone that. If the generalist be a generalist as a doctor, you may need a surgeon; you may need an ear, nose and throat specialist. Many, many people specialize.

**1700**

This is an opportunity for an ordinary citizen to get a good lawyer of their choice who specializes in a particular branch of law which is important to them and upon which they are going to be tried or upon which they are going to give evidence. It is an opportunity for them to present the very best case possible. It is an opportunity to tell their side of the story so that no stone is unturned.

Many people, although they may believe that they are innocent or that their actions were justified, do not know how to express all the nuances of the Criminal Code, the Immigration Act, the welfare legislation or any of the hundreds of acts and statutes of Canada and the province of Ontario for which a lawyer could quite easily open the book and understand the nuances and lacunas in the law, understand the jurisdictions of the court, understand the time frames by which actions might be done. That is why people have to have the opportunity to present their best case. They have to have the opportunity to have a lawyer

who is dedicated to their case and who is not harried with 100 other cases that a public defender might have on any given day in the courts.

For the members opposite who are trying to say that this bill need not go to committee for more than one day, I invite you on any given day to go down to old city hall in Toronto, to what is called the people's court, where people come and a public defender is there to advise the people of their rights, whether to get a certificate, whether to plead guilty, and you will see that the docket is long. The docket grows every day. There are literally scores, if not hundreds, of people who come to the public defender looking for advice. The most time that public defender will have on any given day, should a matter go to trial, is a few minutes. They may hold them down and deal with them in the afternoon, and I grant that, so they can have a chance to talk to them for half an hour before the case actually proceeds. But I want to tell you that a public defender cannot do justice the way a legal aid lawyer who is properly trained can, who has been paid the adequate amount of money, who has sat down with the client sometimes for a day, sometimes for a week in a particularly contentious or horrendous case, to go through the facts and do the research that is necessary to do a proper case.

The members opposite talked about lawyers and how much money they're going to make on legal aid, but I never once heard them talk about the expenses that lawyers have in conducting a case. Yes, it's true that at \$88 an hour for 37 hours a week, a lawyer might make \$150,000 or whatever number was bandied about. But almost every lawyer requires an office, unless he works out of his or her home. You cannot have an office in any major city that does not cost you \$1,000 or more a month. You cannot have an office in which there is no electricity, no telephone, no fax machine, no computers; all of those things are generally paid.

**Mr Wettlaufer:** I can't believe you're opposing this.

**Mr Prue:** I'm not opposing anything. Listen me out. When I've finished the whole 50 minutes, I expect you will stand in your seat and applaud me. I am just reminding the members opposite that to say they make \$150,000, or will make it given this, is not correct.

Lawyers will have to pay their staffs. Almost every law office, considering even the smallest law office, has at least one and sometimes two assistants who must be paid from this money as well. The actual amount of money that a lawyer would take home after the office expenses, the cost of the office itself, the electricity, the fax machines, the money they have to pay into the bar for their membership each and every year, travel expenses and their staff expenses certainly, absolutely, will not be \$150,000; they would be lucky to see half of that. That's still not a bad salary. I would concede to you that still is not a bad salary.

The fact of the matter, and others have alluded to it as well, is that lawyers have not had a raise in some 15 years. They are being expected to take a 5% raise; and I agree with the members opposite that this may be a good

first step. But this is a massive change that you are asking a society which is as old as St Thomas More, the Law Society of England—it is an old and dedicated society which has, over many, many years, produced people of tremendous stature in this province. The stature that they have had, the stature they have given to all of us, what they have tried to do in building this Ontario, should not be lightly taken in vain and should obviously not be the butt of jokes. They need to have input. What is being suggested is a massive change. I would suggest that there should be a similarly massive input. It is not good enough—and this is why I am standing up here today—to say that you are going to change a system which has worked for centuries, a system that has been legal-aid-funded for probably close to 40 years. You cannot change the system overnight, and all of the tens of thousands of people who are employed in that system, without consultation. A one-day consultation with the affected groups, quite simply, is not sufficient. There are many groups that will need to be consulted, and I do not believe that all of them in the breadth and length of this province can be accommodated in one day.

As I listened to what is called the guillotine debate and heard the reference to Madame Lafarge, I was reminded that she did not pull the guillotine; she simply knitted as she watched the heads being lopped off. I don't know if the member opposite was trying to say that he will simply sit there and knit while the heads are being lopped off by someone else. Quite frankly, at 4 o'clock on the day of the committee meeting those heads will be lopped off, whether someone is knitting, watching or in another room, because what will happen at 4 o'clock is that all of the amendments and all of those things that are suggested that day will in all likelihood be defeated, and therefore the one day of committee hearings for people to travel from the length and breadth of this province to attend here today will, in all likelihood, be for naught.

If this bill is passed in its present condition, is Ontario going to end? I doubt it. But is it going to be better for having passed this bill? I also doubt in the same vein. What is going to happen is, in all likelihood, there will become a system which in the legal circles is known as dump trucking—that is, that people will be invited, when they go into court with a harried public defender with enormous amounts of things that have to be done on any given day, to try to strike a plea; that is plea bargaining. They will be asked quite simply to plead guilty with an explanation, get a reduced sentence, a reduced fine and go out the door. They will not be entitled to the full public hearing of their transgression, or alleged transgression, or the circumstances surrounding it, that only a trial can give.

We pride ourselves in this country on many things. Democracy, this Legislature, is one of the things of pride that people come to watch, but another equally important thing is our judiciary. From time to time it may make mistakes, but the judiciary is one of those wonderful things in this country that all Canadians are proud of. We are proud that we can have our day in court, that an

independent arbiter will listen to us, that we can make our case, that we can be properly represented and that justice can be seen and justice can be done. To take away even a small portion to allow for continuing plea bargains when a person obviously may have to take that as opposed to a full explanation and a finding of not guilty is to demean the cause itself; it is to demean us all as Canadians.

There is a second problem, and that is the control of the allocation of resources. Legal Aid Ontario has told members of this Legislature that they believe this is an attempt to stop them from doing community organizing around a number of legal and legal aid issues, community organizing about such things as tenants' rights in a place like Toronto, community organizing in some of the native communities around harassment, community organizing, as we have seen here in the last day or two in Toronto, about racial profiling. These Legal Aid Ontario clinics, these people who work in the communities are very worried about that government hammer that might be used. They ordinarily, I suppose, probably wouldn't be worried, because lawyers have not had a great deal to be worried about in this province for 40 years, but others have seen what has happened in this last number of years. First it was the teachers, then it was the doctors, then it was the unions, then it was the nurses, then it was the professors and then it was the municipalities. Pardon me, but I believe that many of them think their turn is about to come and, pardon me, I understand why they may be nervous.

**1710**

You also see that the money for contracting out—a third point—comes from the existing Legal Aid Ontario budget. That is contained within this bill. It means that Legal Aid Ontario, which gives the money right now to the existing lawyers who take the legal aid monies—those monies will be taken from that and given to a third group. There is not sufficient money, with the greatest of respect, to handle the hundreds of cases the members opposite spoke about, and therefore there is some very real concern that members want to come in and talk about as to the apportioning of those monies and whether there is sufficient to handle the hundreds and hundreds of cases that are out there waiting.

The fourth thing that potentially is wrong and should be explored, and lawyers and people in the community who are much better trained at this than me would like to come and talk about, is that the poor will be unable to access specialists, or perhaps anyone, to represent them. As I said and alluded to earlier, law has become increasingly specialized in this province, just as everything else has. You know, a decade ago one would not have thought that all of us would have had computers in our homes. A decade ago we would not have known about the wonders of modern medicine and all the new medicine and the drugs and the procedures that are taking place in Ontario now and that constantly must be assessed by the government to see which ones are added or subtracted from the list. Law is no exception.

The law, as we understand it, based on common law, goes back centuries, right back to the Magna Carta, even before that, in England. It's not a codified law like Napoleonic law. It is a law that doesn't have codices or an index. It is a law that is developed on court cases. Every court case potentially could develop new procedures and new regulations for the judge to follow or new precedents that have to be taken into account. Quite frankly, the computer has helped enormously in this for many lawyers, but the real fact of the matter is that there are hundreds if not thousands of legal cases that go reported and unreported every day in this province. There are literally tens of thousands in this country, and there are probably hundreds of thousands or maybe millions worldwide in those systems that follow British law. All of those things would require people to become specialized. In fact, that is why many lawyers become specialized, some going into industrial disputes, some going into medical, some going into immigration law, some going into family law or youth defence. It is important that we recognize those specialties, and it is important that we be willing to pay for those specialties over and above a generalist when somebody is in need of those lawyers.

The fifth and last reason that I think we have to be mindful that this bill contains or potentially contains flaws that people will want to come to speak about is that the expediency factor will go up. It will be expeditious to contract out and give some lawyers who are not part of the system some extra money or bring in a public defender. The costs in fact may go down; I'm not saying they won't. They may go down, because in places where they've done this—and I'll get to this later—in some places they've gone up and in some they've gone down. But what is absolutely for sure is that the number of cases that are concluded will go up. The number of cases where justice is done may in fact go down, because ordinary people who have not properly retained counsel, who do not have someone to advocate on their behalf, who have a lawyer who is harried—a lawyer who is trying to make as much money as they quickly can, given the hundreds of cases that have been assigned to them, will not be properly prepared, and the people who end up doing these cases will too often be those who have been called to the bar but recently and too often be those who have not specialized in particular portions of the law and who have to represent a broad range of interests, particularly in small towns.

You may get a real estate lawyer fighting an immigration case; you may get someone who has prepared youth defences in the past to deal with family law. They simply do not understand the law the way that they should, and the people who are forced to go to them, not having the option of going out to find their own specialist or to find who is best for their case and with whom they feel the most comfortable, will ultimately be those that lose out.

I'm not surprised that the lawyers have started to fight back. I heard some of the members opposite say how horrible it was that the lawyers are fighting back. I think

if you push anyone to the wall you'll see that they do fight back. We've seen students fight back, we've seen teachers, doctors, politicians and municipalities fight back. Sometimes they win and sometimes they don't. It is a natural human reaction, when you see something that you disagree with, to fight back. When you think it is going to affect your livelihood or your way of life or your core belief, you will fight back. It is no surprise that the lawyers of the province of Ontario are fighting back on this bill. In fact, most of them are fighting back not because of what the bill contains, but by the fact that they do not believe they are being listened to.

In my office we have received some eight or 10 faxes from lawyers who live in Beaches-East York. They all basically say the same thing: what they want is an opportunity to have full public hearings. They don't want the bill to be defeated. In fact, some think the bill may not be bad, but it is going to affect their livelihood and the way justice is done in this province, and they believe that a week or two weeks of hearings is not untoward. Quite frankly, I happen to believe that they are correct. If it takes a week or two weeks of public hearings in this city and across this province to hammer out all of the things that are right with this bill and all of the things that are wrong with this bill, then surely the bill will be a better bill. How can any bill that is rammed through over the objections of those people on whom it is going to have the greatest effect be right for the people of Ontario? How can it possibly be right for the citizens who are going to have to rely on public defenders? It simply is not going to happen.

Two of those groups have written articulately in a few sentences what this government ought to hear. This government ought to hold a week or two weeks of public hearings in this Legislature and on the road in Ontario. I would be satisfied with a week but I think two might be better. Go to places like northern Ontario with great driving distances to find out whether or not driving 200 kilometres and the amount of money that is given for that day is adequate or sufficient. Go to places which have high native populations to see whether the native community is going to be properly represented using these new parameters, and whether lawyers are going to be available to them. Go to large cities, go to small towns, hear from the length and breadth of this province, from the legal profession, from paralegals, from others and, most importantly, from the public who oftentimes rely upon these services to make sure that this bill does exactly what it is supposed to do, and that is to improve legal aid and improve public defence for everyone in this province—not just for some, but for everyone in this province.

I would like to quote from a couple of people who have written to us. The first is from the Association of Community Legal Aid Clinics of Ontario: "Even if the government did not use its regulatory power, its mere existence would have a chilling effect on Legal Aid Ontario decisions."

Jacque Chic, the director of the Income Maintenance Clinic, writes that "it's not that private bar lawyers

provide better service... but that the government is seeking to control the allocation of resources of an independent body, Legal Aid Ontario. I think it's akin to what they're doing with local school boards. And I can tell you from a clinic perspective, we're very nervous that the government might use this as an opportunity to curtail our role and in particular, the community organizing portion of what we do."

**1720**

A second stakeholder group, the Ontario Bar Association, calls the legislation "a political decision taken by a government trying to deflect criticism of a crisis that they are unable or unwilling to resolve." It goes on, accusing the government of "blatantly ignoring more than 18 months of 'good faith' consultations on behalf of the profession and extensive documentation suggesting options for legal aid tariff reform."

Those are but two of some of the larger groups in this province that have something they need to say. I don't believe that they alone can say everything that needs to be said in the whole diversity of opinion that is this province in one day.

There have been some arguments that maybe this is being done in order to save money. In fact, there was a pilot project conducted by this government in Ontario that has now concluded. The results of that pilot project are mixed if you are looking in terms of how much money is saved and how much money is not saved. The reality of the matter is that in Toronto the costs went up by about \$100. I can't remember all the figures now offhand, but they went up by about \$100 in Toronto vis-à-vis how much it would cost with a legal aid certificate to have it conducted in a public defender's type of clinic.

The same was true in Ottawa, where it also went up about \$100. Again, it showed that the legal aid certificate would indeed in terms of both of those cities probably cost the province and the provincial treasury less money than to go to a public defender.

On the other side, though, we see Thunder Bay, where the costs actually went down by some \$500 by having public defenders do the work instead of handing out legal aid certificates.

The jury, although it's still out, does show that there is a potential for both types of model, but it ought not to be seen as a sop. It ought not to be seen by the government opposite as something that has to be done or that is going to save money. It may save money and it may not save money, but it certainly requires that it be done slowly, that it be done with care and that the public, particularly those who are directly affected, have an opportunity to have input. To date, that has not happened. We have had 18 months of discussions which quite frankly have not come to fruition.

The Legislature is going to have to make a decision after having heard from the affected parties. But I want to tell you, although the minister and some of his people in the bureaucracy may have sat down with the Ontario bar, lawyers' groups and everyone else, I really don't know what all of them have said.

Today, we know that in one day of committees, if it were to be held tomorrow, there are literally tens of thousands of lawyers in this province who I am assured have something to say about this matter. Almost all of them as individuals will be directly or indirectly impacted by whatever decision this government makes: to fund or not fund legal aid, to fund or not fund public defenders, to fund or not fund any of the broader schemes that this bill may allow, including contracting out.

You also have a whole range of legal aid clinics which in many of our cities—and I don't know how extensive they are beyond our cities—do phenomenal work with helping people in poorer circumstances, helping tenants, immigrants, youth and people who go to them. The legal aid clinic being funded by the province of Ontario in large part has been able to do just such tremendous work in offering poorer people and those who are dispossessed an opportunity to get free legal advice from a lawyer who, if they take the time and care to do what needs to be done, often can produce for them miraculous results. We have a whole range of legal aid clinics throughout this province that really would like an opportunity to speak to you.

We have Legal Aid Ontario, which has in some regard been critical of the process to date and which has suggestions that they want to make to this government to do it right. They are not opposed in total to what is being suggested or to the options which may one day take effect, but they want to make sure that the people of this province, particularly the poor and the vulnerable, are protected and they want to make sure that the system of justice which has done this country so well since Confederation, and even before Confederation, which has done the people of this province so well, particularly since legal aid was introduced some 40 years ago, continues and that the people who are most in need are protected.

We want to talk and we need to talk to the crown attorneys—how this is going to affect their workload, whether or not they believe that plea bargaining is the way to go to clear the dockets, or whether they believe that more people ought to be taken to trial, particularly in serious crimes. There are many, many people out there, many people who are your constituents and my constituents, who are angry sometimes at how plea bargaining works, when someone can cop a plea and get off, say, with a fine or a minor sentence when in fact a court trial would probably have resulted in an extensive prison term. Those types of people need to be heard, whether we are doing the right thing by allowing people not to go to the court system when they face serious time in prison, versus, on the other side, people who might not be facing serious time and who cop a plea, or who might be innocent and cop a plea just to get out of it.

You finally have the whole issue of the public defenders themselves. We need to hear from them. Their workload is already beyond belief. We need to hear from them whether this will add additional strains to the court system, and we need to hear what suggestions they might have to make this bill better.

Last but not least, and I have left them to the end, we need to hear from the broad range of the public. We need to hear from those people who are directly affected, those people who go out every day, day in, day out, year in, year out, maybe once, maybe only twice in a lifetime, to get a lawyer when they need the lawyer to handle one of life's little problems, one of life's little travesties, one of life's little family break-ups, one of life's immigration problems or whatever, who need that lawyer and who need to rely upon the advice that they give. We need to hear how the system, when it's changing, is going to adversely affect them, or help them, because in some cases the people out there will actually be helped.

I'd just like to go into some of those ranges of law that the government needs to rethink. Quite frankly, and I am not a lawyer and I could be totally wrong, but just my looking at the law and the 20 or so years I spent in the immigration department before being publicly elected as the mayor and city councillor, and now here, the 20 years showed me a lot about what kind of law needs to be done with a properly trained lawyer and with legal aid possibly, and those that can be handled in a more public way by a community clinic or a public group that properly can look at the circumstances and aid and assist people in a way which is not cost-prohibitive but which produces the desired results for them and for the people of our community.

In terms of criminal law, one always has to remember that every time a person is taken to trial on a criminal proceeding, that person faces possible detention. They face possible incarceration, for one day up to and including a lifetime in jail, depending on the severity of the crime, what they've done and whether or not any plea bargaining has taken place. Those people, because their liberty is being taken away, must always be given the option of having the very best lawyer that they can possibly get.

If they are rich enough to hire a Johnnie Cochran, or the Canadian equivalent of that, then good luck to them. But if they are the ordinary persons who find themselves in a jam, who find themselves in a criminal proceeding, who want the best lawyers they can possibly get for themselves, then I would think we have an obligation to them to leave the system of choice open to them. That choice is only possible, in my respectful speech here, with a legal aid certificate, to give them the legal aid certificate and to allow them to take that legal aid certificate out and shop around to find the best possible lawyer for themselves, one who believes in their case, one who will listen to them, one who will fight for them and one who has been trained in those aspects of the law related particularly to that criminal or criminal behaviour. I would suggest that to take that away is to do a disservice to anyone who is charged under the Criminal Code of this country.

**1730**

We have other types of law which might be far more amenable to public defenders, community clinics or the

like. I believe that lawyers, if they came here for more than one day, would tell you those areas which might be more amenable, where the government might be able to save money, might be able to set up proper clinics. Some of those, I would suggest, involve family law. They involve poverty law, with tenants especially who are fighting to stay in their apartments when they're being removed under the Tenant Protection Act in Ontario or are fighting unjustified above-guideline increases. That type of law is very well handled by the community aid clinics and quite conceivably should continue to go to them and fund them and let them work for the people in this province who desperately need legal attention.

We also have the Young Offenders Act. Depending on the severity of the crime that has been committed or is alleged to have been committed, it may go either way. If it's a relatively minor offence, it could go to a public defender or a community law group. If it is a major offence that involves a death or any particular horrendous act of violence, you would want of course to have a lawyer who has been properly trained and who has a certificate. I leave that open.

I just want to spend a few minutes on the last issue, that of immigration law, since I spent more than 20 years watching it. The system has gone into some very real decline in this country because of the way in which lawyers, paralegals and others who represent immigrants and refugee claimants have taken advantage of the system and who, quite frankly, because they've been able to hang a shingle outside their door, have often done a disservice to the people they purport to represent. There is a very real problem around many aspects of civil jurisdiction and civil law. Lawyers could bring a far better understanding to the quasi-judicial systems within the immigration department and probably within many government departments, be they customs and excise or others, where the law is sufficiently complex that a legally trained mind is essential and where that might be a good thing to have.

In this province and country it is becoming increasingly difficult for people to get a legal aid certificate for immigration work. One might face deportation without having a lawyer present. What has happened is that in the majority of cases now, since a lawyer cannot be had because a legal aid certificate cannot be had, people go to immigration consultants. I happen to know many of them, because many of them were former immigration officers with whom I worked, who saw that you could make more money on the other side and who hung out a shingle and did some I think fairly standard, if not spectacular, work. But there were also many, many people who were able to take the system and bend it and who, quite frankly, without knowing a thing they were talking about, would go and take \$500, \$1,000 or \$1,500 from poor, unsuspecting people and would offer next to no service for that money.

Quite frankly, I think that one of the types of things the government ought to be looking at is the licensing of

these consultants. Whether they are consultants in immigration, consultants in traffic cases, consultants before the income tax tribunals or consultants before the tenant review board, it is important that they be licensed so that even in those cases which do not involve lawyers, where someone is going to a paralegal, an unsuspecting person would know that they are going to someone who had to write an examination, at least, and over whom the government had some type of control to take away their licence if they abused the system, abused the process, told their clients to lie or did any other number of things. That is what needs to be put in any legislation of the reform of our laws.

I do not see that here, with the greatest of respect. What is the most crying need is not here.

Quite frankly, what I had never heard about before, other than mutterings from a few lawyers that they weren't making enough money with the legal aid, in all the years I worked in the immigration department, in all the years as a mayor and as a councillor and now here in this august chamber, I had never really heard the arguments being made that the legal aid system was broken and that it needed to be fixed. There wasn't enough money; that is for sure. But I have never heard what has been said here today.

For me, it all comes down to this: is the government bill a good bill? It might be. It might be a good bill and it might not be a good bill. But we will never know until we give the opportunity to those people who are going to be directly affected—those people who have served, those people who are properly trained before the bar, those organizations which represent the tens of thousands of lawyers in this province—to be heard. We need to make sure they are heard not only here in Toronto but in the length and breadth of this province.

We need to know that the people who are going to be affected are in agreement with what is going to be done. We need to make sure, most importantly, that the hundreds of thousands of people who every year rely upon legal aid certificates, who find themselves in trouble with the law, who will require the services of a lawyer, have that lawyer, that they have someone whom they can trust, that they have someone who will do the right thing. They will know that in the end the justice system worked for them just the same as it has worked for everyone else.

I'm going to leave the last few minutes in case my colleague arrives. I know there are a couple of other speakers as well. But I just want to say that this is a system which is not broken. This is a system that needs repair and repair should come, but it should come only upon proper consultation. Move very, very slowly to make sure that the justice system remains as much a source of pride to the people of Ontario as this Legislature and democracy are to all of us.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Here we go again. Sadly, again, we're here debating a time allocation motion.

We're here talking about all the reasons why we would like to see this bill get full debate in the Legislative Assembly. The government, on the other hand, doesn't want that debate. They want to shut down debate. They will have one day of hearings on the bill in Toronto on a substantive piece of legislation.

I know that some of the members opposite are sighing over there and they don't like the fact that we always stand up and we resent the fact that we have been elected as the voice of the people and so regularly our voice is being stifled by time allocation motions. It seems to be something that government members are very prepared to accept and obviously promote. But I take it very seriously. I think it's an offence and an affront to the people of Ontario that so regularly this mechanism to stifle debate is used in the Legislative Assembly.

With regard to the bill that is being time allocated, it is a substantive piece of legislation. It is going to profoundly change the way our poorest and neediest people in the province of Ontario are able to access legal services. The type of system that we have in place now was established, I believe, in 1967. That's not to say that it might not be appropriate to investigate, to explore, to talk about ways to improve the way our poorest and neediest access legal services. Certainly we know there are problems in that area, but I would suggest that the way to address those concerns is not necessarily through this bill.

I have had the opportunity to hear from a lawyer who has four specific concerns with regard to the legislation. The first is:

"There would appear to be the danger of a conflict of interest when the funder—that is, Legal Aid Ontario—also becomes the service provider." This is from a lawyer. "Obviously, there's going to be a great temptation on the part of the funder to bias the funding formula toward their own service, and I think that's a problem that is there and it is one that has to be addressed."

Obviously this lawyer believes this is an area that requires some significant debate, more debate than one day of public hearings would allow for, I would suggest.

1740

The second point the lawyer made: "There's also the question of accountability of counsel to the client. Under the certificate system, if a client is dissatisfied they can take action and change counsel and they can do that also by choosing counsel. Where you have a public defender system, the accountability of the counsel to the client is significantly reduced." Another very valid point.

The third point the lawyer would make is: "I'd also note that under the public defender system, where the lawyer is in effect directly employed by the government, it's likely that policy will be set by the government, and I think one has to look at the implications of that with respect to the independence of the defence bar." Another valid point. Here you have a government employee who is following government policy in terms of how to defend our poorest and neediest people.

The fourth point that the lawyer has made to me and to others is that, "We also have to face the fact that there is a problem now with the amount of funding that is given to defence counsel, and that's established by the court cases. I think to ignore that problem is not to be realistic."

I take these points very seriously, particularly given that the lawyer is a member of this Legislative Assembly and is also a member of the government. That would be Mr Wood, the member from London West. He made these points in debate. So we have a government member who I think very ably has outlined four areas of valid concern. Yet what do we have here before us? We have a time allocation motion. Obviously, even when government members are starting to voice their concerns with the bill, that's when the government says, "OK, enough time to talk about this. We're going to move on. We're going to push our agenda forward. We're going to have one day of public consultation on this." That limits the opportunity that members have, that the public have, to come forward and share the very concerns that Mr Wood has shared in this Legislative Assembly.

It's important that I take this opportunity today, since Mr Wood made these comments as a response to the remarks that I made on this particular bill, because I have heard from people in my riding who are very concerned about the impact the bill will have on the level of service that our poorest and neediest citizens, who now are able to access a system of justice where they have some choice and some confidence in the counsel they engage—that we're now moving toward a system where their choice has been removed and where the counsel will be the employee of the government. He who pays the piper calls the tune. That is a valid issue and a valid concern the people from my community have shared with me.

**The Deputy Speaker:** There being no further members in the House who are eligible to assume the floor, I will now put the question to the House.

**Mr Ted Chudleigh (Halton):** On a point of order, Mr Speaker: I wanted everyone in the House to remember that tonight is the night, down in the basement dining room, we are selecting the Ontario wine that will be used in the restaurant for the rest of the year. I would encourage you all to participate in that particular event.

**The Deputy Speaker:** The member will know that's not a point of order.

Mr Galt has moved government notice of motion number 44. Is it the pleasure of the House that the motion carry?

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

Those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1744 to 1754.*

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

**Ayes**

Arnott, Ted	Johns, Helen	Ouellette, Jerry J.
Baird, John R.	Johnson, Bert	Runciman, Robert W.
Barrett, Toby	Kells, Morley	Sampson, Rob
Chudleigh, Ted	Klees, Frank	Spina, Joseph
Clark, Brad	Marland, Margaret	Sterling, Norman W.
Coburn, Brian	Martiniuk, Gerry	Stewart, R. Gary
DeFaria, Carl	Maves, Bart	Stockwell, Chris
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	McDonald, AL	Turnbull, David
Galt, Doug	Miller, Norm	Wettlaufer, Wayne
Gill, Raminder	Molinari, Tina R.	Wilson, Jim
Hardeman, Ernie	Munro, Julia	Witmer, Elizabeth
Hodgson, Chris	Mushinski, Marilyn	Young, David
Hudak, Tim	Newman, Dan	
Jackson, Cameron	O'Toole, John	

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

**Nays**

Agostino, Dominic	Di Cocco, Caroline	Patten, Richard
Bartolucci, Rick	Dombrowsky, Leona	Peters, Steve
Bountrogianni, Marie	Duncan, Dwight	Phillips, Gerry
Boyer, Claudette	Hoy, Pat	Prue, Michael
Bradley, James J.	Kennedy, Gerard	Pupatello, Sandra
Bryant, Michael	Kormos, Peter	Ramsay, David
Caplan, David	Kwinter, Monte	Ruprecht, Tony
Churley, Marilyn	Levac, David	Smitherman, George
Cordiano, Joseph	Marchese, Rosario	Sorbara, Greg
Crozier, Bruce	McMeekin, Ted	
Curling, Alvin	Parsons, Ernie	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 43; the nays are 31.

**The Deputy Speaker:** I declare the motion carried.

This House will now stand adjourned until 6:45 this evening.

*The House adjourned at 1758.*

*Evening meeting reported in volume B.*



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

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / sous-greffière: Deborah Deller

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

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

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)		
Beaches-East York	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hamilton East / -Est	Agostino, Dominic (L)
Brampton Centre / -Centre	Spina, Joseph (PC)	Hamilton Mountain	Bountrogianni, Marie (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hamilton West / -Ouest	Christopherson, David (ND)
Brant	Levac, Dave (L)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Burlington	Jackson, Cameron (PC)		
Cambridge	Martiniuk, Gerry (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Chatham-Kent Essex	Hoy, Pat (L)		Gerretsen, John (L)
Davenport	Ruprecht, Tony (L)	Kingston and the Islands / Kingston et les îles	
Don Valley East / -Est	Caplan, David (L)	Kitchener Centre / -Centre	Wetlaufer, Wayne (PC)
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Dufferin-Peel- Wellington-Grey	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Durham	O'Toole, John R. (PC)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Eglinton-Lawrence	Colle, Mike (L)		
Elgin-Middlesex-London	Peters, Steve (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of the Environment, government House leader / ministre de l'Environnement, leader parlementaire du gouvernement	London West / -Ouest	Wood, Bob (PC)
Etobicoke North / -Nord	Hastings, John (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance	Mississauga Centre / -Centre	Sampson, Rob (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough Centre / -Centre	Mushinski, Marilyn (PC)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough East / -Est	Gilchrist, Steve (PC)
Mississauga West / -Ouest	Snobelen, John (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long-Term Care / ministre associé de la Santé et des Soins de longue durée
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Energy, Minister responsible for francophone affairs, deputy House leader / ministre de l'Énergie, ministre délégué aux Affaires francophones, leader parlementaire adjoint	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Niagara Falls	Maves, Bart (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nickel Belt	Martel, Shelley (ND)	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Nipissing	McDonald, AL (PC)	St Catharines	Bradley, James J. (L)
Northumberland	<b>Galt, Hon / L'hon Doug</b> (PC) Minister without Portfolio, chief government whip / Ministre sans portefeuille, whip en chef du gouvernement	St Paul's	Bryant, Michael (L)
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Sudbury	Bartolucci, Rick (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Oxford	Hardeman, Ernie (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Parkdale-High Park	Kennedy, Gerard (L)	Toronto-Danforth	Churley, Marilyn (ND)
Parry Sound-Muskoka	Miller, Norm (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Perth-Middlesex	Johnson, Bert (PC)	Vaughan-King-Aurora	Sorbara, Greg (L)
Peterborough	Stewart, R. Gary (PC)	Waterloo-Wellington	Arnott, Ted (PC)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Prince Edward-Hastings	Parsons, Ernie (L)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor-St Clair	Duncan, Dwight (L)
Sault Ste Marie	Martin, Tony (ND)	York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

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

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

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffier: Trevor Day

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

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Ted Arnott  
Ted Arnott, Marcel Beaubien,  
David Christopherson, Monte Kwinter,  
John O'Toole, Gerry Phillips,  
Rob Sampson, Joseph Spina  
Clerk / Greffier: Katch Koch

**General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Marilyn Churley, Mike Colle,  
Garfield Dunlop, Steve Gilchrist, Dave Levac,  
Norm Miller, R. Gary Stewart, Wayne Wettlaufer  
Clerk / Greffière: Tonia Grannum

**Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Anne Stokes

**Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: AL McDonald  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, AL McDonald, Lyn McLeod  
Clerk / Greffière: Susan Sourial

**Legislative Assembly / Assemblée législative**

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

**Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
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**

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

# CONTENTS

Monday 21 October 2002

## MEMBERS' STATEMENTS

<b>Veterans Highway</b>	
Mr McMeekin .....	2241
<b>Guru Nanak Car Rally</b>	
Mr Gill .....	2241
<b>Services for the disabled</b>	
Mr Parsons .....	2241
<b>Project Amik</b>	
Mr Prue .....	2242
<b>Andrew Oxenham</b>	
Mr O'Toole .....	2242
<b>Navistar closure</b>	
Mr Hoy .....	2242
<b>Sculpture project</b>	
Mr Murdoch .....	2242
<b>Member's expenses</b>	
Mrs Bountrogianni .....	2243
<b>Brain Tumour Awareness Month</b>	
Mr Wood .....	2243

## FIRST READINGS

<b>Motor Vehicle Manufacturers' Warranty Act, 2002, Bill 192,</b> <i>Mr Sampson</i>	
Agreed to .....	2244
Mr Sampson .....	2244

## MOTIONS

<b>Private members' public business</b>	
Mr Stockwell .....	2244
Agreed to .....	2244
<b>House sittings</b>	
Mr Stockwell .....	2244
Agreed to .....	2245

## ORAL QUESTIONS

<b>Racial profiling</b>	
Mr Curling .....	2245
Mr Runciman .....	2245, 2247
Mr Hampton .....	2247
<b>Conflict of interest</b>	
Mr Phillips .....	2245
Mr Sterling .....	2246
<b>Hydro rates</b>	
Mr Hampton .....	2246
Mr Baird .....	2246

## Member for Mississauga West

Mr Kwinter .....	2248
Mrs Witmer .....	2248
The Speaker .....	2248
Mr Stockwell .....	2248
Mr Flaherty .....	2249

## Ontario Northland Transportation

### Commission

Mr McDonald .....	2249
Mr Wilson .....	2249, 2250
Mr Ramsay .....	2249

### Tourism

Mr Maves .....	2250
Mr Klees .....	2250

### Student dropout rate

Mr Marchese .....	2251
Mrs Witmer .....	2251
Mr Kennedy .....	2251

### Library Week

Ms Mushinski .....	2252
Mr Tsubouchi .....	2252

### Municipal restructuring

Mr Patten .....	2253
Mr Coburn .....	2253

### Road safety

Mr Gill .....	2253
Mr Sterling .....	2254

### School boards

Mr Christopherson .....	2254
Mrs Witmer .....	2254

## PETITIONS

### Highway 69

Mr Bartolucci .....	2254, 2256, 2257
---------------------	------------------

### Adoption disclosure

Ms Churley .....	2255
------------------	------

### Volunteer firefighters

Mr Murdoch .....	2255
Mr Barrett .....	2256

### Education funding

Mrs Dombrowsky .....	2255
----------------------	------

### Hydro rates

Mr Agostino .....	2255
-------------------	------

### Natural gas rates

Mr Hoy .....	2256
--------------	------

### Affordable housing

Mr Bryant .....	2256
-----------------	------

## Water extraction

Mrs Dombrowsky .....	2257
----------------------	------

## School bus safety

Mr Hoy .....	2257
--------------	------

## GOVERNMENT MOTIONS

### Time allocation, government notice of motion number 44, *Mr Galt*

Mr Galt .....	2257
Mr Gill .....	2258
Mr Bryant .....	2261
Mr Wettlaufer .....	2263
Mr Parsons .....	2265
Mr O'Toole .....	2267
Mr Bradley .....	2269
Mr Prue .....	2271
Mrs Dombrowsky .....	2276
Agreed to .....	2278

## OTHER BUSINESS

### Visitor

The Speaker .....	2244
-------------------	------

## TABLE DES MATIÈRES

Lundi 21 octobre 2002

## PREMIÈRE LECTURE

<b>Loi de 2002 sur la garantie des fabricants de véhicules automobiles, projet de loi 192,</b> <i>M. Sampson</i>	
Adoptée .....	2244