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des débats
(Hansard)**

Monday 4 April 2005

Lundi 4 avril 2005

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Monday 4 April 2005

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Lundi 4 avril 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

RIDEAU REGIONAL CENTRE

Mr. Norman W. Sterling (Lanark–Carleton): I rise today to draw the attention of all members of this House to the plight that will be faced by the residents of Rideau Regional Centre and their families when that Smiths Falls facility is closed.

I have received petitions from the families of RRC residents, and each petition is accompanied by the story of an individual for whom RRC has been home. One constituent wrote that their son will be moved out of RRC in September 2006. This man has lived at RRC for 45 years. Another letter from a widower and a veteran says that his son will be moved out of the centre, which has been his home for 50 years.

Many of these elderly parents can't physically care for their adult children themselves, and they are afraid that the move from RRC will hurt their children both physically and emotionally. These people are frightened about what will happen to their severely disabled adult children, and they have petitioned this Legislature to keep the Rideau Regional Centre open.

I will be introducing petitions containing 6,500 signatures. I trust that members of this House, and particularly the Minister of Community and Social Services, will heed this cry for help from the friends and families of some of Ontario's most vulnerable citizens.

BURNHAMTHORPE PUBLIC SCHOOL

Mr. Peter Fonseca (Mississauga East): I rise in the House today to acknowledge an outstanding school in my riding of Mississauga East.

In a recent Toronto Star article, Burnhamthorpe Public School was cited as a school that is "exceeding expectations" in standardized testing. Students at Burnhamthorpe are consistently scoring above the provincial average, with over 75% of students scoring in the top two levels of reading, writing and math.

Judy Fatum, the principal at Burnhamthorpe, cites the continued hard work of the school's 28 teachers and many volunteers as the key reason behind the school's success. She outlined that the focus at the school is not just on improving test scores. Instead, the school uses a

holistic approach to learning, encouraging students to participate in the arts and extracurricular activities and involving parents and the community in the learning process. It is believed that this approach to teaching, one that actively involves parents and focuses on well-rounded students, results in better learning and thus higher test scores.

It is the goal of this government to see outcomes like those of Burnhamthorpe Public School occur province-wide. I would like to congratulate the students, faculty, volunteers and parents at Burnhamthorpe Public School on their achievements. This government is working hard to ensure that schools have the resources they need so that those successes can become reality, not only at Burnhamthorpe Public School but across the province.

HYDRO ONE

Mr. John O'Toole (Durham): I rise in the House today to try to shed some light on a very dark issue facing Ontario taxpayers. The recently released public sector disclosure list revealed some very troubling facts about Ontario's provincial hydro sector. The total payroll in the hydro sector went from \$58.8 million in 1996 to \$743.2 million in 2004. That's an increase of more than 1,000%; yes, I said 1,000%. Minister of Energy, is that what you mean when you tell the people of Ontario and the consumers that they must pay the true cost of power? Does the true cost of power include these enormous salaries of Hydro's executives?

I, along with many Ontarians, am also concerned about the salary paid to Hydro One's president and CEO, Tom Parkinson. Tom Parkinson tops the Ontario salary disclosure earnings list with \$1 million. He received a 35% increase from the previous year. This is simply not justifiable. There are, of course, Mr. Parkinson's helicopter rides with the minister to his Muskoka cottage and the taxpayer-funded trip for his wife to accompany him on business conferences.

Minister, how can you raise electricity rates and hit the consumers directly in the pocketbook while at the same time allowing such expenses to take place at Hydro One? Your government preaches about a conservation culture. How about starting to conserve by taking control of the enormous salaries in Ontario's hydroelectric sector?

EDUCATION FUNDING

Mr. Rosario Marchese (Trinity–Spadina): People for Education did their annual report, and it revealed

some troubling news. I want to read and highlight some of those issues.

The report says: “Students whose first language is not English are struggling. Over a quarter of our schools with new immigrants did not have an English-as-a-second-language teacher.

“(2) Families are being asked to pay ever-higher student fees. The average activity fee, which covers athletic equipment, lab materials and student council operations, rose to \$30.60 this year, but some schools charge as much as \$180.

“Further, parents and students are still expected to raise funds for everything from classroom supplies to musical instruments.”

On small schools, the report says, “As temporary grants for declining enrolment diminish and student-to-staff ratios drop below the levels set in the funding formula, school boards will be forced to reduce expenses by cutting staff for programs and/or closing small schools.”

The Toronto Parent Network did their annual review this year. They said that 16% of the schools reported exposed asbestos in their schools, 33% of the schools reviewed reported signs of mould, 10% reported vermin and 90% required building maintenance.

This is from a government that worries about curriculum casualties. We know that the dropout rate hit 29% last year, higher than the previous year. Thank God we’ve got a government that is worried about curriculum casualties—all these problems and these failures due to the government, which really cares about kids. Things are not what they seem. Foul is fair and fair is foul.

LISTOWEL MEMORIAL HOSPITAL

Mr. John Wilkinson (Perth–Middlesex): I rise today to share with all members a good-news announcement made last week in my riding of Perth-Middlesex. On Friday I was pleased to announce, on behalf of the McGuinty government and the Honourable George Smitherman, our Minister of Health and Long-Term Care, \$7.8 million in capital funding to help the Listowel Memorial Hospital continue moving forward with its redevelopment project.

1340

The new provincial funding will help the Listowel Memorial Hospital construct new areas for diagnostic imaging and surgical suites and redevelop its emergency and outpatient services departments. This redevelopment is the first phase of a 20-year plan to modernize the hospital. Most importantly, this support will provide the people of North Perth with enhanced access to quality health care for many years to come in state-of-the-art hospital facilities.

This announcement was part of a \$184-million contribution toward total capital project costs for specific hospitals across Ontario. No doubt our government is responding to the present and future needs of all Ontarians.

On a personal note, I would like to take this opportunity to thank Margret Comack, the CEO of Listowel Memorial Hospital; Kerry Blagrove, board chair; Dr. Barry Neable, chief of staff; Ed Hollinger, mayor of North Perth, and his council; and most importantly, those North Perth residents who depend on Listowel Memorial. Without their fundraising efforts and dedication, their capital project would never have come to fruition.

Finally, I want to publicly invite the Premier and the minister to visit North Perth on September 20, 2005, for the opening day of the 2005 International Plowing Match and to participate in the planned official sod-turning ceremony at the Listowel Memorial Hospital.

FEDERAL-PROVINCIAL FISCAL POLICIES

Mr. John R. Baird (Nepean–Carleton): Last week in this House, my good friend the Liberal member for Prince Edward–Hastings brought up the important issue of the fiscal imbalance. I want to join that member, and all members, in condemning the inaction of federal Liberal MPs from Ontario. Their job is to stand up and represent the hard-working taxpayers of Ontario. Ontario taxpayers strongly support the long-standing tradition of playing an important role in national unity by supporting other areas of the country, because that’s what it means to be a Canadian.

The Liberal government of Paul Martin has some explaining to do. How can Immigration Minister Joe Volpe think it’s acceptable to provide only \$800 of support for immigrants arriving at Toronto’s Pearson airport, when immigrants arriving in Montreal’s Trudeau airport get \$3,800 in federal support? What about health care, where Ontario receives the second-lowest amount per capita in Canada?

People in Ontario are asking where their tax dollars are going. Canadians are shocked to learn that they’re going to support systemic corruption in the federal Liberal Party. Day after day, Justice Gomery is hearing the sordid details of how taxpayers have been patronized, taken for granted and really used in an irresponsible way.

While a publication ban has prevented Ontario taxpayers from learning some of the sordid details, let me tell you that the stench of the scandal can be smelled right across this country. Every dollar diverted to the corrupt federal Liberals and their greedy friends through the sponsorship program is a dollar stolen from Ontario hospitals. It has got to stop, and we’re going to work on this side of the House to make sure it does.

NORTHERN COLLEGES AND UNIVERSITIES

Mr. Bill Mauro (Thunder Bay–Atikokan): The recently released Rae review supports what many institutions already know about the importance of post-secondary education and the funding inequities that have existed in our colleges and universities for far too long.

Nowhere are these funding inequities more severe than in our northern colleges and universities.

In spite of this challenge, northern institutions like Confederation College and Lakehead University continue to play a pivotal role in the education of our young adults. Lindsay Farrell is a graduate student at Lakehead University in Thunder Bay, enrolled in the master of biology program. Our university's ability to offer this graduate program has provided an opportunity to a female aboriginal student that she possibly would not have had, had this program not existed in Thunder Bay.

We need to ensure that the new government funding for graduate growth and research is shared equitably across all Ontario universities so that young people like Lindsay Farrell can be supported, educated and employed in Thunder Bay if our northern communities are to grow and flourish. We need to do all we can to retain students like Lindsay, who, by the way, was one of a small number of students in Canada to receive an NSERC post-graduate scholarship award in the hard sciences.

In the north, we need to be innovative. Confederation College serves 34 municipalities and 67 First Nations communities. They are working on an innovative community-based project to deliver a four-year bachelor of science nursing degree program in four rural towns in northwestern Ontario, a program that, if successful, would be the first of its kind for the bachelor of science in Canada.

This is the kind of innovation and equity that we must strive for in post-secondary education, and northern institutions like Lakehead and Confederation College are leading the way.

AGNES JACKS

Ms. Monique M. Smith (Nipissing): This weekend, the residents of North Bay and area lost a great member of our community. Agnes Jacks was a very special lady. She was known as Canada's ringette ambassador. Her husband, Sam Jacks, invented the sport in 1963 in North Bay when he was the city's recreation director.

Together, the two promoted ringette and youth participation in sports in northern Ontario and around the world.

Sam and Agnes had three sons; the girls who played ringette in our community became their daughters. Sam and Agnes believed that there was little for girls to do in winter months, especially for those who couldn't afford figure skating or who weren't inclined. Using broken hockey sticks and broomball handles and various types of rings, they developed ringette.

Growing up in North Bay, I always heard the ringette scores, together with the hockey scores, on the radio in the morning. I thought everyone around the world played ringette. And thanks to Agnes and her dedication to the sport, they do. She travelled to Sweden, Finland, Russia and France to promote the game. In Ontario alone, over 13,000 players enjoy ringette. There are 80 local associations. It is played in every province and territory in Canada, and across the country, over 50,000 people

participate as players, coaches, officials and volunteers. That is quite a legacy.

Just two weeks ago, Agnes was in Pembroke for the Ontario provincial championships. She attended in her wheelchair, where she officiated over the opening ceremonies and was cheered by thousands. In 2002, for all her good work, Agnes was awarded the Order of Canada.

Agnes died over the weekend. She was 81 years old. She leaves behind three sons, her 11 grandchildren and a legion of fans, friends and girls whose lives she changed because of her encouragement, her passion and her enthusiasm.

BUCHENWALD

Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh): This weekend marks the 60th anniversary of the liberation of Buchenwald, one of the Nazi concentration camps where many atrocities took place during the Second World War. This coming weekend, men and women from around the globe are reuniting at Buchenwald to thank their liberators, to come to terms with what they suffered and to pay homage to those who didn't survive. We must remember them.

While we are all familiar with the horrors of the Holocaust, many of us are unaware of the direct connection the Buchenwald camp has to Ontario. One hundred and sixty-eight airmen from the Allied forces were sent there, through unfortunate circumstances, instead of to POW camps. Among them were 11 Ontarians, one being Edward Carter-Edwards, father of one of my constituents, Dennis Carter-Edwards. Edward and all these airmen witnessed the senseless slaughter of those the Nazis considered undesirable. They were forced to live in unimaginable squalor, doing slave labour under the threat of execution.

Let no one deny that these events happened; we have living citizens from our province who witnessed them and bear the scars of them. Let none of us forget what happened, and do our part to be aware of the atrocities happening today.

Let us also follow the example of men like Ed Carter-Edwards and let go of resentments from the past. Despite what he endured, he bears no malice to the German people. He taught his son not to hold children accountable for the sins of their fathers. Now, Edward's grandson speaks German and has many friends in that country.

What these 11 Ontarians endured, none of us here can imagine. It is our duty as Ontarians to remember what they sacrificed and what they witnessed and, above all, to set an example for the world, showing that it is possible to let go of the past, to embrace one's enemies and, united, to build toward the future.

WATER SUPPLY

The Speaker (Hon. Alvin Curling): I have a very important announcement. As members may have heard, there has been a water main break in the vicinity of

Queen's Park. All occupants of the precinct have been advised not to drink the tap water until further notice.

I want to assure all members and staff that the water in your glasses today is bottled, with no ice.

VISITORS

The Speaker (Hon. Alvin Curling): We have with us in the Speaker's gallery the Michigan state legislators participating in the legislative exchange program of the Midwestern Legislative Conference. They are Senator Patricia Birkholz and Representative Dan Acciavatti. Please join me in warmly welcoming our guests.

MOTIONS

HOUSE SITTINGS

Hon. Dwight Duncan (Minister of Energy, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, April 4, 2005, for the purpose of considering government business.

The Speaker (Hon. Alvin Curling): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those against, please say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1349 to 1354.

The Speaker: All those in favour, please rise and be recognized by the Clerk.

Ayes

Arnott, Ted	Gerretsen, John	Ouellette, Jerry J.
Arthurs, Wayne	Gravelle, Michael	Parsons, Ernie
Baird, John R.	Hardeman, Ernie	Peters, Steve
Bartolucci, Rick	Hoy, Pat	Phillips, Gerry
Bentley, Christopher	Jackson, Cameron	Racco, Mario G.
Berardinetti, Lorenzo	Jeffrey, Linda	Ramal, Khalil
Bradley, James J.	Kennedy, Gerard	Rinaldi, Lou
Broten, Laurel C.	Klees, Frank	Runciman, Robert W.
Brownell, Jim	Kwinter, Monte	Ruprecht, Tony
Bryant, Michael	Lalonde, Jean-Marc	Sergio, Mario
Cansfield, Donna H.	Leal, Jeff	Smith, Monique
Caplan, David	Levac, Dave	Sterling, Norman W.
Chambers, Mary Anne V.	Marsales, Judy	Takhar, Harinder S.
Cordiano, Joseph	Matthews, Deborah	Tory, John
Delaney, Bob	Mauro, Bill	Van Bommel, Maria
Dhillon, Vic	McMeekin, Ted	Watson, Jim
Di Cocco, Caroline	McNeely, Phil	Wilkinson, John
Dombrowsky, Leona	Meilleur, Madeleine	Witmer, Elizabeth
Duguid, Brad	Miller, Norm	Wong, Tony C.
Duncan, Dwight	Mitchell, Carol	Wynne, Kathleen O.
Dunlop, Garfield	Mossop, Jennifer F.	Yakabuski, John
Flaherty, Jim	Munro, Julia	Zimmer, David
Flynn, Kevin Daniel	O'Toole, John	
Fonseca, Peter	Oraziotti, David	

The Speaker: All those against, please rise and be recognized by the Clerk.

Nays

Bisson, Gilles	Kormos, Peter	Martel, Shelley
Horwath, Andrea	Marchese, Rosario	Prue, Michael

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 70; the nays are 6.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

AMBER ALERT ON LOTTERY TERMINALS

Hon. Joseph Cordiano (Minister of Economic Development and Trade): I have some important news about protecting safety in Ontario.

Applause.

Hon. Mr. Cordiano: Thank you. Does this mean you'll be asking me more questions in the House?

Mr. John R. Baird (Nepean-Carleton): I'll ask you just as many as you ask me.

Hon. Mr. Cordiano: OK.

This morning, our government announced that the province's 9,000 lottery terminals will join Ontario's Amber Alert child abduction warning system. When a child is abducted and the OPP issues an Amber Alert, thousands more Ontarians will be aware and vigilant.

As the minister responsible for the Ontario Lottery and Gaming Corp., I am very proud that Ontario is the first Canadian province to harness the power of its lottery network in this way. This initiative has the potential to save a child's life.

Let me explain to the House why our lottery retailers are such strong partners to the police and to other members of Ontario's Amber Alert program: If you want to get vital information to the masses, and do it fast, lottery terminal screens are a great tool. These screens are in places we go to every day: convenience stores, gas stations, mall kiosks, supermarkets and newsstands. Lottery tickets are sold in some of Ontario's busiest places. It doesn't matter whether you play lotteries or not, these screens are part of our everyday lives. If a child has been taken, there will be 9,000 more chances that Ontarians are going to know about it.

1400

We all know that when a child has been abducted, every second counts. Ontario's lottery network will get Amber Alerts out there, and fast. That means that when the alert is called, marketing messages normally seen on the screens will be replaced by vital Amber Alert information.

Mr. Speaker, imagine that you or any member of this House is out and about on the day an Amber Alert breaks. The information you see on a lottery screen may trigger a memory, something you saw—a vehicle, a person, a child—something that didn't look quite right. It may be the key piece of information that helps the police find a child before it's too late, and there's nothing more important than that.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I'm happy to report to the House that tomorrow morning, Ontario will have a new and powerful tool to help find an abducted child. Earlier today, the Premier, the Minister of Economic Development and Trade and I launched an important addition to the Amber Alert system in Ontario. At 6 o'clock tomorrow morning, all of Ontario's 9,000 retail lottery terminals will have the capability to alert the public through the Amber Alert system that a child has been abducted.

Amber Alert is a warning system that quickly notifies the public of a missing or abducted child under 18 years of age who is in imminent danger. There must also be enough descriptive information about the child, the abductor and/or the suspect's vehicle to make police believe that an immediate alert will help locate the child.

Amber Alert is a partnership among the Ontario government, police services and the media. The Amber Alert system currently uses the Ministry of Transportation's electronic highway signs to notify the public with time-critical information about an abducted child, his or her abductor, and/or suspect vehicles. In addition, radio and television stations interrupt regular programming to broadcast information. The addition of the lottery terminals to Ontario's Amber Alert system is the largest expansion to the program since it was launched two years ago, and it will improve the safety of Ontario communities.

When a child is abducted, every minute counts. Police believe that the first two to five hours of an abduction are the most crucial. It's absolutely vital to the search and the investigation that critical information about the missing child be relayed to the public as quickly as possible. The public can play a significant role in the safe rescue of an abducted child.

There have been three Amber Alerts issued in Ontario since it was launched. The addition of 9,000 lottery terminals is important to the Amber Alert network. It's also a symbol of the desire of people and organizations in our community to be involved and to make their own contributions to stronger, safer communities.

This is just the latest initiative by the McGuinty government to help protect our children from predators. We have taken measures to educate them about the dangers of Internet luring and to combat child pornography through innovative and interactive software called CYBERCOPS to educate grades 7 and 8 children on the dangers of the Internet. We've earmarked up to \$5 million in funding to support a strategy being developed by the OPP and the Ontario Association of Chiefs of Police to combat luring and child pornography on the Internet. What's more, last year we announced an additional \$1 million for the OPP's child porn section, called Project P, that will provide more staff, help acquire technology and specialized training, and develop public education materials. Project P is a leader in the fight against the growing problem of child sexual exploitation.

We are also supporting a two-year pilot project with the Toronto Police Service to keep closer tabs on con-

victed sex offenders. The \$700,000 infusion from the victims' justice fund will allow police in Toronto to dedicate more officers to track convicted sex offenders and ensure that addresses supplied by about 1,000 convicted sex offenders are correct. We want to ensure that all Ontario communities and police services have the resources they need to protect our children.

The addition of 9,000 retail lottery terminals to the Amber Alert system is just the latest tool we are giving communities and the police to improve their ongoing efforts to protect our children.

FARM RETAIL SALES TAX EXEMPTION

Hon. Steve Peters (Minister of Agriculture and Food): Last Tuesday, I was pleased to announce that the McGuinty government will provide \$79 million in new funding under the market revenue program, on top of the \$88 million delivered in March to help our hard-pressed grains and oilseeds farmers with the spring planting.

This past Friday, I was pleased to share with them even more good news for Ontario farmers, news that will help simplify paperwork for them and the businesses that they support. Thanks to the positive collaboration with my ministry, the Ministry of Finance and farm organizations, Ontario producers will now be able to use their general farm organization identification cards to receive retail sales tax exemptions when buying equipment and supplies for their businesses.

This will give Ontario farmers greater freedom of movement and choice when shopping for goods, services and insurance for their business, since the card they already carry in their pockets will be proof of their exemption status. It's a good example of how our government is working closely with farm organizations and responding to their needs. Any farmer who belongs to a general farm organization in Ontario will be eligible to obtain the retail tax exemption at the point of purchase simply by showing their current farm organization ID cards.

Those who are not members will still be able to receive the exemption, either by using a purchase exemption certificate or by applying to the Ministry of Finance for a refund.

I want to thank my colleague Minister Greg Sorbara and his staff for working with our ministry and stakeholders to streamline the process to effect this most important change.

The McGuinty government recognizes that primary producers feed the province on a number of levels. They work hard to produce agri-food products that are second to none and have built Ontario's reputation as a reliable, safe and high-quality supplier. They also support a wide variety of businesses whose bottom lines depend on the success of a farmer's operation. These farms and businesses provide an important economic lifeline to our rural communities, and our government is there to help because when our farm families prosper and our rural

communities prosper, the economy of Ontario prospers as well.

The Speaker (Hon. Alvin Curling): Responses?

AMBER ALERT
ON LOTTERY TERMINALS

Mr. Garfield Dunlop (Simcoe North): I'm pleased today to respond to the statements by Ministers Kwinter and Cordiano. To begin with, we in the Progressive Conservative caucus support any initiative that would help protect the children in Ontario, and I thank the minister for that announcement.

As you're probably aware, this is an expansion of the program introduced by the Honourable Bob Runciman on June 23, 2003. Mr. Runciman announced this in conjunction with the province of Quebec at that time, and it's ironic that Minister Runciman was actually in Union Station this morning on his way back from his riding and many people thought he was there to make the announcement once again.

The minister has mentioned on a couple of occasions a number of announcements they've made to help children: \$700,000 in the victims' justice fund, another \$5 million in the victims' justice fund. You will probably remember that they were embarrassed into announcing the first \$700,000 so that the Toronto Police Services could actually dedicate officers to that particular program.

I was also hoping this morning—when I saw that the two ministers were actually making an announcement—that it was an announcement that would see the Windsor casino project cancelled, that \$400 million that was going to go to complimentary rooms for American visitors. I hoped that money would be put toward the additional 1,000 police officers this government promised in their pre-election platform.

Again, I do want to say on behalf of our caucus that anything that will help the children in Ontario, anything that will help safety in our communities and all the different organizations across this great province, we need to invest in. I heard both of the ministers speak. I'm not sure what this is actually costing. I don't know if there is even a cost to it, or if it's something they've downloaded to another body. But at the same time, if it protects children, we on this side of the House are supportive of it.

I just want to add one other thing: As this is coming from the Minister of Economic Development and Trade, I was wondering if there's any way that the identification or the Amber Alert program could be expanded to our racetracks—I mean the terminals at the racetracks where you actually see the betting and that. Could we see the Amber Alert program put there? That's a suggestion I would like to make.

Mr. Speaker, at this time, I want to thank the minister once again, and I want to thank you for the opportunity to stand and speak.

1410

FARM RETAIL SALES TAX EXEMPTION

Mr. Ernie Hardeman (Oxford): I am greatly disappointed, as I speak to the minister's announcement. According to StatsCan, farmers in Ontario are facing a \$229-million collective loss this year, compared to a \$1-billion net gain for farmers in the rest of Canada. That's a loss six times as large as it was last year, and the minister's answer is that farmers can now go out and make purchases with the money they haven't got, and instead of signing for them, they can use a card they've had for years and years as members of a farm organization and have their taxes exempted. Isn't that wonderful? Minister, they can't afford to buy anything, so it's not a matter of how they get their taxes back. That's the problem.

The other part of the announcement—again, this is the fourth time the minister has made this announcement—is the \$79 million going to the grain and oilseed industry, a short-term, band-aid solution. The minister knows full well that that accommodates paying 40% of the farmers' entitlement in this program. The farmers were not cheering when this announcement was made; they were wondering where the other 60% was going to come from. It seems that the McGuinty government was quick in cancelling provincial support for farmers but seems very, very slow in putting any program back.

The minister also knows that this is a short-term solution. This is for last year's crop, to help farmers pay last year's bills. Unless there is some type of program put in place for these farmers, there will not be any money available for them at the banks because they cannot show a cash flow from planting the crops this spring to getting enough back in the fall to pay for planting those crops. The minister needs to move forward and put that program in place.

I was going to say that maybe it's because the government found itself short of money, but I noticed, as my colleague mentioned, that the \$400 million is still there for building a new casino hotel. But there is only \$79 million available for our farmers.

I would just like to point out the last comment that the minister made: "These farms and businesses provide an important economic lifeline for our rural communities." I wholeheartedly agree with that. Our government is there to help, but obviously the help is nowhere near sufficient. If our farm families prosper, Ontario prospers. I want to tell you that this is the worst situation our farmers and rural Ontarians have ever seen themselves in. If that's what's happening to our farmers, that's what's happening in rural Ontario, and that's something the minister should deal with.

Mr. Howard Hampton (Kenora–Rainy River): I want to respond to another non-announcement from the Minister of Agriculture. Every day the problems which farmers face grow more serious in the province, and every day, virtually, the McGuinty government makes

another announcement which dabbles at the edges, which reannounces something that was announced months ago and does nothing to address the serious farm crisis. While Ontario's agricultural communities remain in crisis, we hear of yet another band-aid solution. Farmers need to see a cost-of-production formula. They need to see a plan. Ontario farmers continue to compete against farmers in the United States and Quebec, who have a cost-of-production formula.

Now, what is interesting is that while the minister continues to make these reactive, band-aid, short-term announcements and the farm crisis gets worse, every once in a while, I look at what Premier McGuinty had to say during the election, because then it seemed as if he had a plan. In fact, he couldn't talk about it enough. What did he say? He said, before the election, that this was a government that was going to double corn production. He said that their ethanol strategy would use Ontario corn and that Ontario corn producers would be in an excellent position. What has happened? The ethanol plants aren't using Ontario corn; the ethanol plants are bringing in corn from Ohio and Michigan—subsidized corn. So I wonder what happened to that plan.

I know that just recently the minister was out there talking with some farmers, and he said the government was going to ensure that we were using their corn to produce Ontario ethanol. I say to the minister, where is your announcement? You have been telling farmers this. Where is your plan? Where is your announcement to deal with the longer-term issues, the longer-term plan that farmers need to see?

Before the election, the Premier and his minister talked a lot about a biodiesel strategy and promoted that as a plan for farmers. We're now getting into the end of your second year as government and we still haven't seen a biodiesel strategy. As I say, we hear announcements about every four or five weeks that amount to a band-aid, but all that you promised before the election, you somehow now try to avoid. You try to avoid talking about it. You try to avoid doing anything about it. You try to avoid even acknowledging that you said it.

I just want to raise some other things. We know that Ontario farmers are being hammered by the BSE crisis; they are being hammered by low commodity prices. We know how other jurisdictions have responded. We know that Quebec actually has a cost-of-production formula. We know that in the United States, whether they call it a cost-of-production formula or not, it amounts to a cost-of-production formula. We know that in other provinces they are implementing aspects of a cost-of-production formula. Where is the cost-of-production formula in Ontario?

This is what I think farmers find so peculiar about this government. Before the election, Premier McGuinty and many of his ministers talked as if they had a plan for agriculture. They talked about a competitive industry for the long term, a plan to ensure a competitive industry for the long term. What is lacking now is any plan, any strategy. That's why farmers are becoming particularly

cynical about a Minister of Agriculture who comes here every week and reannounces what he announced last week or reannounces what he announced two weeks ago, and yet in terms of farmers who are losing their livelihood, losing the family farm, losing virtually everything they've invested their lives in, this government has no plan, no strategy, no idea where it's going. That simply cannot continue to be the case in Ontario.

POPE JOHN PAUL II

LE PAPE JEAN-PAUL II

Hon. Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr Speaker: I would ask for unanimous consent for each party to speak for up to five minutes in memory of His Holiness Pope John Paul II.

The Speaker (Hon. Alvin Curling): Do we have unanimous consent? Agreed.

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): I rise to pay tribute to the remarkable life of His Holiness Pope John Paul II, whose death Saturday in Rome has elicited world-wide grief, mourning and remembrance.

Over the weekend, Ontarians joined the world in honouring a man who touched so many people and whose influence was felt far beyond the Roman Catholic Church. All of us, spiritual and non-spiritual, were able to recognize that a great voice has been silenced: a voice that spoke out and was heard by millions around the world, a voice in the name of peace and humanitarianism.

As the world reflects on the legacy of John Paul II, it recalls a man whose primary message was the essential dignity of the individual.

Il croyait que chacun de nous était unique, que nous étions dotés de dons et de talents spéciaux, et que tous les humains avaient fondamentalement droit à la justice, à la liberté et aux droits de la personne.

He believed that each of us is unique, that we are each endowed with special gifts and talents and that all humans are entitled to justice, freedom and basic human rights.

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This is all the more impressive when one realizes that the Pope's bedrock beliefs were formed in an era when his Polish homeland was in the grip of totalitarian regimes that practised exactly the opposite. But then adversity, and not good fortune, has always been a better guide to character, particularly in our leaders, and John Paul emerged from the turmoil of 20th-century Poland a true leader.

As Ontarians, we're thankful for the two occasions that His Holiness visited us here. In 1984, he instantly connected with our province's youth, native peoples and the culture of our bustling cities. When he returned in 2002 for World Youth Day, he told a huge crowd of young people that the world needed them, that it needed their hope, their joy and their talents: a simple message

and a powerful one. It's not something that our young people hear every day.

In his later years, His Holiness was exemplary in his perseverance and commitment to his faith. His leadership and wisdom seemed only more authentic when combined with increasing physical frailty. He inspired those among us of a certain age who daily live with bright minds but failing bodies. His message throughout was consistent: There is dignity in all human endeavour, no matter the age or physical ability.

On behalf of the government of Ontario, I express our deepest sympathies to Catholics in Ontario who have lost their spiritual father, and I join with the world community in mourning an exceptional humanitarian and a champion of world peace.

Mr. John Tory (Leader of the Opposition): I want to pay tribute, on behalf of our caucus and on behalf of the Ontario Progressive Conservative Party, to the life of Pope John Paul II on the occasion of his passing. We are all deeply saddened by the loss of this extraordinary Pope, John Paul II. While he will be missed by many, our thoughts in particular go out to the members of the Roman Catholic faith here in Ontario and around the world.

While the world mourns its loss, our minds cannot help but move away from sadness and to the great joy and blessings that His Holiness left behind during what was truly a remarkable life. He will be remembered as one of the great figures of our time, helping to reshape the 20th century in a new light: the light of peace and justice and of freedom.

To the millions of people trapped behind the Iron Curtain in his native Poland, he will be remembered as a liberator, as the light of hope that gave them the courage to step out of the darkness into solidarity and eventually into freedom. I'm sure the sadness we all feel is magnified many times over in Poland itself and here in our own Polish community in Ontario. We extend our sympathies as well to our friends in the Polish community who share citizenship with us but also share Polish roots with John Paul II.

To the millions more born into communism and slavery and despair throughout other parts of eastern Europe and the Soviet Union, people who can now experience some of the freedom that we often take for granted, he will be remembered as among those who helped tip the world's balance away from tyranny.

Over the past 26 years, the world has been shaped by his advocacy for human rights and by his dignity. He touched many lives in many countries, gaining the well-earned title of the most travelled Pope in history. He came to Canada three times as Pope: in 1984 and 1987, and of course most recently, as the Premier mentioned, in 2002. Personally, I remember the 1984 visit the best, perhaps because it was the first and certainly because I had the opportunity of meeting him. Perhaps Mr. Chrétien put it best when he said, "When you were talking with him, you knew you were talking to a very exceptional person."

The 1984 tour was remarkable not only because of its 12-day duration, but also because it touched so many parts of our collective identity. He spent time with our First Nations then, as in 1987, and he reminded us in 1984 that it was "truly the hour for Canadians to heal all divisions that have developed over the centuries between the original peoples and the newcomers to this continent." This was typical of the kind of bridge-building that he tried to do, bridge-building of his own as head of the Roman Catholic Church and bridge-building that went well beyond that role.

Il y a beaucoup de travail à faire ici, et il reste avec nous et son successeur à continuer les efforts de rapprochement et à commencer ce qu'on doit commencer.

Much work remains to be done here, and it will fall to us and to his eventual successor to finish bridges partially built and to embark upon those not yet started.

I saw the 2002 visit more through television, and I was struck, as we all were, by the extraordinary inspiration he provided to the hundreds of thousands of young people in an age when we read of a supposed decline in spiritual commitment. During that tour, he described Canada as a "free, democratic and caring society, one that is recognized throughout the world as a champion of human rights and human dignity."

I would suggest that the Pope was not only showing us that he understood those foundation values that are so important to our sense of nationhood and our sense of Canadian citizenship, but also reminding us that there is no room for complacency in maintaining what he called "an extraordinarily rich humanism" that has evolved here in Canada.

The Holy Father touched the lives of virtually all Ontarians in many different ways, and that is why we honour him in this chamber today.

This champion of peace and of freedom and of justice and of dignity may have left us, but the example of his life will live on, inspiring us to do better, to stand by our principles and to do whatever we can to make the world a better place for all of its inhabitants.

Mr. Howard Hampton (Kenora–Rainy River): On behalf of Ontario New Democrats, I want to express our sympathy to those who grieve the death of His Holiness Pope John Paul II. Pope John Paul II touched many people by his life, by his work and by his example.

He was the first Pope to visit Canada, not once but three times. His visits were met with huge crowds in 1984, in 1987 and most recently in 2002, when he visited Toronto for World Youth Day. He holds a very special place in the hearts of the Polish-Canadian community, who hold a very deep affection for their countryman.

Pope John Paul was an inspiration to millions around the world. From his earliest days in Poland he worked for peace. In the early 1980s he stood shoulder to shoulder with shipyard workers in the Solidarity struggle. His support for the Solidarity movement has been credited with beginning the process of the democratization of eastern Europe and precipitating the end of the Cold War. He was a vocal opponent of the war in Iraq. He advo-

cated peaceful resolution to conflict above all else. He worked to forge new relationships with the world's other faith communities. When he came to Canada, he said he came to rebuild a bridge with Canada's First Nations. He was the first Pope to visit a mosque. His apology to the Jewish community over past misdeeds of the Roman Catholic church was an important step forward.

Today, as people around the world grieve, we reflect on the legacy of John Paul II. The legacy has many aspects. Most are positive; others are more controversial. The most enduring aspects of John Paul's legacies are his strength and his humanity: the strength he showed through eight decades of life—a life, in many cases, of hardship—in one of the longest papal reigns ever; and a sense of humanity that could bring the faithful to tears with a smile, a gesture or sometimes just a touch.

We will remember Pope John Paul II with admiration and respect—admiration and respect for someone who has made an incredible contribution.

To all of those who grieve, on behalf of New Democrats, know that are you in our thoughts and our prayers.

The Speaker: Would all members and guests please rise to observe a moment of silence in respect to the passing of Pope John Paul II.

The House observed a moment's silence.

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SPEAKER'S RULING

The Speaker (Hon. Alvin Curling): On Tuesday, March 29, 2005, the member for Simcoe North, Mr. Dunlop, rose on a question of privilege concerning the circumstances surrounding a public announcement by the Minister of Community Safety and Correctional Services, Mr. Kwinter, on March 22, 2005. According to the member, only government members received advance notice of the announcement, and the ministry ignored or rebuffed opposition requests for information about the announcement, contrary to the custom and tradition of the House.

I have had an opportunity to review the Hansard for that day, together with our precedents and the relevant parliamentary authorities. Our precedents indicate that although the Speaker has a duty to preserve members' rights to seek information under the standing orders, there are limits to the Speaker's authority. For example, on October 9, 1997, on page 801 of the Journals of that day, Speaker Stockwell made the following remarks concerning ministry financial information that was released to opposition members only after it had been released to government members and the media:

"I appreciate that the member would have preferred that all members could have received the information at the same time. However, the Speaker cannot require the government to release such information—or to release it at a certain time. There is nothing in our rules or our practice that would permit the Speaker to control the dissemination of that kind of information. It is clear from any number of previous Speakers' rulings that these

types of situations do not amount to a prima facie case of privilege."

I agree with this review, and find therefore that a prima facie case of privilege has not been established. In closing, I want to thank the member for Simcoe North for raising this concern.

ORAL QUESTIONS

HEALTH CARE

Mr. John Tory (Leader of the Opposition): My question is for the Premier. In your first budget, presented last May, you laid out five areas where your government would reduce wait times over the term of your government. Of course, to measure if wait times are falling, you have to know what they are to begin with. As of today, since I'm sure you're managing these things carefully, can you tell us what the average wait time is for patients who are waiting to receive an MRI, a hip or knee replacement, radiation therapy, cataract surgery or cardiac care?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I'm pleased to be able to speak to this issue. We are, in fact, for the first time ever in the history of the province, collecting baseline data in those areas. But specifically, when it comes to hip and knee replacement surgeries, cancer surgeries, cardiac procedures and cataract procedures, we're putting in place a Web site that will ultimately enable all Ontarians to have access to this information for the very first time.

Mr. Tory: The people of Ontario want to be able to measure actual results now. Last fall, your own wait times expert, Dr. Alan Hudson, said that you won't be able to measure wait times until the end of next year, 2006, at the earliest. Yet, if we look at Cancer Care Ontario's Web site and the Ontario Joint Replacement Registry, we see that somehow they are able to measure some wait times. Why can't patients in Ontario have access to your wait times information, as you promised, for another year and a half? Why can Cancer Care Ontario do it and not your government?

Hon. Mr. McGuinty: For eight years, under the Conservative government, they did not measure such things. So it takes a bit of time. I'm glad that they are eagerly awaiting this information in public policy in the province of Ontario, and we're proud to be putting it in place.

I can tell you about some of the advances that we have already made: We paid for 1,680 more hip and knee replacement surgeries this year than last, 1,700 more cancer surgeries, 7,800 more cardiac procedures and 2,000 more cataract procedures. So, yes, we've increased the number of procedures, and we continue to work to put in place for the first time ever in the province of Ontario a wait-list strategy, complete with a Web site which will give access to all Ontarians when it comes to knowing exactly where we stand on these kind of things.

Mr. Tory: I'll tell you, the real innovation around here would be if we got some actual results.

Today, the Canadian Medical Association has released an interim report calling for governments to institute benchmark wait times for the very same five areas that your government has referenced. According to Cancer Care Ontario, patients wait an average of 9.9 weeks at the Grand River Regional Cancer Centre for radiation therapy for the treatment of breast cancer. They wait 8.6 weeks in Hamilton and 10.8 weeks at Sunnybrook hospital in Toronto. The Canadian Medical Association says patients should wait no more than 10 days.

Premier, can you guarantee that by the end of your mandate, patients will not wait longer than the 10 days for treatment for breast cancer that the Canadian Medical Association recommends: yes or no?

Hon. Mr. McGuinty: We look forward to moving down this path, which no government in the history of this province has ever taken before. We appreciate the good advice and recommendations from the Canadian Medical Association.

Let me tell you once again, Speaker—this may not be what they want to hear—that we are actually making progress in this area: 1,680 more hip and knee replacement surgeries this past year, 1,700 more cancer surgeries, 7,800 more cardiac procedures and 2,000 more cataract procedures. To put it another way, we have taken 1,680 people who were on the hip and knee replacement list off that list, and 1,700 people on the cancer surgery list off that list. We've taken 7,800 patients waiting for cardiac procedures off that list and have given them those procedures. And when it comes to cataract procedures, we've taken 2,000 people off that list and given them the procedures.

We are moving forward. Shortly, as I say, we'll have in place a complete Web site which will enable Ontarians for the first time ever to have full access to this very kind of information.

The Speaker (Hon. Alvin Curling): New question.

Mr. Tory: I say to the Premier that you can't possibly know whether you're moving forward if you don't have the basic information you need to manage the health care system in this province.

The Canadian Medical Association states that cataract surgery should be completed within four months. Today's Globe and Mail quotes Arlene Silver of Toronto, who has had to wait for 13 months just to find out when she will be scheduled for surgery. It will take her a total of three years to have both eyes completed in terms of the surgery.

Premier, will you guarantee that by the end of your mandate you will abide by the Canadian Medical Association guidelines of four months for cataract surgery: yes or no?

Hon. Mr. McGuinty: I really wish that we had started from a stronger beginning position, but we followed eight years of Tory legacy when it comes to health care. You'll recall that during that period of time we went from 63 underserviced communities to 142. This is a former

government that spent \$400 million to fire thousands of nurses and that compared them to Hula Hoop workers. They cut more than half a billion dollars over two years from our hospitals. That was the starting point, the crumbling foundation, on which we were left to build.

We've been investing significantly more. As I say, for the first time ever in the history of this province, we have decided to put in place a wait-list strategy. We'll have a specific Web site that will give all Ontarians access to that information. It takes a bit of time to collect that information.

One thing we will not do is take \$2.4 billion out of the system, as the honourable member opposite is determined to do.

The Speaker: Supplementary.

Mr. John R. Baird (Nepean—Carleton): I say to the Premier, apparently his first objective was to fire an additional 757 nurses, so he feels the previous government didn't do enough in this area.

Premier, I've asked a number of times for you to tell us how you would reduce wait times. I asked you on February 21. We asked you on December 14 and we asked you on November 22 what wait times currently are and when patients in Ontario can expect to see some meaningful reductions.

Today's report by the Canadian Medical Association lays out benchmark times suggested by the experts on the front lines: the doctors themselves. Do you think the Canadian Medical Association benchmarks are reasonable: yes or no?

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Hon. Mr. McGuinty: Again, it's interesting to learn of their new-found infatuation with wait times. We ask ourselves here on this side of the House, where was that interest, let alone infatuation, with reducing wait times during their eight years as a government? It simply was not an issue. It was not even worthy of consideration. They were devoted then to taking money out of the system, to firing nurses, to shutting down hospitals and to waging war with everyone in the public service, including those who find themselves in the health care system.

Now we have a leader of the party who is committed and absolutely determined to take \$2.4 billion out of our health care system. So I ask him and the member opposite, what do you honestly think that is going to do when it comes to wait times in Ontario? I can tell you it is going to drive wait times up. We're going in one direction to get wait times down; they want to go in the other.

Mr. Baird: I say to the Premier that if he visited the Queensway Carleton Hospital, if he visited the Ottawa Hospital, they'll say that our former government is the one that was able to deliver for those hospitals, unlike the Liberal representation from members opposite since he became Premier. Your own wait times expert, Dr. Alan Hudson, said last year that it would be till the end—

Interjections.

The Speaker: Order. I'm trying to hear the member from Nepean—Carleton, and the government side seems to be shouting. The member from Nepean—Carleton.

Mr. Baird: Your own wait times expert, Dr. Alan Hudson, said last year that you're only going to begin to be able to measure wait times at the end of 2006.

Premier, it was your promise to reduce wait times in five areas. Now you're quickly approaching the halfway point of your mandate and apparently you have no idea how long the lines are in the first place—18 long months and still you have no answers. When will you report to this House and to patients right across the province what the current wait times are so they can measure your performance in this important priority for their families?

Hon. Mr. McGuinty: I ask the good people of Ontario to compare and contrast. During their eight years, we went from 63 underserved communities to 142. They spent \$400 million to fire thousands of nurses. They cut more than half a billion dollars over two years from our hospitals. They closed 28 hospitals. They closed 5,000 beds. We've invested more than \$3 billion more in health care. We've put in place funding to hire 3,000 more nurses. We have put in place the funding to benefit 21,000 more patients who need home care in their homes. We have for the first time ever committed ourselves to reducing wait times in important areas like cataract, cancer, cardiac, hips and knees and MRIs and CTs. No government ever before has decided to take that on. Is it easy? Absolutely not. But I can tell you—compare and contrast—we are for getting wait times down; they want to take \$2.4 billion out of health care in Ontario.

AUTISM TREATMENT

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. During the election, you promised to extend IBI autism treatment to children over age six. In fact, I can quote you. You said, "I ... believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory." And you said, "The Ontario Liberals support extending autism treatment beyond the age of six." But after the election, you broke your promise and denied autism treatment to children over six. Now the Superior Court of Ontario has ruled that your denial of autism treatment violates the Charter of Rights and Freedoms.

Premier, those children and their parents are here today. You promised autism treatment, IBI treatment. How can you now justify dragging them back through the court system again while you appeal a court decision that says you're violating the Charter of Rights and breaking your own promise? Tell them how you justify that.

Interruption.

The Speaker (Hon. Alvin Curling): We welcome guests to Parliament, but we ask you not to participate by clapping or applauding in any way.

Premier?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): To the Attorney General, Speaker.

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for

democratic renewal): I think it's fair to say that every single member of provincial Parliament in this House has enormous concern and sympathy for the challenges facing autistic children and their families. We believe the government of the day needs to have the flexibility to provide the kind of programs that will permit improvement in terms of the assistance to autistic children. We feel that it is for the government in the Legislature to do that, and therefore we will continue to provide those improvements, provide that assistance. We will do that through the Legislature, we will do that through government, and we will be appealing the decision on that basis.

Mr. Hampton: Apparently, the Premier finds it is easier to make promises than to keep those promises.

I just want to recite some of what Madam Justice Kiteley had to say. It's a very lengthy decision. It considered months of evidence; it looked at all of the scientific evidence. This is what she has to say:

First of all, she says you are violating the constitutional rights of these autistic children. What's more, she says you are violating their "human dignity" by denying them the treatment they need to cope and to thrive as individual human beings. In her decision, she calls your discrimination against autistic children "heart-breaking," and says that your failure to live up to your responsibilities and your promise, Premier, to provide the help that they need, the help for these most vulnerable of Ontarians, "undermines the integrity" of your government.

Premier, you found it easy to make promises before the election. Tell these children, these vulnerable children whose rights you are violating, why you're going to drag them through the court again and defend your violation of the Charter of Rights and Freedoms.

Hon. Mr. Bryant: This government feels that we are taking the approach that is in the best interests of all autistic children across the province of Ontario. The Supreme Court of Canada held just last November that governments need the flexibility to design programs that are in the best interests of autistic children and that the courts are not in a position to do that.

The question is, do we have courts determine a specific treatment, or do we have governments undertake programs that include a reduction of waiting lists for assessment by more than 70%, that see 25% more children receiving IBI therapy under this government and that see a new program for all school-aged autistic children? This government has put in place those programs. We feel that is the best approach. That's why we believe that the law of Canada has been ruled upon by the Supreme Court of Canada, and as a result we intend to appeal the decision.

Mr. Hampton: The McGuinty government can make up all kinds of excuses now. Madam Justice Kiteley looked at the situation here in Ontario, she looked at the situation under your government and she is very critical of everything you've tried to trot out as an excuse today.

She ruled that you are denying autistic children the treatment that they deserve after age six for no scientific

reason. She said you're discriminating against these children based on their age, with absolutely no justification for that discrimination, again contrary to the Charter of Rights and Freedoms. She said, "I find that the age cut-off reflects and reinforces the stereotype that children with autism over age six are virtually unredeemable," and that "To deny the plaintiff children the opportunity to have [treatment] after the age of five is to stereotype them, to prejudice them, and to create a disadvantage for them."

I say again to the Premier, who made the promise, tell these children now why you intend to defy this court, defy this well-considered judgment by this judge and defy your own promise to these children.

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Hon. Mr. Bryant: Madam Justice Kiteley also held that the preschool program for autistic children in Ontario today is exemplary. Over a thousand children were on a waiting list for assessment a year ago. We've reduced that waiting list for assessment by more than 70%. We've increased the number of children in Ontario who are receiving IBI treatment by 25%. We have programs that we are putting forward in schools that had never existed before in Ontario. We feel that that is in the best interests of all autistic children in Ontario and their families. We feel that it is a dramatic improvement over the past government's performance, and we will continue in the courts to defend our ability to deliver those kinds of programs so that we can provide more assistance to autistic children in the province.

The Speaker: New question.

Mr. Hampton: To the Premier: The Attorney General is trying to deflect this whole issue, trying to argue that it's something about five-year-olds. No, Premier, this is about your promise. You said that ending IBI autism treatment at age six was discrimination. You said it was wrong; you said it was unfair. This is what Madam Justice Kiteley says: "Without IBI treatment, the plaintive children are deprived of the skills they need for full membership in the human community. That child's isolation from society and lack of skills mean that she or he cannot participate in society and cannot exercise the rights and freedoms to which all Canadians are entitled." You see, Madam Justice Kiteley agrees with you: It's discrimination, it's not justified, it's wrong. All these children want, and all Madam Justice Kiteley wants, is for you to do the right thing: Live up to your promise. Live up to what the scientific evidence shows. Refuse the advice of your Attorney General and don't appeal this. Will you do that, Premier?

Hon. Mr. McGuinty: To the Attorney General, Speaker.

Hon. Michael Bryant: I'm surprised to hear that from a former Attorney General that he would ask for the politicization of a decision on a particular appeal, that he would ask that we in fact should have politics that determine the position we take before the courts. Maybe that's what you did when you were Attorney General, but that's not what we do in this government. We feel that we need to continue to do what—

Interjections.

Mr. Jim Flaherty (Whitby–Ajax): It's the government's decision, Mr. Speaker. He's misleading—

The Speaker: Order. I ask the member for Whitby-Ajax to withdraw that comment.

Mr. Flaherty: I withdraw it.

Hon. Michael Bryant: The question is whether or not—as the Supreme Court of Canada held last November—legislatures and government are in the best position to design programs that are in the interests of autistic children, or whether the courts, based upon the evidence of particular litigants before them, are in fact in the best position to do that. The court said that it's up to the government. The government is putting forward substantial improvements for preschool and school-aged autistic children, and that is what we committed to do. We're providing those improvements. I will continue before the courts to defend the ability of this Legislature to conduct that kind of business that, again, we feel is in the best interests of autistic children in Ontario.

Mr. Hampton: This is what Madam Justice Kiteley had to say about some of these programs that the McGuinty government now wants to laud. Madam Justice Kiteley said, "The Minister [of Education's] duty is to ensure that appropriate special education programs and special education services are provided ... without payment of fees." She ruled that the Minister of Education violated the Education Act, and said, "The minister failed"—he failed—"to respond to the needs of children with autism." He failed "to develop policy and give direction to the school boards to ensure that ... IBI services were provided to children with autism in schools." He failed by creating "systemic barriers to children with autism accessing learning." Just about everything you've tried to pronounce on here today Madam Justice Kiteley considered here in Ontario, and she said you're violating the Charter of Rights and you're denying these children the services they should receive in terms of equality of access.

When, Premier, are you going to live up to your promise and respect the Charter of Rights?

Hon. Mr. Bryant: No member of this House has a monopoly on compassion and sympathy for this particular issue, I say to the member. We in this government are moving forward with substantial improvements and programs for the treatment of autistic children.

The legal issue that has just been articulated by the leader of the NDP has also been considered by the Supreme Court of Canada, and the Supreme Court of Canada said last November, on the subject of the provision of specific treatment programs for autistic children, that it isn't for the courts to determine that; that the government and the Legislature are in the best position to determine that. That's what this case is about.

We will stand behind our record in terms of the assistance, the lowering of waiting lists, the increased treatment of autistic children and the provision of new programs that had never existed before through a public school system, and we'll continue before the courts to

make sure that we have the flexibility to do that, because we believe that's in the best interest of Ontario families.

Mr. Hampton: I want to speak about integrity. I want to speak about the integrity of someone who would write to the parent of an autistic child and say, "I also believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory. The Ontario Liberals support extending autism treatment beyond the age of six." I want to ask about the integrity of someone who would say that during an election campaign to the mother of an autistic child and then, right after the election campaign, deny that you said it, deny the service, and now, when the Superior Court of Justice in Ontario rules that are you discriminating against these children, try to run and hide from that. I want to ask about the integrity of someone who does that.

Hon. Mr. Bryant: We have increased treatment by 25%. We have lowered waiting lists by more than 70%. We have provided new programs for all school-aged autistic children. The purpose of that was to provide improvements. Our commitment was better public services, better services for autistic children, and that's what we are trying to do in this government.

This case is before the courts. We are appealing the ability of the government to deliver upon its commitment to improve services for autistic children, and we will continue to do that.

Mr. John R. Baird (Nepean–Carleton): On a point of order, Mr. Speaker: I seek your good judgment and clarification. I have here the Official Report of Debates (Hansard), number 121, published under your name. It's with respect to the comments made earlier today. I would like to quote the government House Leader, on page 5854: "What's different about what we're doing is that we're not trying to mislead people..." and the NDP member said, "The only thing that's been misleading is a Premier ..."

You ruled when the member for Whitby–Ajax used the word "misleading." Which is it today, sir? Which word—

The Speaker: Order. Sit down. That is not a point of order at this time.

Mr. Baird: It's not?

The Speaker: No.

ONTARIO PUBLIC SERVICE

Mr. Ted Arnott (Waterloo–Wellington): I'm anxious to ask a question of the Premier. Today we learned in the Toronto Star that some Liberal political staff members have been ordered by the Premier's office not to speak to reporters. Furthermore, it's my understanding that public servants in the Ministry of Health have been instructed not to speak with opposition members of provincial Parliament, to refuse to answer our questions, and instead refer all inquiries from opposition MPPs to political staff in the minister's office. Would the Premier not agree that this demonstrates that the government is becoming paranoid?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): No, I do not agree with that.

Mr. Arnott: On Tuesday, March 15, I was advised by the Minister of Health's MPP liaison that ministry public service staff are not permitted to speak with MPPs. He verbally confirmed that there has been a directive issued to public servants forbidding communications with MPPs and requiring all contact to be channelled through political staff.

This effort to marginalize opposition MPPs is highly offensive and outrageous, and is contemptuous of members of the Legislature who are responsible for advocating on behalf of the constituents each of us represent. In turn, it also demonstrates a dismissive disregard for all of our constituents who elected us. This is also an insult to the professional and independent public servants, who are being denied the trust and confidence they have earned by the positions they hold.

Will the Premier commit to looking into this matter and immediately rescind this autocratic dictate?

1500

Hon. Mr. McGuinty: I recall a time when Minister Wilson, I think it was, threatened to fire any civil servant who talked to the opposition. I recall those days. I am confident that we've come a long way since that point in time.

It is our intention, notwithstanding anything that anybody has put out there, to ensure that MPPs on either side of the House have access to the information they need to carry out their responsibilities as representatives of their constituents.

AUTISM TREATMENT

Ms. Shelley Martel (Nickel Belt): I have a question to the Premier. I want you to meet some of the parents and children who are part of the Wynberg and Deskin lawsuit. They're in the gallery today. They are Robyn and Simon Wynberg, Tammy Starr and Arthur Fleischmann, Perry Taylor, Richard Marcovitz and Sheila Laredo, Suzanne Wetzel, Brenda Lumsden-Johanson, Maria Velasquez, Susan Elsworthy, Natoma Houston and Benjamin, and Cindy, Jordan and Anthony Faria. Eleven-year-old Anthony even testified in court about how IBI had helped him.

For the past five years, these families have waged a court battle against the previous government and against your government to try to get the services their children need. They've mortgaged or sold their homes, borrowed heavily from family members, held community fundraisers and faced financial ruin, all to try to pay for IBI for their children and the legal costs to get what they need for their children. At long last, the court has ruled in their favour.

Premier, don't abuse these families any more. Do what you promised in the last election. Tell these children and these families you will not appeal this decision. What's your answer, Premier?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): The Attorney General.

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): I'm not sure that this was a question, but obviously the government will continue to comply with the order that has been in place that will see the 30 families that are the subject of this particular action continue to receive the treatment pursuant to the order. That will continue. If that was the member's question, then of course we will be complying with that order.

Ms. Martel: They were paying for the treatment long before Justice Kiteley finally had to rule your government in contempt and force payment for treatment. That only happened in the last number of months, and you know it, Attorney General.

I want to remind the Premier, though, of the promise he made in the last election. He said, and I quote again, "I also believe that the lack of government-funded IBI treatment for autistic children ... is unfair and discriminatory. The Ontario Liberals support extending autism treatment beyond the age of six."

Well, Justice Kiteley agrees with you, Premier. She found that the lack of IBI for children over six is discriminatory, has violated the constitutional rights of autistic children and must end. The parents won, Premier. You lost, and your government should get over it. It would be unconscionable for you now to drag these parents and other parents through the court one more time. Keep the promise you made during the election. Tell the parents you'll agree and respect this ruling. Tell them you'll provide the services their children and other autistic children need. Will you do that today, Premier?

Hon. Mr. Bryant: There are, of course, a number of matters that are before the courts. It goes without saying that we will continue to take the position that the Supreme Court of Canada has articulated, which is that governments and Legislatures should be in a position to fight for autistic children, not a judge with a particular case. I would anticipate that if the result had been otherwise, the parties in this matter would have also appealed on the other side of this matter.

Our position has been that governments and the Legislature should have the—

Ms. Martel: It's shameful. Your position is absolutely—

The Speaker (Hon. Alvin Curling): Order. Could I ask the member from Nickel Belt to come to order, please.

Ms. Martel: It is. It's unconscionable that you're going to drag these parents through the courts one more time.

The Speaker: Order.

Interjections.

The Speaker: I'm going to ask the member from Nickel Belt to come to order.

Ms. Martel: No, Speaker, I'm sorry. Shame on this whole government. They made promises to win the election that were good enough to get their votes, and now, after the election, what do they do? Discrimination, one more time. How much taxpayers' money are you going

to spend? What's wrong with you people? Look at yourselves in the mirror. Look at them.

Interjections.

The Speaker: Order. Could I ask members to respect the decorum of the House. Come to order so we can proceed with our question period.

Member from Nickel Belt, I've been very patient with you.

New question.

FARM RETAIL SALES TAX EXEMPTION

Mr. Pat Hoy (Chatham-Kent Essex): My question is for the Minister of Agriculture and Food. There have been difficult times in the agriculture sector. Many of my constituents have contacted me to share their personal hardships and to seek help from this government. I was pleased to hear at the beginning of last week that we're providing support to the farmers of Chatham-Kent Essex through the additional \$79 million to Ontario grain and oilseed farmers and \$50 million under the tobacco community transition fund.

On Friday, you made yet another announcement that will certainly help to eliminate a process that has caused some stress for some farmers. Would you tell my constituents what exactly the announcement of the point-of-sale retail sales tax exemption will mean for farmers in my area?

Hon. Steve Peters (Minister of Agriculture and Food): We are acting, and we listen to what general farm organizations have to say. This is a commitment that we made in the 2004 budget. Through the Ministry of Finance, we're streamlining the process for farmers to receive their RST exemption on purchasing eligible farm-related goods, services and insurance for their businesses. In order to simplify the process for obtaining point-of-sale RST exemption, Ontario producers will be allowed to use their general farm organization ID cards in lieu of purchase exemption certificates.

I quote from the April 1, 2005, Ontario Federation of Agriculture press release: "We've been working with governments for five years to get this convenience for its members." Unlike the previous government, which had deaf ears to the Ontario Federation of Agriculture, we worked with them. We're not going to make farmers wait any longer, like the previous government did.

Mr. Hoy: This certainly is welcome news in the agricultural area. On behalf of my constituents in Chatham-Kent Essex, how exactly will this work? Will vendors know that the general farm organization cards are all that is needed in order to get the exemption on agricultural items? And whom can they contact for more information about the exemption?

Hon. Mr. Peters: The Ministry of Finance has sent out an information notice to all vendors across the province who are in the agribusiness industry to make them aware. As well, all commercial farmers will be receiving notice of this initiative from the Ministry of Agriculture and Food.

At the time of purchase, the farmer would show his membership card from his general farm organization. The vendor would record that information and the number printed on the card and exempt the farmer from paying retail sales tax. This applies to all purchases that are designated under the Retail Sales Act.

Where a farmer is not a member of a general farm organization, they can still participate in this program. They are still eligible for the sales tax exemption, but there will be more paperwork involved. If they do need further information, please, to any farmer, don't hesitate to contact any one of us in this House as MPPs, or the Ministry of Finance tax-back service.

TEACHER TESTING

Mr. Frank Klees (Oak Ridges): My question is to the Minister of Education. The credibility gap between your rhetoric about stability in classrooms in this province and reality is continuing to grow. You cancelled a professional development program and replaced it with nothing. You introduced new bargaining rules, and you have literally hundreds of thousands of children wondering what is happening in their classrooms. Strike action is escalating every day. Today you're chastised by the Ontario Superior Court for not carrying out your responsibility as the Minister of Education toward autistic children.

In your March 24 letter, now you've given a free pass to literally thousands of graduates from faculties of education in this province who will not require a qualifying test to teach in our classrooms. I ask the minister why he believes it's appropriate that teachers would move from graduating into the classrooms without qualifying tests in this province. Is that his view of escalating the quality of teaching in our province?

1510

Hon. Gerard Kennedy (Minister of Education): It's always helpful to have the member opposite articulate problems, because he just reminds us how far we've come from what was there before in terms of old attitudes.

Under the previous government, we lost one in three new teachers, at a cost every year of \$30 million, because the environment was so poor, the training was so insufficient and because, frankly, that government didn't appreciate good public services.

There had been a test that new teachers coming out of university had to write, which 99% of them passed. But that government was prepared, for political reasons, to have \$5 million to \$6 million spent every year. We think it would be far better to provide an induction program for new teachers, that they go through that and then have an assessment after they've been in a classroom, after we see how they're actually getting good at teaching.

The point of education on this side of the House is to provide better services to students, not better headlines, and not to attack teachers as you did, ultimately so unsuccessfully, year after year after year.

Mr. Klees: Once again, obviously the word of this Premier means nothing. On Focus Ontario, here's what the Premier said: "I agree that teachers should be tested. New teachers should be tested. I think that teachers should be tested as nothing more and nothing less than professionals." He goes on to say that, just like other professionals, "They're all tested at the beginning of their professional careers in order to be admitted to the profession."

Now we have this minister saying, "Well, we'll admit all of them. We'll give them a pass so they can get into the classroom, and then at some point along the way we'll find some way to figure out whether they qualify to be there."

Does he agree or does he not agree with his Premier that teachers, like every other professional, should be qualified before they enter the profession, and if so, why didn't he get about the business of ensuring that there was a qualifying test? He has had 10 months to do it since he eliminated the existing test that was there. What has the minister been doing for 10 months?

Hon. Mr. Kennedy: It's evident to many other people that what we've been doing is providing better education to students. That's what has taken all of our attention. These power struggles that you want to perpetuate with teachers or school boards are not what get our attention.

There was an inconsistency. If you were trained outside the province of Ontario, you got to practise as a teacher for one year and then you went through an assessment. All we're doing is putting all teachers on exactly the same footing. All teachers will have either an interim certificate, for those trained internationally, or a provisional certificate, for those trained here. They will then go through, for the first time, we believe—and we're taking the time to sit down and work out with the sector the details of an induction program: support for them in their first year of teaching, additional training so they will be better teachers. At the end of that, there will be some form of assessment where we bring together some way of making sure that their probation and the other measures they go through are there to support better teaching.

We make no apologies for that. Our emphasis is on students getting better teaching and better learning. We're working together with the entire education sector to make that happen.

AUTISM TREATMENT

Mr. Peter Kormos (Niagara Centre): Premier, when young Cameron Walsh down in Welland was diagnosed with autism, he was put on the waiting list for government-funded IBI treatment. When he turned six, he still hadn't reached the head of the line, and he was told that he was no longer eligible. His parents, Leo and Sheri, purchased IBI treatment at a cost of \$2,800 a month, but the bank account finally ran dry. There's no more credit. They've literally used all of their credit, all of their credit cards, every available penny, every bit of resources made

available to them by relatives and raised during the course of fundraisers and their son now doesn't receive IBI. Of course, they believed you during the last election campaign when you promised that their son Cameron would get IBI treatment.

The Speaker (Hon. Alvin Curling): Question?

Mr. Kormos: Why are you not prepared to keep your promise to Leo and Sheri Walsh and their boy Cameron?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): To the Minister of Children and Youth Services.

Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): We have worked very tirelessly on reducing the wait list for children so that they don't age out, so that they do get the IBI treatment they need under the age of six, and that has resulted in a 25% increased number of children who are receiving IBI treatment.

As well, we worked very hard on the number of assessments for children awaiting IBI treatment. There is a 72% reduction in the wait list for assessments. We're working as fast as we can. We understand this is very difficult for the families, but we are determined to help these families.

The Speaker: Supplementary.

Mr. Michael Prue (Beaches—East York): My question is again to the minister.

Madam Minister, you will remember that about two months ago I stood in this House and talked about Michelle Quance and her wonderful four-and-a-half-year-old daughter Tennyson.

On this historic day, the day when the Ontario Superior Court has upheld and fortified the argument we have made so many times on this side of the House, that the lack of IBI treatment for Ontario's autistic children is immoral, you also know it is unconstitutional and it is illegal.

Madam Minister, you will remember that Tennyson was diagnosed with autism last June and, since that time, her family has been forced to raise thousands of dollars from their neighbours and to mortgage their house. You will know that the family is spending \$6,600 a month trying to get that very same treatment that your government promised. I recently found out that she's gone all the way from 10th on the list to second—one space a month. Will you please tell this family, and all the other Ontario families with autistic children, that you can and will set up their IBI treatments today, not next year, in line with what the court has said?

Hon. Mrs. Bountrogianni: We are working as quickly as possible. We've hired over a hundred new therapists in less than eight months to deal with this crisis.

I agree with the member opposite that it is difficult for the parent of that four-year-old to wait. But as I know the honourable member understands, he would not want any child to bump any other child on a wait list. That's not the solution. The solution is to build capacity so that we

eliminate the wait list. That's what we're determined to do, and we're well on track in meeting that goal.

WATER QUALITY

Mr. Jim Brownell (Stormont—Dundas—Charlottenburgh): My question is to the Minister of the Environment. It goes without saying that water is one of our most important resources. In the wake of the Walkerton disaster, we all know how fragile our sources of drinking water can be.

In a recent report from the Sierra Legal Defence Fund, they indicated that despite all the improvements since Walkerton, industrial pollution remains a viable hazard to our water supply. Between 2002 and 2003, there were 2,500 documented pollution violations by industry, including 2,300 water pollution violations. In 2003 alone, there were 102 illegal spills of such substances as ammonia, arsenic and carcinogenic solvents into Ontario's water. More than five million litres of toxic material were illegally discharged, endangering wildlife and people who depend on clean, drinkable water.

Minister, I know you take the safety of our water seriously and have implemented programs to protect it. Can you explain these programs to us?

Hon. Leona Dombrowsky (Minister of the Environment): I'm very proud to say that protecting our water is a priority for this government. I too was very disturbed when I saw the report from the Sierra Legal Defence Fund, and I think it very accurately demonstrated that the previous government was, quite frankly, unwilling to deal with nasty polluters.

After coming to office, very early in 2004 I deployed the Ministry of the Environment SWAT team to the Sarnia area, which was the site of many of these incidences. I also implemented the industrial pollution action team. This was a team of local representatives and experts in science to provide me with recommendations on how, going forward, we can prevent these events from happening. I'm very happy to say that that team has provided this ministry with a report and I look forward to developing an action plan to ensure that these events are reduced and hopefully, ultimately, absolutely removed from this province.

1520

Mr. Brownell: Thank you, Minister, for explaining the programs you have in store for keeping our water safe. I know you have worked hard on this issue and you take water seriously.

While addressing that the state of the water is important, it does not completely solve the problem. Sierra Legal's research indicated that there were 21 companies with 10 or more violations of Ontario's water pollution laws. As long as companies feel they can get away with violating water pollution rules with little penalty, the problem will persist. In my own riding of Stormont—Dundas—Charlottenburgh, illegal emissions from industrial facilities have contributed to a buildup of mercury in the St. Lawrence river. Could you explain to us what

your ministry is doing to hold accountable those companies that would violate our laws and contaminate our waters?

Hon. Mrs. Dombrowsky: First, I would like to identify the environmental leaders program. That is a program that our ministry has set up where we identify those industries that are leaders, that go above and beyond good environmental performance. Our government has also introduced Bill 133. That is a penalties bill that, if passed, would require companies responsible for illegal spills to pay a penalty, and that penalty will go directly to a specific fund dedicated to compensating communities that have been impacted in a negative way, whether they've had to purchase water or implement an alert system. Whatever expenses they might have incurred to manage a spill event, there will now, if this legislation is passed, be an opportunity for communities to access that.

I'm very happy to say I've recently had a conversation with David Suzuki. He's very supportive of this legislation and believes that it's important that we send a clear message that we intend to protect the water for the people of this province.

CHIROPRACTIC SERVICES

Mr. Cameron Jackson (Burlington): My question is for the Minister of Citizenship responsible for disabled persons. In your last budget, your government delisted physio, chiro and ophthalmology services in OHIP. Last week there was a news release announced by your government that you had made a mistake and you were reinstating physiotherapy services for what are "the highest-need Ontarians." In particular, you referenced the Ontario disabilities support program.

As MPPs, all of us enjoy a benefits package that includes our physio and chiropractic coverage. This is a luxury that persons who are disabled don't enjoy. So my question to you, why did you support the disabled community to reinstate medically necessary physiotherapy services, yet you refuse to stand up and support the disability community in order to receive medically necessary chiropractic treatments?

Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): I support my colleague the Minister of Health 100% with his redefinition of the physiotherapy listing. We will be assisting seniors 65 and over, all people age 19 and under, long-term-care residents of all ages, people of all ages needing short-term physiotherapy, people of all ages requiring physiotherapy after overnight hospitalization and, to your question, people of all ages receiving physiotherapy who are recipients of the Ontario disability support program, Ontario Works or family benefits. I have full confidence that my colleague the Minister of Health studied this issue, and I support all of his decisions on this issue.

Mr. Jackson: It appears you continue to support discrimination against Ontario's disabled citizens. This government received over 600,000 petitions from persons

seeking reinstatement of both physio and chiropractic services. Your own government's backgrounder describes how a 23-year-old woman on social assistance who hurt her back will receive OHIP coverage for physiotherapy, but she cannot choose chiropractic services, even though the evidence is quite clear that her chiropractic treatment is both more cost-effective as a treatment and more effective overall as a treatment. Even the WSIB has concluded that, with treatment, she can return to fully functioning in half the time and will be half as likely to have a chronic condition.

My question is, when the evidence is abundantly clear that your decision on chiropractic continues to discriminate against persons with disabilities, when are you going to actually sit down or get your government to sit down with the Ontario chiropractors' association, which they've been requesting for six months, in order to look at ways in which we can end the discrimination against disabled persons who are seeking this medically necessary treatment in our province?

Hon. Mrs. Bountrogianni: Again, I support my colleague the Minister of Health and the government in the delisting of chiropractic and optometry, and I do support my colleague in the physiotherapy relisting. He studied this and his ministry studied this, and I support his decision.

But on the rights of the disabled, we are bringing forward an Accessibility for Ontarians with Disabilities Act that has been lauded as one of the best in the world, if it passes. I will take no lecture from the member opposite, given the weak bill his government brought in, in comparison to what we're bringing in, where we have people with disabilities at the table developing standards that will be met, will be complied with, and if not, will be enforced by penalty.

AUTISM TREATMENT

Ms. Andrea Horwath (Hamilton East): My question is for the Premier. I have a message from Dave and Cathy Davies of Hamilton East. They want you to obey the court and end your discrimination against autistic children in Ontario aged six and over. The Davies want you to ensure that autistic children, regardless of their age, receive the medically necessary IBI treatment they need. The Davies' son, Jordon, turns 13 in June. He was never able to access government-funded IBI. The court says today that you cannot legally deny Jordon treatment any longer.

Will you look at these people here today, and will you tell Dave and Cathy Davies of Hamilton East that you will heed the court's decision? Will you listen to the pleas from parents like Mr. and Mrs. Davies, or will you prolong the suffering of autistic children and their parents' anguish by depriving the children of the treatment they need to function in life? Will you continue to force their parents into decisions about their care that no parent should be expected to make in the province of Ontario?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): To the Minister of Children and Youth Services.

Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): We understand that this is a difficult issue for the families. My colleague the Attorney General has already stated that he's appealed the decision. The government is reviewing the implications of the decision and what this means to programming.

What we have done for the children under six is try to get, as much as possible, the IBI treatment for them so they can then generalize their skills when they reach school age. I understand that this young person may not have received IBI because of his being 13 and it's a relatively new program. But what we had, even before our government, in Hamilton—I worked in the Hamilton board of education; I'm not sure which of the two boards of education the young person attends, but there are programs in both for children with autism. As well, we have just instituted a new education program of resource people going into boards across the province, because, quite frankly, there were gaps—

Interjection.

Hon. Mrs. Bountrogianni: I know the member from Nepean–Carleton knows there were gaps. In northern Ontario, for example, there was nobody there. We have instituted a program that will begin to close those gaps across the province.

The Speaker (Hon. Alvin Curling): Supplementary.

Mr. Rosario Marchese (Trinity–Spadina): Adam Shane of Mississauga is here today, and he needs intensive behavioural intervention in order to attend school. His teacher, his special education teacher and his principal all agree that IBI therapists should be allowed into the classroom. The Peel District School Board said no; therefore he cannot get IBI at school. At the same time, in September, Erin Oak, the centre for developmentally challenged children, gave Adam more hours of treatment but also changed their hours of operation. So to access the additional treatment, his mother, Lynn, who's here today, has to pull him out of school two afternoons a week to attend Erin Oak.

In her ruling, Justice Kiteley said that you have failed to “develop policy and give direction to the school boards to ensure that ABA/IBI services are provided to children with autism in schools.”

Minister, when will you assume the responsibility and the social obligation you have as a government and ensure that Adam and other autistic children like him receive the widely hailed IBI treatment in school?

Hon. Mrs. Bountrogianni: The Minister of Education.

Hon. Gerard Kennedy (Minister of Education): We have in education right now an outlook on special-needs children; that is, \$365 million dollars in more resources, 65% more resources in the last two years. Children with recognized exceptionalities include almost 7,000 children with autism and spectrum disorder. We have around \$130

million worth of services directed to those children today. Independent of what happens in terms of the courts, we are determined to provide the best educational services possible. We are in the process of an overall review of special education right now and we are providing the additional resources right now, as we speak, into those schools.

It is our intention to provide for children with special needs in the province. We've been doing that in an accelerated fashion and we're going to continue to do that, because we accept the responsibility we've always had.

1530

AMBER ALERT ON LOTTERY TERMINALS

Mr. Jeff Leal (Peterborough): My question is to the Minister of Economic Development and Trade. The Amber Alert program is a very important tool when a child is abducted. While it's unfortunate that we ever need to use it, it has proven to be very successful in the past. I'm happy to hear that we're expanding the program to reach more people who might be able to help track down a missing child. Anything we can do to help abducted children and their families during this nightmare situation is positive.

Minister, as the father of a seven-year-old and a five-year-old, I want to thank you and ask what action you have taken on this issue.

Hon. Joseph Cordiano (Minister of Economic Development and Trade): I'd like to thank the member for Peterborough. This morning, the Premier announced that Ontario's 9,000 lottery terminals would join Ontario's Amber Alert child abduction warning system. This is the first Canadian province to use its lottery network in this way. I'm very proud of the fact that the Premier made that announcement this morning, because it will mean that everyone in the province will be more involved in trying to finding an abducted child. It means that starting tomorrow, we will harness the power of Ontario's network of 9,000 lottery terminals to get the word out about an abducted child.

This is another way that the government is using its resources to make Ontario and Ontarians safer. This is a very good example of good government, and that's what this government is all about.

Mr. Leal: To the Minister Community Safety and Correctional Services: The McGuinty government came to office with a commitment to build strong and safe communities. Among the most important things we can do is to ensure the safety of our children. I know that, among other things, we're ready to take action on cyber-proofing our kids and protecting them from Internet crimes, as well as appointing a safe schools action team to protect students in the classroom.

I was glad to hear that we're going to expand the Amber Alert program, which helps spread the word about children who have been abducted. Minister, can you tell me what the expansion of the Amber Alert program

means for abducted children and their families in Ontario?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I thank the member for the question. The expansion of the Amber Alert is very important. The OPP—

The Speaker (Hon. Alvin Curling): I just want to confirm—I thought the last question was for the Minister for Economic Development and Trade. You've got to put the question back to the Minister of Economic Development and Trade, please.

Hon. Mr. Kwinter: Thank you, Mr. Speaker. As I was saying, the Ontario Provincial Police have responsibility for initiating an Amber Alert. The whole reason behind the Amber Alert program is to make sure that if there is information about an abduction—the time to act has been determined to be between two and five hours. The only way we can really get input from the public is to expand as much as we can the information we have on that particular abduction. In the past, we have been using the Ministry of Transportation signs on the highways and we've been using the media—television, cable and radio. Today we announced that we're expanding it by 9,000 outlets with lottery terminals. This means we will get the message out to far more people and we'll be far more effective in trying to bring to a successful and safe conclusion the report of an abduction.

PETITIONS

STUDENT SAFETY

Mr. Jim Flaherty (Whitby–Ajax): I have a petition to the Legislature of Ontario.

“Whereas the Ministry of Education has failed to ensure that students are protected from individuals whose past behaviours have directly harmed children; and

“Whereas the Ministry of Education has chosen to ignore the children's aid society's recommendation that certain individuals not work with children; and

“Whereas the introduction of a ‘volunteer’ into the school system must not be solely at the discretion of the principal; and

“Whereas the Liberal government promised to ensure that school boards provide strong local accountability and decision-making;

“We, the undersigned, petition the Legislative Assembly to amend the Education Act to place restrictions on the eligibility of persons who act as volunteers in schools, and to include as a formal requirement that volunteers be subject to the approval of the school board and parent council.”

I've signed my name.

The Speaker (Hon. Alvin Curling): Could I ask members to be just a bit quieter, please, so I can hear the petitions?

ANAPHYLACTIC SHOCK

Mr. Dave Levac (Brant): I appreciate this opportunity. This is a petition that is written to the Legislative Assembly of Ontario.

“Whereas there is no established province-wide standard to deal with anaphylactic shock in Ontario schools; and

“Whereas there is no specific comment regarding anaphylactic shock in the Education Act; and

“Whereas anaphylactic shock is a serious concern that can result in life-or-death situations; and

“Whereas all students in Ontario have the right to be safe and feel safe in their school community;

“Whereas all parents of anaphylactic students need to know that safety standards exist in all schools in Ontario;

“Therefore be it resolved that we, the undersigned, demand that the McGuinty government support the passing of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan.”

I sign my name to this petition and hand it over to Zoé, our page.

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Norman W. Sterling (Lanark–Carleton): This is a petition to the Legislative Assembly of Ontario from 6,500 people wanting to save the Rideau Regional Centre in Smith Falls.

“Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

“Whereas the Minister of Community and Social Services has announced plans to close the Rideau Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing the Rideau Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities;

“Whereas Ontario could use the professional staff and facilities of the Rideau Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep the Rideau Regional Centre open as a home for people with developmental disabilities and to maintain it as a ‘centre of excellence’ to provide specialized services and support to Ontarians with developmental needs, no matter where they live.”

As I said, that's 6,500 people from across Ontario who are looking out for our most vulnerable people, and they want the Rideau Regional Centre to stay open.

TENANT PROTECTION

Mr. Tony Ruprecht (Davenport): I have a petition from the Dover Square Tenants Association on Rusholme Road, which reads as follows:

“Whereas the so-called Tenant Protection Act of the defeated Harris-Eves Tories has allowed landlords to increase rents well above the rate of inflation for new and old tenants alike;

“Whereas the Ontario Rental Housing Tribunal ... created by this act regularly awards major and permanent additional rent increases to landlords to pay for required one-time improvements and temporary increases in utility costs, and this same act has given landlords wide-ranging powers to evict tenants; and

“Whereas our landlord, Sterling Karamar Property Management has applied to the Ontario Municipal Board ... to add a fourth high-rise unit to our compound in order to circumvent city of Toronto restrictions on density and the city’s opposition to its project;

“Whereas this project would lead to overcrowding in our densely populated community, reduce our precious green space, further drive up rents and do nothing to solve the crisis in affordable rental housing;

“Whereas this project will drive away longer-term tenants partially shielded from the post-1998 Harris-Eves rent increases, thereby further reducing the number of relatively affordable units in the city core; and

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“Whereas before the October 2003 elections Premier McGuinty promised ‘real protection for tenants at all times’ and a radical overhaul of the pro-developer OMB; and

“Whereas our own MPP, Liberal Tony Ruprecht, called for a rent rollback ... at a public event in June 2003....

“We, the undersigned residents of Doversquare Apartments in Toronto, petition the Parliament of Ontario as follows:

“To institute a rent freeze until the exorbitant Tory guideline and above-guideline rent increases are wiped out by inflation;

“To abrogate the Harris-Eves ‘Tenant Protection Act’ and draw up new landlord-tenant legislation which shuts down the notoriously pro-landlord ORHT...;

“To keep the McGuinty government to its promise of real changes at the OMB,” the Ontario Municipal Board, “eliminating its bias toward wealthy developers and enhancing the power of groups promoting affordable housing, sustainable neighbourhoods and tenant rights.”

HEALTH CARE FUNDING

Mr. John O’Toole (Durham): I have a petition from the riding of Durham.

“To the Legislative Assembly of Ontario:

“Whereas the federal Income Tax Act at present has a minimum amount of medical expenses for which a taxpayer is entitled to claim a non-refundable income tax credit;

“Whereas the health and medical expenses of every citizen in the province of Ontario, great or small, affect their overall net income;

“Whereas the Ontario Liberal government moved in their 2004 budget on May 18, 2004, to delist publicly funded medical services such as chiropractic services, optometry examinations, and” some “physiotherapy services;

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

“That the Income Tax Act remove the present minimum amount of medical expenses for which an Ontario taxpayer is entitled to claim a non-refundable income tax credit.”

I’m pleased to sign this. By the way, I have a private member’s bill on this as well that I’d like the government to support.

HOSPITAL SERVICES

Mr. Jeff Leal (Peterborough): I have a petition from the riding of Peterborough. It’s an Ontario petition to stop private P3 hospitals.

“To the Legislative Assembly of Ontario:

“Whereas all hospitals since the inception of public medicare in Canada have been non-profit;

“Whereas ‘public-private partnership’ (P3) hospitals turn over democratic community control to international investors, making a public service into a commodity sold for profit;

“Whereas worldwide evidence is that private (P3) hospitals lead to doctor, nurse, staff and bed cuts in hospitals in order to make room for profit-taking, consultant fees, higher borrowing costs and outrageous executive salaries;

“Whereas private (P3) hospitals hide information about the use of tax dollars by claiming ‘commercial secrecy’ when they privatize public institutions;

“Whereas the higher costs, user fees, two-tier services and the culture of private (P3) hospitals risk the future sustainability of our public medicare system;

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

“We call on the government of Ontario to

“(1) Stop all current and future ‘public-private partnership’ (P3) hospital deals and return full ownership, operation, management and delivery of hospital services to non-profit hands, and

“(2) Develop a plan to fund new hospitals through public finance, clearly excluding the privatization of hospital services.”

I’ll give it to Stephanie, our page here.

ONTARIO FARMERS

Mr. Ernie Hardeman (Oxford): I’m pleased to be able to rise and read this petition into the record. It’s from a lot of my rural constituents.

“To the Legislative Assembly of Ontario:

“Whereas thousands of Ontario farmers and rural Ontarians have been forced to take their concerns directly to Queen’s Park due to the lack of response from the Dalton McGuinty government; and

“Whereas the Rural Revolution believes that rural Ontario is in crisis, and they will be demonstrating their resolve and determination at Queen’s Park on March 9;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to deal with the serious issue of farm income as brought forward by the Rural Revolution’s resolutions to respect property and prosperity as follows:

“Resolution 4: Federal and provincial governments have created a bureaucratic environment that legalizes the theft of millions of dollars or rural business and farm income. All money found to be removed from rural” Ontario “landowners, farmers and business shall be returned.”

I affix my signature to the petition.

REFUNDABLE CONTAINERS

Mr. Tony Ruprecht (Davenport): I keep getting petitions regarding broken bottles and the recycling program. This is a very short petition. It reads as follows:

“To the Legislative Assembly of Ontario and the Minister of the Environment:

“Whereas we find lots of pop cans and beer bottles in our parks plus children’s playgrounds;

“Whereas it is therefore unsafe for our children to play in these parks and playgrounds;

“Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

“Whereas Ontarians are dumping about a billion aluminum cans worth \$27 million into landfill every year instead of recycling them;

“Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;

“Therefore we, the undersigned, strongly urge and demand that the Ontario government institute a collection program that will include all pop drinks, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment.”

Since I agree with this petition 100%, I’m delighted to sign my name to it.

ONTARIO FARMERS

Mr. John O’Toole (Durham): I am the proud recipient of a number of petitions from the riding of Durham, and I’m pleased to present them on their behalf. Let me get a new one here.

“To the Legislative Assembly of Ontario:

“Whereas thousands of Ontario farmers have been forced to take their concerns directly to Queen’s Park because of a lack of response from the Dalton McGuinty

government to farm-related issues”—the minister is here in the House today—“and

“Whereas farming in Ontario is in crisis because of the impacts of BSE, unfair subsidies from other jurisdictions and bureaucratic/legislative burdens that fail to understand the value of agriculture as a strategic industry; and

“Whereas the current prices for farm products do not allow for sustainable agriculture in Canada, with a 10.7% decline in the number of Canadian farms reported between 1996 and 2001;

“Therefore we, the undersigned, ask”—politely—“the Legislative Assembly of Ontario to consult with Ontario farmers to develop a long-term strategy to ensure the viability of agriculture in our province and to develop immediate short-term solutions, such as support for grain and oilseed producers, a workable production insurance program for horticulture and a CAIS program that delivers real income support on a timely” and sustainable “basis.”

I’m pleased to sign this on behalf of the farming community in the riding of Durham.

TENANT PROTECTION

Mr. Gilles Bisson (Timmins–James Bay): I have a petition here. It’s about two and a half minutes long. It says:

“Whereas the so-called ‘Tenant Protection Act’ of the defeated Harris-Eves Tories has allowed landlords to increase rents well above the rate of inflation for new and old tenants alike;

“Whereas the Ontario Rental Housing Tribunal created by this act regularly awards major and permanent additional rent increases to landlords to pay for required one-time improvements and temporary increases in utility costs and this same act has given landlords wide-ranging powers to evict tenants; and

“Whereas our landlord, Sterling Karamar Property Management, has applied to the Ontario Municipal Board to add a fourth high-rise unit to our compound, in order to circumvent city of Toronto restrictions on density and the city’s opposition to its project;

“Whereas the project”—there are a lot of “whereases.” I’ll move on here. It says:

“We, the undersigned residents of Doversquare Apartments in Toronto, petition the Parliament of Ontario as follows.” Now, this is interesting:

“To institute a new rent freeze until the exorbitant Tory guidelines and above-guideline rent increases are wiped out by” the Harris “inflation”—excuse me, “wiped out by inflation.” I don’t have my glasses. That’s why I’m having a hard time.

“To abrogate the Harris-Eves ‘Tenant Protection Act’ and draw up new landlord-tenant legislation which shuts down the notoriously pro-landlord OHRT and reinstates real rent control, including the elimination of the Tory policy of ‘vacancy decontrol’;

“To keep the McGuinty government to its promise of real changes at the OMB, eliminating its bias toward

wealthy developers and enhancing the power of groups promoting affordable housing, sustainable neighbourhoods and tenant rights.”

I present that on behalf of those fine constituents from Dovercourt.

HEALTH CARE FUNDING

Mr. John O’Toole (Durham): This is what we call a doubleheader in one day. I’m pleased to present this on behalf of my constituents in the riding of Durham. Dr. Farooq Khan sent me this.

“To the Legislative Assembly of Ontario:

“Whereas the federal Income Tax Act at present has a minimum amount of medical expenses for which a taxpayer is entitled to claim a non-refundable income tax credit”—shameful.

“Whereas the health and medical expenses of every citizen in the province of Ontario, great or small, affect their overall net income;

“Whereas the Ontario Liberal government moved in their 2004 budget on May 18, 2004, to delist” currently “publicly funded medical services such as chiropractic services, optometry examinations and physiotherapy services;

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

“That the Income Tax Act remove the present minimum amount of medical expenses for which an Ontario taxpayer is entitled to claim a non-refundable income tax credit.”

I am pleased to support this on behalf of the people who are paying more and getting less in the province of Ontario.

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ORDERS OF THE DAY

FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT LA LOI SUR LES OBLIGATIONS FAMILIALES ET L’EXÉCUTION DES ARRIÉRÉS D’ALIMENTS

Mrs. Papatello moved second reading of the following bill:

Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997 / Projet de loi 155, Loi modifiant la Loi de 1996 sur les obligations familiales et l’exécution des arriérés d’aliments et apportant des modifications corrélatives à la Loi de 1997 sur la protection du poisson et de la faune.

Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women’s issues): I’m very happy to be here to talk about one of my favourite subject matters in the Ministry of Community and Social Services, and that is the Family Responsibility Office.

To the staff of the Family Responsibility Office, I want to say a very special thank you from the leadership of the government. I know how much our Premier appreciates the fact that our MPP offices’ phones are just not ringing like they used to; let me say that. As someone who used to bring my concerns about FRO to this Legislature, as most of us in the House have experienced over the last 10 years, let me just say that sometimes our phones of course still ring, but on the matter of FRO the issues are different and they are not as frequent as they used to be. I’m very happy to have played a part in that. The director at FRO has worked diligently with her staff to bring forward changes, and finally she’s had a government that has listened to the kind of support they have required for a long, long time.

Let me say a couple of things first: I’m pleased to stand and talk about Bill 155 today, the Family Responsibility and Support Arrears Enforcement Act. I want to talk for a moment about what we inherited, so that people can see the contrast, because I think that’s important, and I want to tell you about the plan that we will accomplish.

When we took office, there had been virtually no improvements made to FRO, even though for years Ontario Ombudsmen and the Provincial Auditor, since 1993, had talked to us about the changes that we needed—1993. This is not a johnny-come-lately problem; it’s been around a long time.

In 1996, I think all of us remember, in particular those of us who were MPPs at the time, when the Tories shut down the regional offices. It had a devastating effect on the people who depended on this office essentially for their support in order for the families to carry on. That move exacerbated the problems. All of the offices shipped their files to a central location. I think we remember all the shenanigans around that and even some charges that potentially may have been laid as a result of people wanting to make inquiries, as I recall. But the office was ill-equipped to handle all of the boxes that arrived at their doorstep. I remember having to understand why we had to reinforce the floors because of the sheer weight of the papers that arrived at this office. You can imagine what was left in the hands of the staff to have to cope with there.

It was a disaster waiting to happen. We saw that in every MPP’s office. Almost without exception, the phones were ringing off the hook and we could not believe the mess that families were in. Parents who had always been in compliance were suddenly getting notices that they were out of compliance, if you remember those examples, and families who knew that the spouse who was to pay had sent the money simply weren’t receiving the money. The situations were unbelievable.

We found that the last auditor's review—and that was before we became the government—that landed on my desk said some significant things. A number of cases with significant arrears were simply not assigned to caseworkers and, therefore, not actively enforced. We saw an increase in the caseload of 40% from 1994 to 2003; 126,000 cases flew upwards to 180,000. Staff efforts to enforce support obligations and to provide responsive services continued at that time to be significantly hampered by the office's inability to develop and implement the necessary improvements to the computer system. The computer system was frequently referenced each time they had an auditor's report. Imagine at that time that 90% of the calls coming from outside Toronto were not able to get through. They were blocked.

In 1997-98, the provincial Ombudsman—Roberta Jamieson at the time—said that her office “found a number of cases indicating problems.” She talked about cases with substantial outstanding arrears, where no payments were being made and no enforcement action was being taken.

In 2001, the provincial Ombudsman, Clare Lewis, wrote that it was clear there was “significantly ill-suited supporting technology,” which, in his view, “must be replaced if the FRO is to meet its mandate,” and further, “to ensure that the FRO obtains a new computer system that meets its operational needs.”

I also need to bring to the attention of this House today what the Provincial Auditor had to say in 1999 in his value-for-money audit: “We noted that when payors went into arrears, the office did not have a satisfactory system of initiating contact and taking the appropriate enforcement action.”

Although they had plenty of opportunities, the previous government's meagre efforts to address the auditor's and Ombudsmen's concerns were no match for the growing problems at the Family Responsibility Office. In fact, in 1999, the auditor said that the “technology enhancements did not address the 1994 audit findings related to the computer system.” On and on. In 2001, he stated again that “continuing action was required to implement most...” Two years later, he said, “[I]t is in grave danger of failing to meet its mandated responsibilities.”

I don't know how much more serious it could have become before the government needed to step forward and take some action here.

I want to say that I was happy to run on a platform that said we really were going to do something. You needed to be the MPP from the ridings that were having such tremendous difficulties and meeting families who simply couldn't cope, often because of administrative-type cases, administrative issues or simply lack of staff to attend to these people's problems. Those comments by independent officers of the Legislature, that's what we inherited at the FRO. That's where we were starting from. When we became the government, one of the first things I did was have a visit to the FRO office, something that we weren't able to do when we were in opposition,

although some of my colleagues managed to make a little visit, regardless.

I've said in this Legislature before, and I will say again, that I was struck by the industrial-revolution-type assembly line processes that were in place there. I remember in particular, it is such a paper-based system that the staff actually wore white gloves to protect their hands from all the paper cuts from the managing and handling and rehandling of paper. We simply hadn't given them the tools to be more computer-based so they wouldn't put themselves at risk in that way.

We began round tables across Ontario.

The member for Oshawa is laughing, but they actually gave me my own pair of white gloves as a little gift in terms of my visit to the FRO office, which I still keep in my desk drawer to this day. They knew how struck I was by this antiquated system that we've been dealing with.

We started round tables across Ontario because we wanted to bring in people who used the system to ask them very directly, “What is the problem from your perspective?” We held them in London. We held them in Niagara. We held them in Windsor. We held them in Thunder Bay. We received a number of reports, and I'm happy to say that over 80% of the feedback that we got is now being implemented or is on its way to being implemented. I'm very happy to say that. We went out there, we went to listen to people, and now we have proof in the pudding that we are responding to what people said could actually improve the system.

The consultations centred on three areas: how we administer the office, the actual administrative functions; we talked about what we need to put in our arsenal for getting people into compliance, to get them to pay their orders; and we had justice issues as well, as part of our conversation, because so many of us so often get calls about what the support order is. People don't realize that we are not responsible for the order, just the implementation of the order, just getting people into compliance for the order, and that in fact those are issues better dealt with through the Attorney General's office and certainly through the federal government and their various regulations. So we wanted to be clear about what we were talking to people about.

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Following our consultations with people, we came up with a plan to increase enforcement, enhance efficiency and improve fairness at FRO. I think every one of us in this House has heard from all sides—from dads, from moms—each one thinking that the system somehow benefits the other. I just want to say that we have taken a number of initiatives here in this bill. I was very happy, when the bill was tabled for first reading, that even the media response to that was, “Do you know what? It sounds like it's fair.” We are putting measures in place to be fair, because every one of us, as an MPP, has to work with both sides in what is so clearly an acrimonious situation in terms of the couple, their children and support.

In February 2004, we announced a plan that would start to improve the Family Responsibility Office for

good. It was a plan that moved forward by making immediate improvements to customer service. We laid the foundation for significant long-term change in the way that the office actually works, making FRO more accessible to those who rely on it. We established a dedicated customer service unit of 26 staff to divert admin. calls away from the more difficult calls that require some time, and away from those enforcement-type calls. This alone allows our enforcement office to answer 1,600 more calls a day. We've made enforcement a priority. We are freeing up enforcement staff, and that enables us to focus solely on tracking down the deadbeats and enforcing the court orders.

We are tracking down the deadbeats. We've created a special trace-and-locate unit—we happily called it our own version of the CSI unit, from that TV show—with people dedicated to looking. This new unit will have access to databases across the province, such as those provided to us from the Ministry of Transportation. The unit started by conducting an intensive search of the over 2,500 pieces of mail that gets returned to the FRO office every month. Imagine: Prior to this, they didn't have staff people to look at the mail that got returned to its own office. By looking at simple address changes, we were able to get information to people and bring them into compliance.

Understanding the consequences of failing to comply: Let me be clear. We made a very small change. We decided to tell people that they were going to be sent to the credit bureau if they didn't come into compliance. I want to tell you what happened with this very small initiative. We received a torrent of responses from people. Because we took the time to tell them what the consequences would be, it helped bring them into compliance. The result was that we gave them a chance: If they came into compliance, they did not get reported to the credit bureau. If any of you have had that experience, it is a disaster in terms of your future financial recording, your history, your credit history etc. It has ruined families. We made one small change and it made a huge difference. I want to say thank you to the people who talked to us about such a little change, because it has made a huge difference for so many people.

We are reaching out to our clients. We're telling them what the expectations are. New clients are contacted when they register. We call them now. We provide them with information to help them understand what our role is and what their role is. We review the court order with them, we answer questions and point out any problems that could delay the payment.

I want to say that when we reviewed the auditor's reports in the past about how long it took to get people hooked up and making those payments and receiving those payments, often it was because the application processes were done incorrectly. We didn't get all of the information we needed on the application form, and every time the application had to get sent back to the person, it would take an extra month to get that rolling again. A very simple phone call has eliminated a tremen-

dous amount of work for our staff so we can get on with enforcement, but more importantly, it has sped the process to get people the money they need in a more timely fashion. That was step one.

Our government is committed to helping families get the support they're owed. To do this, I know you remember our last budget, where we added \$40 million over four years to implement a new case management system. Provincial auditors have been talking about this since 1993. This system, with its supporting technology, will help transform the FRO and help track down and collect support payments that are in arrears. When you don't have a supporting computer system to support the case management system, what we have and have had is that every time someone makes a call to that office, they're talking to someone who doesn't know their file. So you can imagine, and the stories are often so complicated. They go on and on, and the next time you call, a week later, when it still hasn't been resolved, you've got to start from the very beginning again, talking about the entire file. How outrageous is that in terms of wasting staff time and people's time on the telephone—when you could get through on the telephone.

Let me just say, things are vastly improving, as we are moving the staff to work in teams, to look at case-specific—if they're out of jurisdiction, for example. There are a lot of types of files like that that are very similar, and they are being tasked toward a group of people within our offices who have that level of expertise. Things are just beginning to work. That was step two.

Step three is why we're here in the House today and why I'm standing before you with Bill 155. We said we've got to talk about what further enforcement is required to make this system work well, and, boy, did we hear from people who are in the system, who told us, "I know where she is, and she's not paying." "I know where he's working, and we can't get the money." We have heard it all, every one of us. It's never he or she; it's everybody. I have to tell you, it's extremely difficult if people don't want to pay. If there is one thing I hope this bill does, as we talk about enforcement measures, it's to get the word on the street that it's not OK to not pay the support you owe for your family, it is not OK to work under the table to get away from paying the support you owe your family. That's our message.

We know these enforcement tools are the last things we want to use. What I hope is that if the bill passes, we can say we have the enforcement and that will bring these people into compliance, because we need them to pay. We don't want to have to impose more jail time. If you're in jail, it's pretty hard to work and make your payments. We know that. That's clear. But we do think that, for example, when in the bill we extend what's available as jail time, it becomes much more serious if someone is going to go down that road. Unfortunately, we have had cases where the jail time was simply too limited to really impact on someone's life. Off they trotted to jail, did their time, and they walked out and still

hadn't paid what they owed. So to what end? Yes, we've got to make some strengthening here of the tools we have, and that's what this bill is going to do. They are long overdue.

If passed, our proposals would increase enforcement by:

- increasing the maximum jail term for failure to comply with court orders from 90 days to 180 days.

- ensuring that early release provisions under section 28 of the Ministry of Correctional Services Act do not apply to jail terms under the Family Responsibility and Support Arrears Enforcement Act, 1996. You're not getting out early if you get the jail time. That's the point. We hope that because it is going to be tough, people will bring themselves into compliance. We need people to do that.

- making it easier for the Family Responsibility Office to obtain a financial statement from a third party financially linked to a default payor. I hope this becomes very clear to the general public. If you are a parent, a work colleague, a neighbour, a friend, if we get the idea that there is some kind of financial link, you will have to bring forward information. Those days where someone may ask you to participate in hiding assets, for example, would not be available to you. We need make sure that the general public understands the seriousness of this. We all have stories from our local offices about these cases where people have the opportunity to pay and they find a way not to pay. That's wrong. Yes, we're trying to clip the wings of every opportunity that people may have to not pay.

- increasing FRO's powers to demand personal information about payors in order to locate them. So we're going to ask for more info to find them.

- expanding the number of organizations from which the FRO can demand information to include trade unions.

- reporting defaulting payors to professional licensing bodies.

- suspending defaulting payors' hunting and fishing licences.

- providing the FRO with the authority to post identifying information about defaulting payors on a public Web site. We're not ready for that element yet and I hope we never will be, because I hope that with everything we will be able to bring to bear if we pass this bill, we won't get to the point where we need that. But there would be legislated changes required, and they're in this bill as well.

1610

The first reaction to the bill when it was tabled was that it was fair, and we do want to make things fair. This would improve fairness by:

- allowing the FRO to cease enforcement of child support when a recipient doesn't respond to the FRO's inquiry about ongoing entitlement to support. For example, if the order suggested that the payor pay while the child was going to school but God and country knew that the child wasn't going to school any more, yet the recipient wasn't responding to inquiries from our office

and of course the payments were continuing to be taken even though everybody knew it was inappropriate, we will now have the opportunity to go in and make that kind of change without having to start a whole new circle through the courts again, at a great deal of cost, usually to the one side who is seeking to get that changed.

- allowing the FRO to enforce a lesser amount of support when the number of children entitled to support decreases. Again we are talking about the kind of detail that needs to be in an order that often isn't there, which allows for that kind of interpretation to be so different and which causes problems.

They would enhance efficiency by:

- allowing income sources to send payments to the FRO electronically.

- requiring mandatory direct deposits for recipients.

- allowing the Family Responsibility Office to automatically calculate and collect interest on arrears at a standard rate for all cases. The recipients will no longer have to do the calculations. I think many of us have had those kinds of calls, where the individuals were responsible for this kind of work and it simply wasn't working.

- allowing the FRO to create standard support order terms by regulation.

I'm proud to tell the Legislature that since we started making improvements at FRO—I've got to use this opportunity for a little bit of discussion about what good has been happening at the office.

Mr. John Wilkinson (Perth–Middlesex): Go right ahead.

Hon. Ms. Pupatello: Thanks so much. I know people are anxious to hear. I'm very proud of this.

In February 2004, we launched these initiatives and said these were the things that we were going to do:

FRO's new customer service unit has handled over 184,000 additional calls. This represents a 36% increase in the number of calls that our office is now handling.

More than 123,000 new personal identification numbers, PINs, have been issued to our clients. These PINs allow the clients to access more case information through the automated phone system 24/7. We think this is great, because everybody is busy. If it's 3 a.m. and that's the only time you have to call, you can call and use your PIN and get significantly more information about your file.

FRO has taken enforcement action on approximately 14,500 cases by tracing and locating people with information obtained by returned mail. Just by looking at the mail that came back to our office and finding the new addresses, we've managed to bring people into compliance, and that's the point of the office;

The credit bureau initiative—I mentioned earlier that one simple change: Tell people we're going to go to the credit bureau before we just go and ruin their entire financial history. That one initiative has collected over \$101 million.

I'm very proud of these people for these initiatives.

From April to December last year, the FRO collected \$95.3 million from defaulting payors as a result of

issuing over 6,700 notices of intention to suspend drivers' licences. In that same period, we also froze \$162,000 in lottery winnings from parents who owed support.

These are real and measurable results and ones that I can tell you I plan to be showing the Premier of Ontario, who gave us very simple instructions: Fix the FRO. We think we're a long way to getting there.

Over the years, the Ombudsman and the Provincial Auditor called upon the governments to improve enforcement measures, invest in new technology, support new case management processes and provide staff at the FRO with the tools they need to do their jobs. We believe we've recognized that change has been required, that we needed to invest in the FRO to ensure families received the support that they're entitled to. I have visited the FRO to see the work they do, I have seen the conditions that we've asked them to work in, and we have begun the improvements to make their jobs a little bit better and give them a little bit more support as well.

I'm proud to say that we have answered the call, firstly from the Premier, who said, "We're just going to do it," but as well from the Ombudsman and the Provincial Auditor. In fact, in January 2005, in *Voices for Children's Enabling Families to Succeed*, which was the last report of the Provincial Ombudsman, Clare Lewis said, "The current government ... have taken several encouraging steps which give me reason to believe that serious concern and attention are being given to address FRO deficiencies."

I have to say, I don't know who in this chamber is going to stand and vote against this bill, but I'm going to be looking for you and listening to what you have to say because this is important legislation, and some of it is so obvious that we just want to do it. But we have this legislative agenda to come in here and have debate and talk to the public about what we're doing so that we're certain to be doing it well. Every one of us in this House has been subjected to residents in our own hometowns who can't get through because we don't have the mechanisms to get that support coming into that family, and all of us, all of our communities, are paying the consequences when that one family doesn't get the support that it's due.

Every one of you in this House can do something about this. I would like to see this bill supported by every member of the House. I am calling on each and every MPP to support this bill. It's important. I hear from you through my MPP liaison office when you get calls about FRO. Now I'm placing before you this bill that will help us do the job for your constituents. So now, today, I expect your support for the bill. I thank you for the time today.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Norman W. Sterling (Lanark-Carleton): I'm upset with the minister almost threatening across the chamber that we should all just fall into line and support this piece of legislation, which I find quite inadequate in

terms of what the public accounts committee discovered when they were looking at the Family Responsibility Office. Quite frankly, the Family Responsibility Office should take the model from British Columbia, where they have a response time of three to four minutes for a caller, as opposed to ours, which is 30 and 40 minutes, and we should follow in the footsteps of what they're doing in British Columbia.

But there's a difference between what they're doing in British Columbia and what they're doing here. The difference is that they have recognized that the Family Responsibility Office should stay out of the lives of people who don't want it in their lives, so that there is not an automatic referral but an optional referral to the Family Responsibility Office.

They also recognize that they shouldn't be a bank. What they do in British Columbia is make certain that the payment has gone from the payer to the payee. They don't have the money paid to the Family Responsibility Office and then write the cheque out a couple of weeks later. They don't go through that unnecessary administrative process.

Thirdly, the problem we have with our legislation is that we have made the Family Responsibility Office a social agency. They get involved in issues other than collecting money. They offer assistance to people, which may be a noble cause, but they don't concentrate on getting money from one to the other.

The other part is that the British Columbia system collects a lot more money than our system does.

1620

Mr. Gilles Bisson (Timmins-James Bay): I listened to the comments made by the minister. I just started reading the bill, so I am not going to speak in detail, but I would say that I think we all agree there are problems with the FRO, and the problems are many. That's not the argument. I thought she outlined fairly well some of the issues we have.

For example, in our constituency we see the extremes. Somebody is given an order to pay support to both of the children, and in some cases to the spouse, based on the ability of that person to pay. The person happens to be working at a mine somewhere and makes \$3,000 or \$4,000 a month, and the court orders a payment to be made for support to their children. But what happens is that the employer shuts down—I've seen that on a number of occasions—and now we've got a situation where the payer no longer makes \$4,000 a month and is actually living on unemployment insurance. But because that individual can't get to a court and can't get the support order changed, they find themselves in default and in arrears as a result, and because they end up in arrears, they end up losing their driver's licence. Now we're going to take away their fishing licence and we're going to report them to the professional associations or the unions.

I just say, hang on a second. Whoa. Maybe it's family law that we have to look at. I agree that if you're ordered to make a support payment for your kids, you should be

forced to pay it. I would hope that most people would do that on their own. But the basic issue is that we really need to rethink, in my view, how we approach this issue.

For example, I met with a lawyer just last Friday who specializes in this type of law, and I'll tell you, it left a lot to be desired at the end of that conversation about how both parties come out of these particular proceedings when they end up before the courts.

I would hope that maybe one thing we can do in this Legislature is to refer this whole matter to a standing committee to look at the issue itself. First of all, why is it so confrontational, and is there a way to make this system work? And at the end, if there is payment to be paid, people are forced to do so. But I think it goes a bit over the hill.

Ms. Caroline Di Cocco (Sarnia–Lambton): I want to applaud the minister for bringing this bill forward. It's long, long overdue. From the time I came into opposition in 1999, the biggest shock that my constituency office has had is dealing with Family Responsibility Office issues, many of which just have to do with ineffectiveness. It was almost as if it was dysfunctional in many areas.

I have to say to the member from Lanark–Carleton, I understand you suggest this has to be better. I was perplexed, in the four years that we tried to address this in opposition, to get the government to move on at least dealing with some of the issues that were coming before us. We made a number of presentations and wrote letters to the minister, and they fell on deaf ears. So I want to applaud the minister for bringing forward a bill, after getting feedback throughout the province, using that feedback as to what the specific issues were on the ground and incorporating it into this bill. As I said, it's long overdue.

This Family Responsibility Office impacts on so many people's lives—on children, on families who are going through a tremendously difficult time—the last thing they need is an office they have to be serviced by that is in its own archaic state of doing business. We're bringing it into the 21st century. The minister is certainly attempting to bring a fairness of approach and making the Family Responsibility Office able to provide the service that is much needed in this province.

The Acting Speaker: We have time for one last question or comment.

Mr. Tony C. Wong (Markham): I am happy to rise and speak to Bill 155. I have to say that I not only speak to this bill as a member of this House, I also speak to it as a former practitioner of family law. It really is so disheartening that when I advise my clients with respect to the legal process and procedures involved in a family matter, it was sometimes embarrassing for me. I'm going back six, seven, eight years now. I had to advise them, and many of them are immigrants from a different country, not conversant in English, "Yes, you have to be extremely patient; you have to spend money in seeking legal advice to retain a lawyer to go to court and get an order for support payments," and then also to advise

them, "You may or may not get your money after you've gotten the court order."

So, yes, enforcement is of the essence. What this bill does is that it really makes sure, inasmuch as it is possible and practically doable, that people who are obligated to pay under a court order have to pay. This is important because, as has been indicated by my colleague earlier, it impacts on the life of so many people, and oftentimes including children.

Although the minister indicated that this is actually the implementation aspect of a court order and that it does not deal with justice issues, let me tell you that most people do not understand and couldn't care less whether it's an enforcement or a justice issue. If they do not get the support payments they are entitled to, there is something wrong with the system and there is something unjust, as far as they are concerned. I certainly will support this bill and I hope this is only the first step of a number of steps to go.

The Acting Speaker: Thank you. That concludes the time for questions and comments. I'll return to the Minister of Community and Social Services. You have two minutes to reply.

Hon. Ms. Pupatello: Thank you so much. I really was happy to give you an overview of what we are doing with this bill to bring people into compliance.

If I can say again, with the measures in this bill, the last thing we want to do is waste time, energy and money in having to use them. The reality is that we have to use them as a means to bring people into compliance so that we can say, "The jail time is really going to give you a bit of a crimp in your lifestyle. You really should come into compliance." The current amount of jail time isn't doing that. We want to be able to get information so we can find people. I believe that when you give people the opportunity, they will do the right thing. We have to send a message, "It's not OK not to pay support to your family; it's not OK. And if you are a friend, family or a neighbour, it's not OK to participate in these people not paying their support." We have got to change the way the public thinks about this. It's a responsibility.

I marvel at the comments from the member from Lanark–Carleton about opting out. You had eight years to do what you thought you should do with this area and you didn't do it. Secondly, it used to be in the Attorney General's ministry. You guys put it in ComSoc. and now you're talking about how the office is now a function of social issues. You guys took it out of the Attorney General. Do you know what? The point is, wherever it may be sitting, I appreciate the fact that it's in my ministry, because we're talking about real families here. The other thing I expect is that every single member of this House is going to stand up for families and get support for those families, and I'm going to watch how every single member votes on this particular bill, which I am particularly proud of.

The Acting Speaker: Further debate?

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I seek unanimous consent to defer our leadoff until our critic is available.

The Acting Speaker: Is there unanimous consent? Agreed.

Mr. Yakabuski: Then I will continue on my allocated time. Thank you very much.

It's interesting, the comment made by the minister just a moment ago that she'll be watching very closely how each and every member votes. I hope that's not a threat. I'd like to have a chance to really consider the bill and all of its impacts and see whether it's actually going to accomplish anything before I decide how I'm going to vote.

Certainly, the number one priority always has to be that we must consider the children. We have to understand that whatever we do here has to be a positive thing for children because they have to be our number one priority. As a person who comes from a family of 14 children, I understand that. Before I forget, I just want to take this moment to wish my brother Mark and my brother Martin a happy 44th birthday today. They are celebrating a birthday today. Martin is a schoolteacher working with children all the time, so he also understands the importance of children.

1630

I want to talk a little bit about marriage, children and support and all of this kind of stuff, because that's what it all surrounds. One of the reasons we have a law like this is because, while I believe that when every single person takes their marriage vows they believe and hope and expect that that marriage is going to last until one of those spouses is no longer with us, the reality in this day and age is that not all marriages do last until death. We have to have a system in place where, when marriages do break down, there is a process by which children are protected, and in the case of spouses who were not wage earners or breadwinners, that they're protected as well. So we have to have a support payment system.

What I have seen over the years is that this whole system is built on turning parties against one another. When marriages break down, which they sometimes do, and unfortunately in our society they often do, there is usually one party that is more advantaged than the other in those marriages. That's not always the case but in most cases it is.

Mr. John R. Baird (Nepean–Carleton): In most cases that's the case.

Mr. Yakabuski: Yes. Thank you very much, member for Nepean–Carleton.

I've seen many occasions where the breakdown of the marriage is amicable, and then all of a sudden lawyers, the law and the system get entangled in the breakdown and that divorce. All of a sudden, what was going to be an amicable parting of the ways turns into a very acrimonious battle that is waged in and outside of the courts, one side doing everything it can to discredit the other so that one side looks terrible while they try to make themselves look like saints. These are the things we have in our courts that children have to live through and witness. At the end of this whole process, we're very fortunate sometimes if the children want to live with either one of

those parents, because the whole system is designed to drive a wedge between those parties and the children. The lawyers love to drive the system. Sometimes I don't think it's as much about the two parties in the divorce as it is about the lawyers wanting to make sure, "I'm not going to let that so-and-so from that firm beat me. We're going to win this thing and we're going to win it for my client." Because of that, we have all kinds of laws to enforce payments when marriages break down.

The bill we're beginning second reading debate on today has a number of changes to the act. If they can be shown to be positive for children and spouses who otherwise may be left disadvantaged, I think that's a good thing. But the question remains whether these things are actually positive or just more politicking on the part of this government. This government has brought in a lot of bills, sort of feel-good stuff to demonstrate to people, "We're very active. We really care. We're a compassionate, caring government that always wants to do the right thing, so we're going to bring in another piece of legislation." Some people might look at this and say, "Oh, that's a very positive thing." Then we have to ask ourselves, how realistic is it, can it actually work, or will the results actually mean anything?

Some of the things they're bringing in here, like "Maximum periods of imprisonment are increased from 90 to 180 days.... Information about default may be disclosed to entities such as professional organizations or licensing authorities"—let's just take, as an example, a person who is working, who has a good job and is making a good wage. Without wanting to be gender preferential or anything else, let's just say he's the male and his wife has stayed at home and raised the children and that he's making \$100,000 a year. Whatever happens, he's not making his payments. He should be making his payments. First of all, let's make that perfectly clear: Anybody who is obliged to make payments to support children and/or a spouse should in good conscience make every one of those payments without hesitation.

However, as the member for Timmins–James Bay alluded to, sometimes circumstances and the situation change. A person who might have been making \$100,000 one year may only be making \$50,000 the next, hypothetically speaking. So then what do we have to do? He's got to go back and try to get a new court order or changes made to the court order. The first thing that's going to happen is that old acrimony is going to rise again. The spouse is going to go to court and say, "No. We're living now on the payments we expected him to make when he made \$100,000 a year. We're not giving up a nickel." Of course the relationship between former spouses and the children and each of those spouses are put under all kinds of pressure and negative emotions and everything else. We wonder sometimes how we do survive these situations. So there's one circumstance, where the income changes dramatically and the one spouse is not able to make the same payments that were ordered under the original court order.

Let's just say, for the sake of argument, that we have a person who's defaulting not because they've lost their job or because they've had a reduced income—we don't know the circumstances surrounding it; they're just not paying. We send them to jail for 180 days. You know, there's a good chance that if you're in jail for 180 days, you might not have your job when you get out. So what have we accomplished there? If we're thinking about the children and thinking about the spouse, "Yeah, let's put the son of a so-and-so in jail for 180 days," so when he comes out he's on welfare and they're getting nothing—boy, that was a really good idea. That's helpful for the kids. That's going to help them with their college fund—on welfare now.

Sometimes we have to ask ourselves, is it just about more laws and more rules and regulations or are we actually trying to help people and change the difficult situation in which some people are being raised today because of marriage breakdowns and the like? Sometimes we really have to take a good look at ourselves and ask, is it really about the people or is it just about us in here? If that's what it comes down to sometimes, I think we need to write less law and do a better job of enforcing the law we've got.

I want to talk about a couple other things with regard to children today. The children's ministries are always all about children; if it's not about children, then we should just shut them down, right? I know each party had five minutes today to speak about His Holiness Pope John Paul II. Having an opportunity to speak today, I would like to take the opportunity to speak about his love for children and how the welfare of children all around the world meant so much to him.

1640

I want to say at this time that I was particularly impressed and moved by the pontiff's strength and the willingness to bear his cross in the face of the tremendous physical adversity he faced in the last number of years. While it must have been absolutely excruciating just to function on a daily basis in his office, never once did he even suggest that he should renege on those responsibilities and pass the torch prior to the time that the good Lord called him home. I think for Catholics around the world and, indeed, for all Christians around the world, he has served as a tremendous inspiration, and we will all remember him very well. And of course, his love for children—we cannot forget his love for children.

I was talking about my brother Mark a little earlier, who is having his 44th birthday today, as well as my brother Martin. Mark had the opportunity to have an audience with the Pope at the Vatican some years ago, and it was certainly one of the high points of his life to have had that audience with His Holiness Pope John Paul II.

Talking about children, I remember that the Minister of the Environment was talking about how we've got to deal with these water regulations, that they have to be different at some of these children's camps because children are more susceptible to bacteria than adults. Since

we're talking about children today, it's a good opportunity to talk about some of the problems.

I do compliment the minister for setting up the advisory council. The report has come back; we've yet to hear from the minister as to what parts of that report they're going to act on or entrench.

What is interesting about water is that you notice that today there is no ice in our water. There is no ice in our water because there was a water main break somewhere on Wellesley or Queen's Park, wherever, somewhere around there today. We've got no water to drink in the House, so they're bringing us in bottled water. It's kind of ironic, because I've never really been that high on the water in this building for drinking. But I've never had a problem drinking the water out of anybody's well up in my riding. If you go to Roger Imhof's camp or Gunther Borck's restaurant, there's no problem drinking the water there—very good water in rural Ontario—yet we want to bring in all kinds of regulations to make it harder for those people to dispense that water.

But talking about children, when you're at a children's camp—or have you ever had your children at a lake in the summertime? For anybody here who has children, if you've ever had them swimming, have you noticed that when children swim under the water, they're drinking the water all day long? If they're in the water, they're drinking the water—right out of the lakes. I wouldn't put my kids into Lake Ontario to drink the water, but I've got no problem in Paugh Lake or Kamanisseg Lake or Trout Lake or any of the lakes up in my riding. When they go swimming in those lakes, no problem: The kids have never been sick and they're drinking the water all day long. But we're going to treat all the wells up there and we're going to treat all the rural water because somehow it's not drinkable. I've never seen a kid sick from swimming in the lakes yet.

It's kind of ironic, when we promote this province from a tourism point of view, that we send all the stuff out to other jurisdictions talking about how good and clean and pristine the water is here, but when we're talking in our own province, it's, "Don't drink it. We got to treat it first." It's kind of strange.

We are talking about children, because this bill is about family responsibilities and how it relates to children. The children out there are always asking me those questions: "What's wrong with the water? We drink it all the time and our well is good and the lakes are clean. Why does the Ministry of the Environment want to force us to treat it and chlorinate it and everything else?" They've got a lot of questions.

Anyway, back to the bill. The Minister of Community Safety and the Minister of Economic Development had an announcement today that the Amber Alert notification program is going to be extended to lottery terminals across the province. Of course, this is about children. The abduction of children is a heinous crime that just turns my stomach when I read and hear about it. So what are they going to do? They're going to extend these notices to lottery terminals. I have bought lottery tickets. I do

from time to time buy lottery tickets, and I think probably most members in this House, most members of the audience and most people out there in TV land probably do buy lottery tickets from time to time. But I wonder if they've ever actually gone behind the counter and looked at the screen. I don't think they do that.

I'm wondering, is this just another one of the government's, "Look at us. Look how good we are. Look how wonderful and caring we are and how much difference we're going to make in the province of Ontario. We're now going to extend this to lottery terminals"? Other than the person selling the lottery tickets, I'm not sure who's going to see that. I guess I ask myself, is anybody going to see an Amber Alert come across their lottery screen, call the boss and say, "Sorry, I quit. I'm going to have to go out and tell the people all about what I saw on the lottery screen"? They're in the business of selling lottery tickets. They're not going to be standing up there and saying to everybody who comes to buy a lottery ticket, "Just a minute. Before I sell you these tickets, would you mind if I give you the information on the child who's been abducted?"

We're not trying to minimize the terrible things that parents, extended family and all others go through if a child is abducted, but we're not going to have this government stand here and tell us that they're actually doing something and really concerned about it themselves, because what they did today is, quite frankly, ridiculous. It's not going to accomplish anything. It's just another one of their little mom-and-apple-pie, "Let's tell everybody how wonderful a job we're doing and how the world is going to be so much better as a Liberal world," when in fact it's not making any difference at all. But it would be interesting to know what kind of costs are involved in that.

If they can extend that kind of information on lottery terminals—there are probably other, more worthwhile places that they can do so, and I must say, I have spoken to the parliamentary assistant to the Minister of Transportation, who has been very helpful and very supportive in this—it would certainly be good to see if, with technology today, we could have Ontario health cards issued at licensing bureau offices in rural Ontario, because people drive such long distances. In my riding, for example, if you live in Whitney, you have to go to Pembroke, which is 130 kilometres; from Whitney to Pembroke for a senior citizen to get a new OHIP card issued. We have the technology and the ability to do that in Killaloe. That's something the government should be doing to provide services to the people of Ontario. It's really meaningful, it's important to rural Ontario and it would be a big help.

I'm not suggesting that it is a bad thing to put the Amber Alert on lottery terminals, but it's not going to accomplish much.

But let's get back to the bill. You'd be surprised how fast 20 minutes goes. I honestly think that the clock ticks faster when I'm speaking. I don't know why I say that, but rarely does it appear that I have enough time to get

my points across. Unfortunately, I have run out of time. Thank you very much.

The Acting Speaker: Questions and comments?

Mr. Michael Prue (Beaches—East York): It's always a pleasure to comment on the statements made by my friend from Renfrew—Nipissing—Pembroke. He talked about a great many things—about families and break-downs and children with problems—but I think the point that he most eloquently made in those 20 very short minutes was the whole question about the penalty of someone going to jail. This law purports to change the major penalty from 90 days to 120 days. He asked a very real question, a question that I think all of legislators in this Legislature must ask themselves before this bill is passed into law: Will the change from 90 to 180 days affect the legislation? Will it assist the families and, particularly, will it assist the children, or will the fact that someone who was incarcerated for a period of 180 days and loses his or her job actually be a detriment to those families? It is a very real question, and a question which I intend to speak to later.

1650

The member from Renfrew—Nipissing—Pembroke raised this issue, and I think it's one that must be dealt with. At the outset, I have to tell you that I believe that simply raising the penalty may not in and of itself do what the government intends to do. It may or may not force a recalcitrant person who does not want to give money to their family, to their children, to do it. The penalty is not the issue, because what happens, as he so rightly said, is that the family breaks down. The difficulty exists between individuals, not with governments. It is saying, "I'm not going to give any money to X. I'm mad at X. I don't want to see them prosper in any way. I don't want to contribute to their lifestyle." That's the real problem here.

Mr. Kevin Daniel Flynn (Oakville): It's a pleasure to join the debate on Bill 155, which is An Act to amend the Family Responsibility and Support Arrears Enforcement Act.

When I was first elected, I took over from a very good friend of yours, Mr. Speaker, Mr. Gary Carr, who was the former member for Oakville. He was also the former Speaker of the House. I took over all of his office. I took over the furniture—I changed the sign out front—and I also got a lot of good advice from his staff. It was a very smooth transition; it was a very good transition. They told me at the time, "The most phone calls you're going to get in this constituency office are on FRO." I didn't know what FRO was.

Mr. Baird: Then the birth certificate fiasco happened.

Mr. Flynn: And then the birth certificate fiasco that was left behind by the previous government just added to that. But the advice was good advice, because that's exactly how it worked out. When the phone did start to ring in our office, it was people who were looking for increased enforcement on the Family Responsibility Office.

I am very, very pleased to see this come before us today. It was first introduced, of course, last year, in

December. The minister, I think, has put forward the first substantive legislative amendments to this act—long overdue. The previous government had eight years to do it and simply didn't act. It calls for increased enforcement, it's going to improve the fairness of the legislation and it's going to allow us, in some cases, even to enforce a lesser degree of support when the number of children entitled to support decreases, which I think is a progressive and fair move. It's also going to enhance the efficiency of the office, which for years has suffered some problems.

I'm very, very pleased to see this come forward, based on the information I received from the previous Speaker on how we would be spending our time at the constituency level. We know that this is going to help us and our constituency staffs in all the ridings, I think, both opposition and government alike. It's going to help us all do our job.

Mr. Sterling: You know, nothing could be further from the truth that the former government didn't do anything with regard to FRO. In fact, we took the biggest single step since FRO was created in 1987-88, and that was the implementation of withholding or suspending a person's driver's licence if they didn't meet their obligations. As a result, between 1997 and 2002, under the former government, payments increased by 50%. I challenge the present government: You increase payments by 50% from the present levels and I'll say thank you to you, because you're not going to do it with this piece of legislation. There are some improvements here, but it's not a big deal. It's not a big deal at all.

When we were in government, we asked for a study of the British Columbia model. The British Columbia model for their Family Responsibility Office was getting better results than we were here in Ontario. The former government spent \$500,000 on a report—a report which sits with the Minister of Community and Social Services and which she refuses to release to the public.

I'd like to see that report so that we can fix this bill up, so that we can make the Family Responsibility Office even better than it is, or would be under this bill. This bill just tinkers with the edges. It doesn't really offer very substantial changes, as we did under the Harris government when we increased payments to parents for children by 50%.

Mr. Baird: I want to congratulate the member for Renfrew–Nipissing–Pembroke on his remarks. I also want to congratulate Sharon van Son, the director of the FRO. Despite a lot of complaints, she and her team work hard and do a very good job to the best of their ability. This is not an easy task.

I want to mention what the member for Lanark–Carleton said. This is the type of bill which probably should go for public hearings for a good number of weeks, to allow MPPs to come up with other ways. There's no doubt the minister has come forward with some suggestions to try to improve the system. I'll tell you what should really happen: We should have about a dozen of the constituency office staff, representative of

all three parties, come and advise the member. We should have a dozen clients of FRO come and meet with the committee, even in closed session, and tell them about their experiences, because there are a lot of concerns out there and we might find ways to make this even better.

One of the challenges we have is that a court order is virtually unenforceable in Ontario. If someone refuses to give money, not a heck of a lot happens. You have people who actually will quit their job rather than pay the money to their ex-spouse. They'll flush the money down the toilet. I had one woman come to me and say, "My ex-husband is buying all this expensive furniture and doesn't have enough money to pay me," and I said, "Prove it." She pulls out a receipt signed by him for 25 grand worth of furniture, yet we can't get the courts to enforce it. There is too much dispute between who has the jurisdiction. Is it the province? Is it the federal government? Can we interfere with the courts? All these parties should be brought together to lead to a better system that helps some really desperate people.

But we should also be honest with people. The minister—whatever minister in the future or whatever government—should be honest enough to say, "If the guy dies and doesn't have any money, you're never going to get it back." We'll do the very best job we can with the powers that the Legislature has given us to deliver, but every piece of law has its limitations, and I think we should be honest about that.

The Acting Speaker: The member for Renfrew–Nipissing–Pembroke has two minutes to reply.

Mr. Yakabuski: I appreciate the comments of the member for Beaches–East York, the member for Oakville, the member for Lanark–Carleton and the member for Nepean–Carleton. They have all spoken about different aspects of the bill.

I want to comment on some of the things that the member for Lanark–Carleton said. I agree with him that between September 1997 and March 2002, the previous government suspended almost 16,000 driver's licences. So for the member for Oakville to say that they did nothing to help enforce support payments is totally false. The amount collected went from \$368 million to \$555 million, which is a 50% increase, as he said.

One of the things that I keep coming back to is that it's always the children who lose out. What is a shame is that lawyers get rich and children get screwed. In the whole system, we've got lawyers fighting it out about who is going to win. They are as much concerned about themselves as they are about their clients in these cases, as far as I'm concerned, making sure they are the victors. If all the money billed by lawyers with regard to support payments and child support, where children are involved—if we could just say, "Sorry, boys, that's going to the children, and you're going to have to do this pro bono. This is going to be free, because this is a service you guys should be providing to children in Ontario." We know that's not going to happen, but it is a shame when you see the millions and millions of dollars in fees collected to tear people apart as opposed to bringing them

together, to take money out of children's hands and pockets as opposed to helping them. That's the shame, and that is something that should be addressed.

1700

The Acting Speaker (Mr. Brad Duguid): Further debate? The member for Beaches–East York.

Mr. Prue: Thank you very much, Mr. Speaker. I must say you look pretty good in that chair yourself. I have the lead, and I'm not sure how much of the hour I'm going to use.

This is a topic that I think is near and dear to all of our hearts. Those of us who have been legislators in this province for a while know that in our constituency offices, probably the number one or number two call we get on all of the issues combined has to do with the FRO, the Family Responsibility Office. We know there are many people out there hurting because the law does not work for them. Particularly, it does not work for the children of this province.

In fact, this is not a new phenomenon in Ontario; this is a phenomenon that has been going on for many years. I don't think I could say it any better than the former Ombudsman of Ontario. I'd like to quote what was taken from a CP report—it's mostly quotations from Mr. Clare Lewis, and it was reported by Keith Leslie in 2004—because it sets out in a nutshell exactly what we're talking about today and about how this problem is not just a problem of today but a problem for all times. It is a problem that goes back years and years and seems, to some at least, to be insurmountable. I quote from this CP report, 2004. The entire thing is a quotation, and I'll try to indicate where Mr. Lewis was the actual speaker, starting immediately. He said:

“A good many spouses and children are not receiving money they need, and they are vulnerable,” Lewis said as he released his annual report. ‘I have great concerns about the impact on single parents with children who often float into poverty.

“There's been a failure to enforce and a failure to stop enforcement.””

The story goes on to read:

“Lewis blames most of the problems at the FRO on the fact that the agency still doesn't have a computer system able to support the payment program and case management, a problem he said the government promised to fix as far back as 2001.

“Well, that's then and this is now and it hasn't yet occurred,” said Lewis. ‘There's human error and there's also technological inadequacy.

“One of my greatest disappointments in my term of office is that after almost five years, I'm still unable to report to the public that the FRO has implemented a more efficient computer system and improved its service delivery. I'm encouraged that it finally appears some positive movement has been made in this significantly underserved area,” said Lewis. ‘However, I have no doubt that my successor will be reporting here next year and the year after on matters to deal with the Family Responsibility Office.’”

End of quote; end of story.

Mr. Lewis said it all: This is a problem that has been going on year after year and that it would be reported on when he was gone—the year he left, and the year after that. And here we are talking about the exact same issue.

We have a bill before us today, Bill 155, which purports to do something about it, which purports to increase penalties, which purports to solve some of the problems of the Family Responsibility Office. I will tell you that this bill, if it only did that, would make me very happy.

A number of years ago, my colleagues—they weren't my colleagues then, but they are now—the member from Niagara Centre and the member from Nickel Belt went into a Family Responsibility Office. Some of the old-timers might remember that. There was a kerfuffle here in the Legislature, because they went in unannounced and saw boxes piled upon boxes—hundreds, if not thousands, of files that were not being acted upon—in those offices, while families waited weeks, months or sometimes even years for action to be taken.

You will remember that they got a lot of people angry in this Legislature. In fact, some of the media were a little bit angry at what they had to do too, because they had to overstep the bounds of what it meant to be a parliamentarian in order to draw attention to the problems of the FRO.

We have a bill here today that hopefully will do something about those problems, but I'm not holding my breath a great deal. You see, last year, in 2004, the Ombudsman's office alone reported that there were 1,467 complaints made about the FRO in Ontario. The only number of complaints that surpassed that, that went higher than that, that eclipsed that, was from the penal institutions, where prisoners complained about the treatment they were receiving. You see, 1,467 people—1,467 families—have seen that the FRO does not meet their needs. These are not the families that simply phone up and can't get through the line, which hundreds of them can't do; these are not the families that can't get their payments, which thousands of them are not receiving; these are not the families that have problems with individuals working within the system or even with their spouses. These are families who take the unprecedented step of going to the Ombudsman of Ontario to complain about a government program. This is the second most complainable program that we as a government run in this province. And it is one that is begging and crying out to be fixed.

Now I ask you, what is going to fix it? Is this bill going to fix it? I don't think so. Is it going to hurt the process? I don't think that either. There are two things that need to be done and need to be done right away before this process can be fixed, before it can work for the poor children and the poor families of this province. The first and most important one is that we have to recognize as a Legislature that it is important, it is mandatory, it is the single most important thing that we can do, to adequately staff the Family Responsibility

Office. There have been cutbacks throughout the civil service over a number of years, and the responsibilities of the individuals working in that office are much more profound than they were five years or 10 years ago. It is their responsibility to ensure that families are getting the money they deserve; it is their responsibility to track down deadbeat parents; it is their responsibility to use the courts; it is their responsibility to use the system, whether it cuts off a driver's licence or forces someone to make amends or to change their way of life. It is their responsibility, and there are not sufficient workers to do that.

The most important job they have, I would say without question, is that there should be, and there is not today, a dedicated caseworker to monitor the individual support orders. There may be civil servants, and they may be there, but they are not hugely well trained, or at least not trained enough. And there needs to be a dedicated caseworker to monitor the individual support orders in each and every given case. If a caseworker has 100 families that he or she looks after, then they should have 100 families that they look after, and it should be their responsibility to make sure that Mrs. Jones or Mr. Smith, or whoever the case is, is being adequately represented before the courts and that the orders forced upon the recalcitrant spouse, the person who has gone away, the person who was not paying his or her fair share, is being ordered and it is being done. That is not contained in this bill. In fact, we will not know probably until the time of the budget later this month or early next month whether there are additional funds for the FRO or for government offices in general, or whether this government is bound and intent—as the Minister of Finance said last year when reading out his budget and his bill and the finance prognostication for the province of Ontario; then we're going to know whether in fact there are going to be cuts to the civil service. If there are further cuts to this particular department, which I am worried about—and even if there are no cuts but they are flat-lined, which I am nearly equally worried about—this bill and what is contained in this bill is not going to help the poor children and the families of Ontario.

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The second thing which is not contained in this bill, and which I have to sometimes smile at, is that we live in a technological, wonderful world. We live in a world of mass communications and of computers, where you can buy microchips that would amaze somebody from even 20 years ago.

I had an opportunity the other day to go into a local computer store to buy a little chip, and I can't even remember what it was called. It was for a member of my staff, and it could not have been any more than about two centimetres long by one centimetre wide. You pushed it into a computer and it allowed you to take home the information without taking home the computer. I forget what it was called, but it contained 256 megabytes. It was two centimetres by one centimetre. I remember, when I was a boy, me and my Commodore 64, because that was

the first computer that was sold at home that had 64, and it was a big, big machine. Today it all fits in one centimetre by two centimetres. You can take it home, you can carry it around your neck and it can contain enough information that you couldn't possibly amass it in a day or two days or a week. It only cost a few dollars. It was amazing to me, the cost of that.

But here we have an FRO that has an antiquated, ridiculous, foolish system that cannot keep up with the families of this province. We invest a lot of money and a lot of time and lawyers' work developing a new bill. Here is the bill before us, and it contains lots of provisions. But unless there is an adequate computer system that will allow the workers in that particular ministry to do their job, this is, I would suggest to all of you, for naught. If they cannot access the information rapidly and correctly, if they cannot do their job—if there are not sufficient of them to do it and if they have a computer system such as the one they're using, which Mr. Lewis and the Ombudsman and all of the audits have said has been a terrible computer system for a number of years—then I am afraid that this legislation, no matter how well intentioned, is not going to work. We have been told that that computer system is possible in the year 2006, that sometime toward the end of next year, if there are sufficient monies in the budget, if there is the wherewithal to do it from the government side and if the tenders are right, it might be available.

I have to smile and chuckle a little, though, because one of the problems is that the government over there is starting to tender the new computer, starting to look at RFPs on how the computer can be developed and who is going to develop it. One of the firms that is leading in bidding for that computer contract is a firm called Accenture. Members of this Legislature will remember Accenture. Accenture was the one that developed the computers for those who are on social assistance or Ontarians with disabilities. That same system is so faulty, so useless, that it could not even calculate a 3% increase when this government, the present government, tried to give a 3% increase to ODSP and general welfare recipients.

This is the company that is one of the lead bidders, Mr. Minister. I would hope you would be smarter than to allow them to continue. I know you may have a legal obligation, but if a computer company is bidding on a contract and their past performance as a computer company is that they cannot even calculate a 3% increase based on such small, little amounts as the \$900 a month that an ODSP recipient might be getting—even in my head, that's \$27 a month. I can do it in my head, but their computer cannot do it. I would suggest that you ought not to be entertaining an idea that that is something that could be allowed in your budget, particularly when it's going to cost such a great amount of money.

Now, dealing with a great amount of money, why is this government introducing this bill at this time? Is it for an altruistic reason? Perhaps. Is it because you think that poor children need to be helped? Perhaps. Or is it

because, I would suggest, to be a little bit blunt for a moment, this government spends some \$201 million per year on general welfare assistance that could otherwise be paid for or should otherwise be paid for, by those who are not paying for their own families? I would suggest that this is the real nub of the issue.

I believe that every single parent has an obligation to look after his or her children, so I have no compunction and no problem with saying that this government should try everything in its power to lessen the \$201 million they're having to pay in general welfare because parents are not paying for their children in terms of support. Having said that, I would hope that this is not instead of the \$201 million that they're paying in general welfare, but this would be on top of the monies they would get from their parents, because certainly the amount of money being paid to people on general welfare, the amount of money being paid to people on Ontarians with disabilities, is not satisfactory in a province like Ontario. It forever limits them to live below the poverty line. It forever limits them in the scope and the abilities they have to develop in a province like Ontario.

We have this new legislation, and what does this new legislation purport to do? As I read it and tried to look through it, it appeared to me that there were eight significant aspects under the aegis of enforcement that it intends to do. I'd like to deal with each of them, giving kudos to a few and asking a few questions on others.

The first one has to do with the jail terms. I would question the government very strongly whether in fact the doubling of the jail term, from 90 days to 180 days, is in the best interests of this legislation, is in the best interests of the tens of thousands of children who are going to rely on their parents to come across with some money for child support. If you double the term, then I would suggest to you that you have to be prepared to house people in penal institutions for twice as long as you are doing at the moment. There are not many people who go to jail, but from those who do go to jail, I would suggest that the overwhelming majority of them are people who choose to go to jail. They can pay the money, but in a family dispute, in a family where one of the spouses is removed from the familial home, in a family where one of the spouses has limited or no access to his or her children, then often there is a bitterness that pervades all of this. The bitterness pervades to the point that some people would actually prefer to go to jail than pay the money, and whether that time period is 90 days or 180 days, they will choose to do it.

Just going back a little bit to my youth, I remember I had a friend who every once in a while would choose to go to jail rather than pay his parking tickets. He would amass 80 or 90 of these parking tickets and he would go down to the Don Jail for a night or two nights. He would spend a night or two nights in the Don Jail, then they would let him go, and those 80 or 90 tickets would be gone. Most of us would think, "Who would want to spend a night or two nights in the Don Jail?" So we would pay our tickets. But to that individual, the choice

he made was to do that: to park wherever he wanted, take the weekend off, spend it in jail and do his time rather than pay the tickets. This is not that much different from some members of our society who would choose to go to jail rather than pay their spouse or the children of their spouse what was due to them. We have people who will do this and will say this and will take the risk of going to jail, whether it be for 90 days or 180 days.

What is accomplished by doing this? Is it a deterrent? I would suggest that the criminal deterrent here is probably far less than someone who shoplifts in a store. They are far more worried about deterrence because that is a level of greed. This is a level, I would suggest to you, probably of hatred and it clouds the judgment and it clouds what people will do. To raise the time from 90 to 180 days may in fact be counterproductive. I will guarantee you that in the majority of cases, if you are in jail for 180 days or any significant period at all, your job will not be waiting for you when you come out. In fact, what you have is that not only are you incarcerated, not only did the family not get any money, but we as a province have to pay the approximately \$225 per day it costs to keep somebody incarcerated. At the end, we'll probably have to pay that person general welfare because they don't have a job to return to.

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The second problem, and it's more minor than the first that I saw here, is that this bill does not allow for the early release of someone who is sentenced to jail time. This is very unusual, because almost all criminal activity covered by the Criminal Code, and in fact almost every piece of legislation either from this province or from the federal government, allows people to have parole following conviction, allows them out usually after one third of the sentence, sometimes two thirds of the sentence. This bill will make an exception and will keep people in for the entire length of the term that has been put forward by a judge. It does not allow for someone on good behaviour to be let out early and in fact makes the penalty even more severe than a penalty that one might get, as an example, if one got 90 days for shoplifting, although that's probably kind of high; you would get 90 days. You would probably be out after 60 days and you would be back on the street. In this one here, if you got 90 days, you'd be in for the full 90 days. There would be no time for good behaviour. In fact, there would be no real reason for a person in the jail to have or to show any good behaviour or remorse, because they're not going to get out. I think it's counterproductive to the entire criminal proceedings system.

You should you look very carefully at this: Is the person sentenced under this act any different from a person sentenced for criminal activity? I would suggest that this is more of an emotional crime. This is a crime brought on usually by family breakdown. I think you ought not to treat these people, if convicted and sentenced, in a different way than you would treat someone who was convicted under the Criminal Code.

The third element that you propose to do here is to be able to take financial statements from third parties. I

really don't have any problem with this; I think this is a pretty good thing. You should be able to take financial statements from third parties when and if called upon. I think it's a venue the government should follow, and follow carefully.

The fourth one, though, is to demand personal information from outside sources in an attempt to find those who are not living up to their familial obligations. I'm not sure how much of a problem I have with this, because I'm not sure where the government intends to go with this. Certainly it is easy for the majority of government people to find all of us. There are those who can go on the lam, there are those who can run away, there are those who can hide at least in the short term without being caught, but the majority of people, law-abiding people in this province, some of whom would have family breakdowns as well, would not find it that easy to run away. You would have to literally give up your credit cards, give up your driver's licence, your fishing licence and your job. You would have to literally start a new identity, move to other municipalities and do something of a complete lifestyle change if this kind of recommendation would be necessary.

I have some very real difficulties with governments invading privacy. I'm not sure how far you're going, so I don't know whether I'm opposed or not opposed, but I do want to raise the flag. How much are you going to invade personal privacy in order to find people who owe families money? We live in an age when we all fear Big Brother. We live in an age when we know how easy identity theft is. We live in an age when we just wonder how much government needs to know. There is nothing in here that limits that. There need to be some very real safeguards to ensure that innocent people are not hurt.

There is information here which is being allowed to be collected from trade unions. I found this a little bizarre. Most people who belong to a union work in a unionized factory or location where everybody knows them.

Mr. Baird: They tend to.

Mr. Prue: Yes, they tend to. Almost all of them—

Mr. Baird: I'd say 100%.

Mr. Prue: Not 100%. I'm going to get to those who don't.

Mr. Baird: Most people who are unionized work in a unionized environment.

Mr. Prue: Yes, in a unionized environment, in a factory, in a location where they know everybody.

I certainly know that when I worked in a unionized factory those many years ago, we knew everybody of the 200 or 300 people who worked there. In fact, you didn't need to find out any information about them. There was Joe or Al or whoever it was who worked over on the next machine. Everybody in the place knew them.

I'm not sure how getting information from trade unions is going to help, with the possible exception of those who work in the construction industry, where they work from one house to another house, from one company to another company, with subcontracting. If that's what you're attempting to do, then it should be very specific. If you're going to ask every single trade union

to keep records on its members and where they live and where they work and all the information you're going to need, I think that is far too great an onus to put upon trade unions, especially when that same information is already available for 90% or 95% of the workers from the employers themselves. The trade unions are voluntary organizations of which people are members. It certainly makes very limited or no sense to me that where the information is available from another source, you would tap into a voluntary organization.

I thought this was a good one: that the professional licensing bodies be notified—not that they do anything. But if you're a lawyer or a doctor or a chiropractor or whoever and you have a licensing body and you haven't been paying your money, your association will now be notified. Nothing much will happen to you under this legislation, but the body will be notified. So I guess the College of Chiropractors will know that one of its chiropractors or one of its chiropodists hasn't been paying their family bills. I'm not sure what that's going to do, except if it's meant to embarrass.

I looked at number 7 too, which was to take away the hunting and fishing licences, and I had a bit of a chuckle. You cannot possibly believe that that is going to do anything to make people pay up the family bills, to pay for their children. You cannot believe that somebody is going to think this is some kind of punishment. Quite frankly, most hunters and fishermen I know, if they break this law and their hunting or fishing licence is taken away, will go out and hunt and fish without a licence. That's what I think is going to happen. You are going to invite them to go out and break another law or else just choose not to go hunting and fishing. It depends on how much it means to the individual. But I cannot imagine that this is going to put one more dollar into one more family in this province.

The last one, the eighth one, is the public Web site. Here I have to caution you. You put the names on a public Web site and say that an individual has not been paying his or her money, put it out there for all the world to see. What if you are in error? I ask you to be very, very careful about putting an individual's name on a public Web site, an individual who has not been found guilty in a court, an individual who may have paid off his or her obligations, an individual for whom, under your own bill, the right steps have not been followed by the bureaucrats. If you put his or her name on there, you are inviting lawsuits and you are inviting some very real trepidation for innocent people. So before it goes on a public Web site, I think a lot more work has to be done than what we are finding in this particular bill. It is a dangerous proposal, and one that I think needs to have a lot more work done on it.

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We know why the government is doing this. We know the importance of the bill. We know that the government is looking at between \$1.2 billion and \$1.6 billion in monies that are outstanding, that need to go to poor families and to poor children to ensure that they are

living with at least some modicum of comfort. We know that is there, and we know that things have to be done to redress it.

However, without the computer system—and there's nothing in here to deal with new computers; no government statements saying that it will be contained within this budget year or the next budget year—without a dedicated caseworker to monitor the individual support orders, quite frankly the bill does not do everything it is supposed to do.

There are a couple of other small points that I want to raise about the bill. The bill does do some other good things that I want to commend the government for. In terms of efficiency, I've tried to look through to see what some of the efficiencies are, and there are some good ones. It allows income sources to send payments to the FRO electronically.

We live in a technological society where you can transfer money immediately, where monies can be taken from banks, from trust companies, monies can be taken from around the world; they can be transferred in a matter of seconds from one bank account to another. It seems to me to make eminent good sense that the money be allowed to be transferred from the payer to the payee—that is, from a spouse to his or her family—that the money simply gets deposited in the account, that the money is transferred immediately from, as an example, a place of employment, if there is a similar provision to the garnishee.

Why this has not been done in the past, I have no idea. So I commend you. It's a technological innovation that most people can accept. If the money is taken directly from a person's source of income, then they never see it. It seems that is a justifiable way to make sure it gets to the right source as soon as possible.

The second efficiency is to require mandatory direct deposit for the recipients. Again, I don't have any problem with this. It is important, if that is the chosen method, that there be a mandatory deposit made to a person's bank account, a spouse's bank account to look after the children, so that they would know that each and every month, on the first or the 15th or whenever the date was, the money was coming in, and could immediately report when and if it did not come in.

I know of far too many cases in my own office where the money is supposed to come in, and you get the same old refrain: "Where's my cheque?" "It's in the mail." "Where's my cheque?" "It's coming. I haven't had a chance to go to the bank." I'm sure all of you members in this House have heard the same statements I have heard in my office so many times. The spouse who doesn't want to pay comes up with an excuse: is unable to get to the bank, is unable to mail the cheque, is unable to do whatever they're supposed to do. Mandatory direct deposit from employers will certainly alleviate much of that problem.

The third efficiency is to allow the FRO to collect arrears owing to an assigned representative. An example that I looked at was the social assistance program from other support programs Ontario has agreements with.

People move from province to province, from community to community. It is essential, it is important, that some agency take direct control. But before you have the Ontario government, the office of the FRO, taking direct control, you have to do something which you have not done as a government. You have to do something which the previous government did not do, and which I don't believe any government has done for a number of years; that is, you are going to have to increase the complement of people who work there. I will say it again and again: The problem with the FRO is manifold. Part of it is the legislation, which may be dealt with in part today, but the major problem is the fact that there aren't enough civil servants properly trained and able to do the job. If you're going to have an agreement that allows this to be done, it means nothing if there is no one there who is capable and willing and able to support it. So I go back to the point again: You're going to have to have additional resources for this program to work.

It says, "Allowing the FRO to automatically calculate and collect interest on arrears at a standard rate for all cases." This seems to me to be pretty fair. I was shocked when I found out recently that the recipient has to calculate what they think the interest is. They have to do all the calculations of how much is owed. Then it has to go before one of the people working for the FRO, and inevitably, probably, to the courts, whether or not it's fair. It seems to me that if there's a standard program that can be calculated on a computer, which is eminently better than you use for welfare recipients, then it's pretty standard to indicate 2% or 3% or 4% or whatever the going rate is that has been established.

This bill will also allow the FRO "to create standard support order terms by regulation" and, last but not least, to confirm that the FRO is a law enforcement body for the purpose of the privacy legislation. This is fundamental. This has to be done. The FRO has to be included among law enforcement agencies for a whole range of reasons that deal particularly with privacy.

We have a bill here that may be a pretty good bill. We have a bill, though, that is going to necessitate a great deal of government money. It's going to necessitate a new computerized system, the training of staff and the implementation of the laws that you have put forward. If all of those things happen in conjunction with the bill, then it will be a good day for poor people in this province, because to be poor in this province usually involves having a family in which both parents are not present. You will see that the majority of poor children in this province come from single-parent families. The majority of poverty in this country is where there has been a marriage breakdown.

Mr. Speaker, with your permission, I'd like to talk just a little bit outside the bill for a minute—then I'll get back to it—in terms of what one can expect for these families. This bill will hopefully find additional money. If all this bill is going to do is find the money from parents to pay so that the government in turn does not have to pay welfare, I don't think you're going to be doing much to

alleviate poverty, any more than you attempt to alleviate poverty by clawing back the money you give to your poorest citizens who are on general welfare. That is done to the children of this province today and that is what will be done if this bill is passed without a government commitment to take the funds that are currently being spent, some \$200 million, and give those back to the very same poor people to make sure that the children have a better life. It is no different to get the money from the parents if you are not going to have the government live up to its part.

In conclusion—and it looks like I'm not going to use my full hour—I want to say again that the bill, if implemented, has some difficulties, but they are not insurmountable. The enforcement aspect is a good aspect, although I cannot agree that putting someone in jail for double the length of time that you're suggesting now is going to put one additional dollar on the table for poor children. I cannot agree that the bill, as it is put forward now, taking away hunting and fishing licences, is going to do very much at all. But I will agree that the bill as constituted has enough in it to make it valid and to help reform a system that is broken down. It's going to take a lot more than the bill, though; it's going to take courage and it's going to take guts from this government to find the money to hire the workers and to put in a computerized system that will work. If that is done in conjunction with the bill, then poor families everywhere have something to cheer for today.

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The Acting Speaker: Questions and comments?

Mr. Phil McNeely (Ottawa–Orléans): Payment from FRO was a very significant issue during the campaign and in the first several months of our government. I recall meeting a lady on the street in Orléans. I was going door to door. She said, "If you do something, make sure you clean up FRO." She was explaining to me that she had to take a day off work to get through. The phone calls were never answered. She would take a day off work in order to pursue payments from someone who was not making the proper payments according to court orders and who was not being forced by the government to make those payments.

I was fortunate later on to spend a couple of days in the standing committee on public accounts, and this issue came up. The system is very poor. I don't know anything about computers, but I understand the programming is done in COBOL. It's a really old system. In 1994, the Auditor General said, "You have to replace your computer system. It's needed," and this never happened. This went on and on and on. There were at least \$10 million per year in extra costs for social services because we were not pursuing the people who rightfully should have been paying for their children and their spouse.

I asked a question of the deputy minister, Mr. Costante, at the meeting. I basically said, "This has been going on for four or five years. It's \$10 million a year. Are you saying that, really, we have lost to this government \$70 million a year because we do not have an

adequate system in place?" I'll give you Mr. Costante's answer: "That's correct. It's in that ballpark," of \$70 million.

So I'm very pleased to see that the minister has brought this bill forward. We're going to be very businesslike about enforcing these payments. I look forward to the families and the children who are caught in these situations being much better looked after.

Mr. Sterling: Of course, this bill has nothing to do with the computer system or the technology that is going to be used. In fact, I believe the direction that the ministry is going in will continue to frustrate the FRO in getting a workable system in place. That is because they seem to refuse the opportunity to purchase the software and the knowledge from the British Columbia government, which I think they should duplicate here in Ontario, because their system works. The bureaucracy seems to be stuck in this place where they want to have their own individual, unique system rather than adopt a system that works. The technology, as the member for Beaches–East York pointed out, is very, very important.

I think the member for Beaches–East York really makes a good case, although he didn't say it, for this bill to go to committee so that practitioners in the field can come forward to the committee and give us their real-life experience in terms of implementing these new proposals.

The member for Beaches–East York pauses when he reads the section which gives the director huge powers with regard to seeking information from unions, from any person, from any entity or any public body. We shouldn't give lightly to an individual, whoever that individual is, the power to invade into privacy without the proper checks, and I do not see the proper checks in this bill. I think we should examine that in committee.

Mr. Dave Levac (Brant): I just wanted to be on record as mentioning that in 1999, when I was elected, one of the things that came to my attention right off the bat in my constituency was the problems with the Family Responsibility Office. I don't think anyone in this chamber from that time to now has indicated there weren't problems with FRO, and there were problems that have been pointed out from the stories from everybody.

The member from Beaches–East York is bringing to our attention some of the problems we've had; the member from Nepean–Carleton indicated what this is all about, and I concur with both of them and with most of the people who have been speaking specifically about some of the problems. Let's talk about that.

Depending on who you talk to, it's \$1.2 billion to \$1.6 billion of uncollected support. The vast, vast majority, as we all know, are women and children. Some 230,000 children not receiving that support is not acceptable, and will not be acceptable, I am sure, from any member in this House—230,000 kids not getting the support they need in order for them to have a level playing field. What steps are we taking to do that? We need to ask and challenge ourselves on a regular basis that there are men, women and children out there who are not getting the

support that is necessary. And “the tricks of the trade” that was being referred to—I fully understand and recognize each of us in our own riding will be able to pull up those examples, clearly. They switch their assets. I had an example in my riding where somebody basically handed over his entire business to a friend just so he didn’t have to pay arrears of \$25,000. He had a good friend, I guess, and I am not sure whether that person will get the company back, or the boat or the cottage that he owned, but it is all in somebody else’s name. To what extent will people go in order not to pay? Those are small examples of what’s going on across the province. We’d better get our act together to make sure that the \$1.6 billion gets collected. In some of the problems that took place, we went to third-party collection; it got us \$30 million. Not good enough. I challenge us all to get it right.

The Acting Speaker: We have time for one last question or comment.

Mr. John O’Toole (Durham): It has come to my attention just today in the media that the federal Liberal government in Ottawa has called on the RCMP to investigate itself. When you look at the overall context of what this is about—it’s calling on this government to start to bring some serious concern to the Family Responsibility Office and the arrears issue.

I just want to be on the record first to thank my constituency staff person, Fern Sargent, who is an expert and works tirelessly on this bill. I should say that all members probably have dedicated staff in their offices that arguably took the place of the once-upon-a-time regional offices. We do give face-to-face service to constituents at all times, and I want to thank Fern for that.

This bill does go some way to solve an age-old problem. It’s a problem that—actually, Shelley Martel and Peter Kormos broke into the Family Responsibility Office, some would say illegally, to find out about the system. We implemented a number of changes, some of which are built upon in this Bill 155. But all I can say is the court orders themselves, and the process itself for determining orders, is something that each of us should be somewhat concerned about. I just think that fairness is an important ingredient. The orders from the courts themselves are indeed court orders. The mechanism under the Marriage Act is somewhat more problematic for the litigants involved, that is, the two spouses who are trying to resolve issues of child custody and arrears and payments.

I want to be on the record as supporting the intent to make sure we bring people into compliance. In fact, we introduced a number of the very fundamental changes in this bill. But there is no preamble in this bill. The bill says it chiefly falls into three categories of enforcement tools available to the director on default payers in streamlining enforcement procedures. I’m concerned this government once again is intruding in the lives of the people of Ontario and I believe it should receive full and thorough public hearings.

The Acting Speaker: I’m going to have to ask the member for Durham to withdraw the unparliamentary

reference he made to the members for Niagara Centre and for Nickel Belt.

Mr. O’Toole: The members for Niagara Centre and Nickel Belt aren’t here, but I will withdraw if I said anything that was untrue.

The Acting Speaker: I’ll return now to the member for Beaches–East York.

Mr. Prue: Thank you very much, Mr. Speaker, for the ruling. I think the members from Niagara Centre and Nickel Belt were doing their parliamentary duty on that day.

I would like to thank very much the commentators from Ottawa–Orléans, Lanark–Carleton, Brant and Durham for the statements they have made and the comments they have made about my speech.

1750

To the member from Ottawa–Orléans, you are right. I think the amount you were quoting of some \$70 million is probably a little low, but there is certainly a lot of money that this government could save and, I would hope, pass on to those poor children who need it.

To the member from Lanark–Carleton, you’re right. The BC system appears to be working, and I cannot fathom for a moment why that has not been looked into in more detail. But Accenture seems to have the nod up until this point. I hope that’s not the case. Your real-life experiences and the privacy checks you were talking about are things that need to be looked at very carefully.

To the member from Brant, you talked about the money transfers. That is in part what I was trying to say, but perhaps not well enough. When you were speaking, it brought back to me the old movie called the War of the Roses. If anyone remembers that, that is exactly what happens in some of these families. The level of hatred, wanting to get back at the other party, grows so strong that it doesn’t matter what the issue was any more or the fact that they are not paying; they just want to get back at them.

The member from Durham talked about dedicated staff. I would agree with him. We probably all have dedicated staff in our offices who make the FRO work as well as it does, although with better legislation, with a computerized system and with more people there in the office, it will work that much better, to the benefit of all the members of this Legislature.

The Acting Speaker: Further debate?

Mr. McNeely: I will be sharing my time with the member for Scarborough Centre.

This proposed legislation has the three sections, as was just mentioned: strengthening enforcement tools, improving methods for locating defaulting payers and streamlining enforcement procedures.

When the new minister took over about 15 or 18 months ago, this situation was dire. This was probably the worst complaint that we got in our riding offices. It was leaving families and children with no recourse. They were going to social services. And people who were not paying according to the court orders owed the provincial government \$212 million. Since the minister took over—

it was some months ago when this bill was introduced—I think \$60 million of that had been collected. Just with the tools that were available and some increased staffing, the FRO was made a more realistic tool for the government in order to do our work of enforcing the court orders which come out of these broken families.

When you think that \$10 million was the deputy minister's estimate of what it was costing the system each year, if the new computer system does cost \$40 million, which was suggested earlier, then you have a payback in four years. Not only that; you're giving much better attention to these families who are at risk, these families who have major problems. Rather than going to social services, they are able to keep their jobs and continue working. To think that a woman—and this was not an isolated case—would have to take a day off work because calls were not being answered by the FRO office for areas outside, certainly for the Ottawa area, I am very pleased to see this legislation coming through.

I think it's going to do the work that's necessary to clean up the system. We heard at the public accounts sessions that accounts that were in default weren't being followed for up to eight months; eight months without trying to track people who weren't making their payments. After eight months, the situation was much more difficult to resolve. Families were already on social assistance and major problems were occurring in the system.

It is the right direction that we are going in. It's making it tougher. It should be made tougher. When the courts hand out the decisions, they have to be followed. If we don't follow them, we're ridiculing the courts as well. So I am very pleased to see that this piece of legislation is taking us down the right track and that we are going to get the technology in place. That's so important today. You can't track tens of thousands of claims without proper computer systems. The sooner that's in place, the better. The payback was judged to be about four years on that system. So the sooner we get on with it and do it, the better we are going to be in Ontario to protect the families and protect the single parents who depend on that money every month, and to make sure that people are responsible for the orders coming down from the courts.

I'll close there and let the member for Scarborough Centre take over.

Mr. Brad Duguid (Scarborough Centre): I'm pleased to speak in this debate on Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996. I'm pleased to speak to this debate because it's something that I think applies to families right across this province: families that are struggling; families with single parents trying to make ends meet.

We don't have too much time tonight, and I know this debate will finish in about four minutes today and we'll move on and continue the debate at a later time, but I see my friend Daniel up in the gallery. He's a young Scar-

borough lad who for years has experienced some tough times. I know him; he's talked to me about some of his situations through the years. He's very interested in politics and very interested in what's going on here today. Hence he's the only person I see in the gallery today observing these proceedings, unless there is somebody on the other side, which I don't believe there is. He's an individual who's been able to rise above difficult times, an individual who has experienced some of the tougher things that people in our community sometimes have to experience, but he's been able to rise above them. I commend him not only for being here today but for being able to do that.

In my area—I represent Scarborough Centre—I've heard from many people, men and women, with regard to the need for improvements to this act, the need to bring forward the initiatives this act brings forward and the \$40 million that we're investing over four years in a new case management system and new technology, which is extremely important.

Just yesterday, on Sunday, I received a call from a former constituent of mine, somebody I knew through other things, hockey and whatnot, who's a mother of four children and whose husband currently is not paying the support she needs. She is this far away from ending up in a shelter. So today my staff are working at assisting her in trying to make ends meet. It is not easy with four children, whom she's trying to allow to participate in society, to play hockey, to go to school. She's trying to provide them with the necessities of life, yet having to struggle each and every step of the way. There are problems with income tax because her husband was in business for himself, and who knows what could have gone on in terms of what was claimed and what wasn't claimed. She's trying to pay back overpayments from social assistance because of confusion following the separation.

It's really tough for single mothers and single fathers to cope with these things. So anything we can do to provide them with assistance, we have to do. In this case we're looking at increased enforcement by extending the maximum jail term for failure to comply with court orders. We don't want to do that in each and every circumstance because that's not something we'll always need to apply. But at the end of the day, somebody has to be responsible for those families. Somebody has to be responsible for those children. It's our responsibility as a government to ensure that those orders are enforced.

I see the Speaker getting to the edge of his seat. I think he's ready to interrupt me here and call it a day.

Hon. Dwight Duncan (Minister of Energy, Government House Leader): We're not calling it a day.

The Acting Speaker: The government House leader says we're not calling it a day. This House stands adjourned until 6:45 this evening.

The House adjourned at 1759.

Evening meeting reported in volume B.

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Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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