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Second Session, 38th Parliament

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de l'Ontario
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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 15 November 2005

Mardi 15 novembre 2005

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 15 November 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 15 novembre 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

FEDERAL-PROVINCIAL FISCAL POLICIES

Mr. John R. Baird (Nepean–Carleton): I rise once again today to talk about the \$23-billion fiscal gap and the fiscal imbalance which has been acknowledged by all three political parties. I was shocked to see John McKay, the parliamentary assistant to the Minister of Finance, say that there was no fiscal imbalance.

Is there anyone on Parliament Hill, any government MP who is standing up and fighting for people in Ontario? I can tell you, a Conservative government on Parliament Hill will not be the answer to all of the problems of Ontario, but at least we will acknowledge them and we will begin to do the work.

The \$23-billion gap is an issue that all three political parties in this assembly have supported our Premier on. I was there on May 7 to personally support our Premier when he was negotiating with the federal government. But I read with great trepidation a story by Ian Urquhart in the Toronto Star. Let's look at where we've been since May 7: "Training for unemployed workers"—nowhere; "Meat inspection"—nowhere; "Kyoto commitments"—nowhere; "Corporate tax collection"—nowhere; "Housing"—nowhere. And because of Joe Volpe's mismanagement and incompetence, he won't provide any information on what he would do for funding for Ontario's new immigrants.

Of the \$5.75 billion promised by Paul Martin to the people of Ontario, not a single dollar has flowed. This is a travesty, and we need to change this. This simply cannot continue. We must begin to at least acknowledge the fiscal imbalance and do good things for the people of Canada and the people of Ontario.

SIKH COMMUNITY

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): It's an honour to rise today to acknowledge Guru Nanak Dev Ji's birthday on this day in 1469—indeed, many moons ago. As the founder and first guru of Sikhism, Guru Nanak Dev Ji lived an honest life. He taught others to share their earnings with those who are less for-

unate and to earn their living with honest labour—values which many hold to be true today.

An extraordinary human being, Guru Nanak Dev Ji was a great prophet of peace, love and truth, but above all, he was a humanitarian in every sense of the word. Perhaps most significantly, Guru Nanak Dev Ji thought of working for the betterment of humanity. Wherever he went, he would spread his divine message of universal love, humanitarian service and the uniqueness of God.

I would like to take this opportunity to wish all followers of Guru Nanak Dev Ji a most joyous day and to encourage them and everyone to continue to embrace the teachings of universal love.

Additionally, I would like to acknowledge and applaud the many members of the Sikh community who, in keeping with the teachings of Guru Nanak Dev Ji, have generously donated their time and food to many food banks within my riding of Bramalea–Gore–Malton–Springdale and the greater Toronto area every year and for the past many years.

COURT FACILITY

The Speaker (Hon. Michael A. Brown): The member for—

Mr. Jim Flaherty (Whitby–Ajax): Whitby–Ajax.

The Speaker: Whitby–Ajax.

Mr. Flaherty: The recently elected member for Whitby–Ajax.

Interjection.

Mr. Flaherty: No. I will have a farewell message at some point, especially for the member from St. Catharines because I know he's into farewells, especially for the honourable member for Nepean and me. He's happy to wish us farewell. That's not the statement I was going to make.

The statement is about the Durham consolidated courthouse, which we're waiting to hear about. The minister responsible for public infrastructure said at committee in September that he had been converted, as had Mr. McGuinty, to public-private partnerships. In fact, they had three consortia, one headed by EllisDon, one headed by PCL and one headed by SNC Lavalin, all set to build the new consolidated courthouse in Durham region, which is one of the most rapidly growing areas not only in Canada, but in all of North America.

We have security concerns. The police associations here today—the PAO and the police officers from Durham region—have security concerns, as the people of

Durham region do, about using an antiquated facility. We have had an alleged murderer escape and try to enter that courthouse, and in people's backyards including my own, and families endangered by that. So we want that courthouse built.

We are waiting for the announcement. We urge the government to get moving forward on the security issue for the good of the people of Durham region and announce the courthouse as soon as possible as a Christmas present to all the people of Durham region.

TENANT PROTECTION

Mr. Michael Prue (Beaches–East York): In the weeks and months leading up to the last election, you couldn't hear Liberals talk too much about the need for a new Tenant Protection Act. They promised, within 365 days of their election, that there would be a new act. Well, I have to tell you, you are now 409 days late on your commitment and your promise.

In that period of time, 35,000 tenants have been evicted from their homes because of your inaction. In that time, above-guideline increases have affected tens of thousands of people in Ontario because of your inaction. In that time, vacancy decontrol has continued unabated because of your inaction, and in that time, tens of thousands and perhaps hundreds of thousands of people have seen the total lack of maintenance in the apartments, in the places they call home. Landlords are no longer afraid not to do maintenance. There are cockroaches and mice. There are living conditions no one here would want to live in.

The parliamentary assistant said not to expect anything in this particular session of Parliament. The minister refuses to answer the question about when he will introduce this legislation. I think members opposite should be ashamed they are not carrying out the very promise that helped them get elected by the tenants of Ontario. The time for that act is now.

LEADER OF THE OPPOSITION

Mr. Dave Levac (Brant): I want to offer some simple and truly sincere advice to the leader of the official opposition. The member from Dufferin–Peel–Wellington–Grey talks and talks about doing things differently here. Unfortunately, no one seems to know exactly what he means. He talks about consultation. He wants phone calls and e-mails. He wants to feel part of the government as a legislator. Well, here's that simple advice.

Mr. Tory, stop taking advice from your caucus colleagues who were part of the Harris–Eves government. They did things differently. They fought with people. They didn't consult, and now they pretend to tell you exactly how this place should work. Maybe it's like the old days. I don't think we want that.

Here's a guideline for you. Ministers introduce bills. Bills get second reading. And here's the big surprise: They go to committees for public hearings. They get

amended and come back to the House. They get debated and put to a vote. The majority wins and the bill is carried, to become law.

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Now, I know your caucus has a hard time with this concept and that's why they're heckling. They were used to ramming legislation through this House. They didn't even know what standing committees were used for, and they didn't want to debate. No, they just wanted to shove that legislation down the people of Ontario's throats.

Mr. Tory, do you want to do things differently? Stop listening to the band of bandits over there and start acting in the best interests of Ontarians, and get your caucus some real work to do. We're looking forward to it.

Interjection.

The Speaker (Hon. Michael A. Brown): The member for Simcoe North will withdraw that comment.

Interjection.

The Speaker: You will just withdraw.

Mr. Garfield Dunlop (Simcoe North): I withdraw, Mr. Speaker, and make a point of order: I would ask that the member withdraw his final statement—

Interjections.

The Speaker: Members' statements.

MENTAL HEALTH SERVICES

Mr. John O'Toole (Durham): Today is police association day here at Queen's Park. I also stand to bring to the attention of this House and speak about progress that is being made by police responding to incidents which involve persons who are mentally ill. This is a matter that has been raised by constituents in Durham riding who want to ensure family members who need treatment and support for mental illness do not find themselves in court and indeed in prison. There is more to be done.

Furthermore, I would like to commend police and mental health providers on the partnership approach being taken in Durham region when responding to individuals in crisis. This partnership includes Durham Mental Health Services, whose executive director is Robert Adams. These interventions require very specialized training and resources. Crisis services offered in conjunction with Durham Regional Police Service include safe beds, a crisis line and follow-up.

I'd like to point out that recently in Durham region there was a Canadian critical incident conference held November 7 to 9 in Oshawa. Its purpose was to further educate front-line police officers who, in responding to victims, are involved with disturbed and troubled individuals. Inspector Tom Cameron of Durham Regional Police was one of the partners at the conference. Inspector Bruce Townley serves as supervisor of the mental health support unit with Durham Regional Police.

It is estimated that mental illness affects four out of five Ontario citizens, either directly or indirectly through family members, co-workers, friends and associates. I'm pleased the police are working with our community

health professionals in responding to those who are mentally ill, and I trust this trend will continue.

ONTARIO FARMERS

Mr. Pat Hoy (Chatham–Kent Essex): I rise today in support of Ontario farmers. As a farmer myself and a rural MPP, I know first-hand the financial crisis our farmers are facing.

On October 27, our rural caucus met with a large group of agricultural partners to talk about their Farmers Feed Cities campaign, a campaign that focuses on risk management programs, stabilization of the industry and the revitalization of rural Ontario. We shared ideas about why the financial crisis is happening and what can be done to improve the situation both immediately and over the long term.

Agriculture in Ontario provides more than 650,000 jobs and is a multi-billion dollar business. We are encouraged by the support we've received from our farming community. We value our relationship with farmers—folks who give so much to make life better for Ontarians. Caucus is encouraged by their willingness to share together with our government and work hard to find solutions, and by their openness to share with us.

As an MPP from rural Ontario, I will continue to work with our agricultural partners to work toward solutions to this crisis so that our children and our grandchildren will have a future in farming in Ontario. I'm committed to working toward a prosperous and thriving rural Ontario.

Today I would like to thank the Ontario farming community and our agricultural partners for their continued efforts to provide a brighter future for Ontario. Rural caucus thanks our farmers and agricultural partners for continuing to bring farm issues to the forefront of discussion at Queen's Park—

The Speaker (Hon. Michael A. Brown): Thank you.

VIOLENT CRIME

Mr. Lorenzo Berardinetti (Scarborough Southwest): I rise today to congratulate our Attorney General, Michael Bryant, and our Minister of Community Safety and Correctional Services, Monte Kwinter, on convincing the federal government to respond to our call for a crack-down on violent gun crimes.

As we all know, our province, and the city of Toronto especially, has seen a sharp increase in gun-related murders this year. Just under a month ago I spoke about how our government is being tough on crime and tough on the causes of crime. For example, hospitals are now required by law to report individuals with gunshot wounds. Also, we've invested in safer communities by creating the community use of schools program.

The recent commitment made by our federal partners to be tough on crime is welcome news. The federal government will be increasing mandatory minimum sentences for trafficking in guns and will introduce two new gun-related offences. As well, we should all be pleased

that the federal government has committed to \$50 million in new funding to support community-based prevention and intervention programs that will be tough on the causes of crime.

Our ministers made a strong call for zero tolerance on gun crimes in Ontario and the federal government has heard us. This co-operation will lead to safe, liveable communities and fewer guns on our streets.

POLICE

Mr. Bill Mauro (Thunder Bay–Atikokan): I'm delighted to rise in the House today to recognize the members of the Police Association of Ontario, represented here today by their president, Bob Baltin. It also includes the Thunder Bay contingent of Jim Mauro, Keith Hobbs, Bill Shopoff and Greg Stephenson, who are visiting Queen's Park as part of their annual legislative day.

Reps of the PAO have come from across the province to meet with their MPPs to discuss mutual community safety concerns. Such exchanges are vitally important if we, as legislators, are to understand and appreciate the tremendous challenges Ontario's police officers face every day on the job.

This government realizes that our police deserve every possible support and reinforcement in their struggle to keep our province safe, and that is why we are moving fast to put 1,000 new officers on the road. We have heard the opposition criticize this plan countless times, but this government has taken great pains to ensure we are sending our resources where they are most needed: to address the province's most pressing safety concerns such as guns and gangs, organized crime, young offenders and domestic violence. When the ranks of police begin to increase with additional officers in the coming months, I'm certain this carefully executed allocation process will pay off.

I, for one, am particularly pleased that a significant number of the new personnel will be devoted to northern policing, that there will be a special funding allocation formula for the northern component and that we will take over funding those officers hired under the previous government program that was to sunset after five years.

On behalf of all my caucus colleagues and constituents, I would like to say to the police association members who are with us today, thank you for everything you do. You are the anchors of our community and Ontario simply could not prosper if it were not for your courage.

Mr. Dave Levac (Brant): On a point of order, Mr. Speaker: In our standing orders, which is how we behave in this place, I want to refer us to page 18, section VI, "Rules of Debate," section 23: "In debate, a member shall be called to order by the Speaker if he or she ... (k) Uses abusive or insulting language of a nature likely to create disorder."

I've done that today. I withdraw the word "bandit" and I apologize to this House and especially to the member who was very offended by it, and substitute it with "bully."

The Speaker (Hon. Michael A. Brown): Order. I think I need you to withdraw.

Mr. Levac: I withdraw.

The Speaker: Thank you.

Interjections.

The Speaker: Order.

LEGISLATIVE PAGES

The Speaker (Hon. Michael A. Brown): I ask all members to join me in welcoming this group of legislative pages serving in the second session of the 38th Parliament, and to allow us a few seconds to get organized here.

From Brampton Centre, we have Kumail Abidi; from Bruce–Grey–Owen Sound, Brenna Carroll; from Kitchener–Waterloo, Nadia Eckardt; from Northumberland, Laura Greenwood; from Leeds–Grenville, Zoë Griggs; from Davenport, Jessica James; from Scarborough–Agin-court, Margaret Jiang; from Brampton West–Mississauga, David Kong; from Eglinton–Lawrence, Adam Kwinter; from Niagara Centre, Alexandre Lafontaine; from York North, Helen Lenz; from Don Valley West, Cara Lew; from Cambridge, Andrew Martin; from Oakville, Jeremy McGibbon; from Waterloo–Wellington, Cameron McLean; from Simcoe–Grey, Alex Nyikos; from Etobicoke–Lakeshore, Stephen Pynenburg; from Thornhill, Richard Sukhdeo; from Durham, Janine Sziklasi; from Stoney Creek, Nathan Terbrack; and from Burlington, Katherine Wilson.

Please join me in welcoming the pages.

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INTRODUCTION OF BILLS

LEGISLATIVE ASSEMBLY AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT LA LOI SUR L'ASSEMBLÉE LÉGISLATIVE

Mr. O'Toole moved first reading of the following bill:

Bill 26, An Act to amend the Legislative Assembly Act / Projet de loi 26, Loi modifiant la Loi sur l'Assemblée législative.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may have a brief statement.

Mr. John O'Toole (Durham): The intention of this bill is quite simple: It's to strengthen your role, Mr. Speaker, as our new Speaker, and to compliment our leader, John Tory, for his leadership in improving members' behaviour in this Legislature.

FAMILY STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE DES QUESTIONS FAMILIALES

Mr. Bryant moved first reading of the following bill:

Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access / Projet de loi 27, Loi modifiant la Loi de 1991 sur l'arbitrage, la Loi sur les services à l'enfance et à la famille et la Loi sur le droit de la famille en ce qui concerne l'arbitrage familial et des questions connexes et modifiant la Loi portant réforme du droit de l'enfance en ce qui concerne les questions que doit prendre en considération le tribunal qui traite des requêtes en vue d'obtenir la garde et le droit de visite.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the minister have a short statement?

Hon. Michael Bryant (Attorney General): I will defer my remarks to ministerial statements.

MANDATORY BLOOD TESTING ACT, 2005

LOI DE 2005 SUR LE DÉPISTAGE OBLIGATOIRE PAR TEST SANGUIN

Mr. Kwinter moved first reading of the following bill:

Bill 28, An Act to require the taking and analysing of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons and to make consequential amendments to the Health Care Consent Act, 1996 and the Health Protection and Promotion Act / Projet de loi 28, Loi exigeant le prélèvement et l'analyse d'échantillons de sang afin de protéger les victimes d'actes criminels, le personnel des services d'urgence, les bons samaritains et d'autres personnes et apportant des modifications corrélatives à la Loi de 1996 sur le consentement aux soins de santé et à la Loi sur la protection et la promotion de la santé.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the minister have a brief statement?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I will make a statement during ministers' statements.

GARETH RODGERS ACT
FOR SPORT PARACHUTING
(FREEFALLING REGULATION), 2005

LOI GARETH RODGERS DE 2005
SUR LE PARACHUTISME SPORTIF
(RÉGLEMENTATION DU SAUT
SANS SOUTIEN)

Mr. Tascona moved first reading of the following bill:

Bill 29, An Act in memory of Gareth Rodgers to regulate freefalling / Projet de loi 29, Loi à la mémoire de Gareth Rodgers pour réglementer le saut sans soutien.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the member have a brief statement?

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):

The bill enacts an act to regulate persons who participate in freefalling. The act establishes a system of offences for persons who fail to comply with the act and the terms of the permit or who manufacture parachutes that do not meet the requirements specified by the regulations.

RONALD MCDONALD HOUSE
(LONDON) ACT, 2005

Ms. Matthews moved first reading of the following bill:

Bill Pr17, An Act respecting Ronald McDonald House (London).

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

SAFE NEEDLES SAVE LIVES ACT, 2005

LOI DE 2005 SUR L'UTILISATION
D'AIGUILLES SÛRES
POUR SAUVER DES VIES

Ms. Martel moved first reading of the following bill:

Bill 30, An Act to reduce the incidence of needlestick injuries / Projet de loi 30, Loi visant à réduire les incidences de blessures causées par des piqûres d'aiguille.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may have a brief statement.

Ms. Shelley Martel (Nickel Belt): Each year in Ontario, 33,000 health care workers suffer from a needlestick injury. A worker punctured by a needle or blade might then be exposed to 33 blood-borne diseases, including hepatitis C or HIV/AIDS. The overwhelming majority of these accidents are entirely preventable with the use of safety-engineered medical devices.

The bill would make it mandatory for employers in prescribed workplaces to provide workers with safety-engineered devices. The choice of devices would be made by the joint health and safety committee, and

appropriate training would be provided by the employer. The US, Saskatchewan and Manitoba have moved to protect workers and the general public from these injuries, and it's time for Ontario to do the same.

This bill is exactly the same as my Bill 179, which was passed unanimously by this House on second reading on March 31, 2005. I urge the government to adopt this private member's bill and prevent needle-stick injuries, which cause so much pain and suffering to tens of thousands of Ontarians every year.

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): On a point of order, Mr. Speaker—

Hon. Steve Peters (Minister of Labour): Happy 50th birthday.

Hon. Mr. Bentley: I was just wondering: After the member for London North Centre introduced the bill about Ronald McDonald House, I was very interested in finding out what it was about, but I don't remember if she was—

The Speaker: She introduced a private bill, Minister.

VISITORS

Hon. Michael Bryant (Attorney General): On a point of order, Mr. Speaker: I want to welcome in the gallery here Pamela Cross of the Metropolitan Action Committee on Violence Against Women and Children, and Amanda Dale from the YWCA. Welcome back to this Legislature.

MOTIONS

HOUSE SITTINGS

The Speaker (Hon. Michael A. Brown): Government House leader.

Mr. Peter Kormos (Niagara Centre): No.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): You don't say, "No," now. You don't know which one I'm going to choose.

Interjections.

Hon. Mr. Bradley: The one on the left.

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 Tuesday, November 15, 2005, for the purpose of considering government business.

The Speaker: Mr. Bradley has moved government notice of motion number 23. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1403 to 1408.

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

Ayes

Arthurs, Wayne	Hardeman, Ernie	Phillips, Gerry
Baird, John R.	Hoy, Pat	Pupatello, Sandra
Barrett, Toby	Jackson, Cameron	Qaadri, Shafiq
Bartolucci, Rick	Jeffrey, Linda	Ramal, Khalil
Bentley, Christopher	Klees, Frank	Ramsay, David
Berardinetti, Lorenzo	Kular, Kuldip	Rinaldi, Lou
Bradley, James J.	Kwinter, Monte	Runciman, Robert W.
Bryant, Michael	Levac, Dave	Ruprecht, Tony
Cansfield, Donna H.	Marsales, Judy	Sandals, Liz
Caplan, David	Matthews, Deborah	Smith, Monique
Chambers, Mary Anne V.	Mauro, Bill	Smitherman, George
Chudleigh, Ted	McMeekin, Ted	Sorbara, Gregory S.
Colle, Mike	McNeely, Phil	Sterling, Norman W.
Craitor, Kim	Meilleur, Madeleine	Takhar, Harinder S.
Crozier, Bruce	Miller, Norm	Tascona, Joseph N.
Delaney, Bob	Milloy, John	Tory, John
Di Cocco, Caroline	Mitchell, Carol	Watson, Jim
Dombrowsky, Leona	Mossop, Jennifer F.	Wilkinson, John
Duguid, Brad	O'Toole, John	Wilson, Jim
Duncan, Dwight	Oraziotti, David	Witmer, Elizabeth
Dunlop, Garfield	Ouellette, Jerry J.	Wynne, Kathleen O.
Flaherty, Jim	Parsons, Ernie	Yakabuski, John
Flynn, Kevin Daniel	Patten, Richard	Zimmer, David
Fonseca, Peter	Peters, Steve	
Gerretsen, John	Peterson, Tim	

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

Nays

Horwath, Andrea	Marchese, Rosario	Murdoch, Bill
Kormos, Peter	Martel, Shelley	Prue, Michael

The Clerk of the Assembly (Mr. Claude L. Desrosiers): The ayes are 73; the nays are 6.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

FAMILY LAW ARBITRATION

ARBITRAGE EN DROIT DE LA FAMILLE

Hon. Michael Bryant (Attorney General): I rise in the House today to introduce legislation that would, if passed, make changes to the Arbitration Act, 1991.

A bit of background to let you know why we are here in this position now: The Arbitration Act was introduced on March 27, 1991, by the Attorney General of the day, Howard Hampton, presently the leader of the third party. Attorney General Hampton at that time articulated the purpose of the Arbitration Act, 1991. He said, "Arbitration is a good and accessible method of seeking resolution for many kinds of disputes. It can be more expedient and less costly than going to court. The parties can design their own procedures and select appropriate arbitrators."

During second reading debate in November, Charles Harnick, then Attorney General critic, a future Attorney General himself, also spoke in favour of the bill. In fact,

the NDP Arbitration Act won the support of all three parties and was passed unanimously on November 20, 1991.

The time is now to make needed improvements to the Arbitration Act. The bill I am introducing today would, if passed, amend the Arbitration Act, 1991, and improve it to ensure all family law arbitrations are conducted exclusively under Ontario and Canadian law. That means when it comes to family law arbitrations in this province, there is only one law in Ontario, and that is Canadian law.

Under the proposed legislation, no family law arbitration can be conducted under any other law or principle. Resolutions based on any other laws or principles would have no legal effect and would not constitute family arbitration. They would amount to advice only. Ontarians of course, as the Premier said, would continue to have the right to seek advice from any source, including religious advice in matters of the family. However, under the proposed legislation, such advice would not be enforceable by the courts.

But there is more to be done. We also want to change the way Ontario family arbitrations have been conducted to date. We are proposing a number of legislative and regulatory changes, all designed to reform Ontario family law arbitrations and better protect the people who choose to arbitrate their family disputes.

This legislation, if passed, would require that a family arbitration agreement based on Ontario and Canadian law must be in writing, and that each party must receive independent legal advice before making an arbitration agreement.

Under the current system, participants of a family arbitration can waive their right to appeal an arbitrator's decision in court. Under our new bill, under our new proposal, the right to appeal could not be waived, so that anyone who is not satisfied with the result could take it before an Ontario court for review.

Also under the current system, the 1991 system, people can agree in advance of an actual dispute arising—for example, as part of a marriage contract—to use arbitration to resolve all family matters. This locks them into a position of little or no choice if and when family disputes arise. Under our new proposal, we would prohibit advance agreements to arbitrate family law matters, ensuring that everyone has the right to resolve their disputes when their dispute arises, using their method of choice.

Very importantly, with this proposed legislation, all family arbitration decisions must be made in the best interests of the children involved.

It also authorizes the regulation of Ontario family law arbitrators for the first time. If this legislation is passed, we will have the authority to, and will, require Ontario family law arbitrators to be members of a recognized professional dispute resolution organization, and to undergo training, including training in screening parties separately for power imbalances and domestic violence. We will require, in addition to the training, that they inquire into such matters of power imbalances and domestic violence. Lastly, we're requiring that family law arbitrators keep

proper records and submit reports, to be tracked by the Ministry of the Attorney General.

Our government has been examining the issue of family law arbitrations for some time now. We have been considering the views of Ontarians, consulting with the public and consulting with experts. Part of that consultation was conducted by Marion Boyd, a former Attorney General and minister responsible for women's issues who, in her pre-elected life, served as executive director of the London Battered Women's Advocacy Centre. Ms. Boyd conducted public hearings that heard from close to 50 groups and dozens of individuals and received an additional 40 written submissions. I want to thank her for her typically thoughtful and exhaustive consideration of this issue. I want to thank Ms. Boyd for acting in the name of public service to try and assist the government in improving family law arbitration in Ontario.

We heard loud and clear from those seeking greater protections, especially protections for women. So, in addition to these legislative amendments designed to better protect the vulnerable, my colleague the minister responsible for women's issues, the Honourable Sandra Pupatello, is developing new community outreach and education programs so that all Ontarians will better understand their rights under Canadian and Ontario family law and family law arbitrations.

Notre gouvernement ne cherche pas seulement à mieux protéger les droits des personnes vulnérables. Il veut aussi s'assurer que ces personnes comprennent bien leurs choix et leurs droits.

Our government not only wants to better protect the rights of the vulnerable; we also want to ensure that they understand their rights and their choices. These education and community outreach programs will ensure that vulnerable people in communities across this province understand that only decisions that are conducted exclusively in accordance with Canadian law are family arbitrations, and only such decisions are enforceable.

Also, as part of our government's commitment to the domestic violence action plan, we are proposing a change to the Children's Law Reform Act which, if passed, would ensure that violence and abuse are considered when determining the best interests of a child in the context of custody and access. This amendment, we were told—and we acted upon that—will make a real difference to the safety of the women and children of Ontario.

1420

It is trite to say that we live in a province of tremendous diversity. Ontarians understand that diversity enriches us beyond description. At the same time, we are all standing on and building on common ground. I think it's fair to say that sometimes Canadians are shy, if not at least careful, about defining our common ground and entrenching it so. We are not a nation of the melting pot. Canada is a mosaic that is constantly changing, and so our laws change too. It's not surprising that this debate over our common ground of our family law system was not a simple one. It is my hope and our hope that we are the stronger for the debate and the changes to come.

For family law matters, we are all equal before the law—one law for all Ontarians. Not only do we need to ensure that all Ontarians are protected when it comes to matters of family law, be it Ontario family arbitrations or custody and access agreements; we also need to ensure that family law matters in this province are governed exclusively by Ontario and Canadian law.

MANDATORY BLOOD TESTING

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): The McGuinty government is committed to safeguarding community safety personnel to ensure that they are protected while they protect the citizens of Ontario. Every effort must be made to support those who protect us as they go about their challenging tasks in communities all across Ontario. Every day across Ontario, thousands of men and women in a variety of occupations—police, paramedics, firefighters, for example—work to keep our communities safe. In the process, they face the risk of infection with specific diseases—HIV/AIDS, or hepatitis B or C—through contact with members of the public.

It is my privilege to introduce today a bill that, if passed, would help make Ontarians safer and provide greater peace of mind for those who may be exposed to the risk of infection through their work in protecting their fellow Ontarians. The proposed Mandatory Blood Testing Act, 2005, would, if passed, replace section 22.1 of the Health Protection and Promotion Act with new community safety legislation for mandatory blood sampling.

The government views this proposed legislation as an important community safety issue. The mental stress and lifestyle changes experienced by a person who may have been exposed to infection while protecting us, or as a victim of crime, should not be underestimated. That person is often placed in a cruel limbo caused by the uncertainty of not knowing whether they have, or may, become infected.

You may recall that the current provisions for mandatory blood sampling date from 2003, when a private member's bill, Bill 105, amended the Health Protection and Promotion Act to help victims of crime and first aid responders who may have been exposed to HIV/AIDS, or hepatitis B or C. Essentially, the legislative provisions prescribe that if a person who is the source of a possible infection does not voluntarily provide a blood sample, a medical officer of health can order the required sampling and testing.

After two years of experience with that legislation, we have heard from stakeholders about the challenges faced by those involved in the process. We've heard the concerns of the medical community, the policing community and the public safety community about the need to move responsibility for obtaining an order to have a blood sample test done from the health system to an independent board.

We have responded. Decisions on whether to grant an application for mandatory blood sampling would be

entrusted to the Consent and Capacity Board. Medical officers of health would continue to be responsible for screening applications, seeking voluntary samples and supervising the process after an order is issued, but they would be removed from the responsibility to act as adjudicators for the applications.

We've heard the concerns of the policing community that the process be simplified, that timelines be shortened and that police be specifically designated in the eligibility criteria. The legislation I'm proposing would, through regulation, give authority to the Minister of Community Safety and Correctional Services to specify eligible occupations.

We've also heard from community safety workers that they want, among other things, faster resolution of applications. If passed, the Mandatory Blood Testing Act would streamline the process and achieve faster decisions. The period for voluntary compliance would be reduced from seven days to two days.

The current process has taken up to 70 days to complete. Should the proposed legislation be passed, this process would be reduced to 19 days. This means significant reductions in the time for processing these applications and significant reduction in the time our public safety workers will be in this limbo. By streamlining the process for applications, as proposed in the bill, we would ensure applications are dealt with in an efficient, effective and timely manner for all concerned.

The changes we are proposing represent a delicate balance of the interests of the applicant, the respondent, community safety workers, health care workers and others. The proposed Mandatory Blood Testing Act captures the intent and the spirit of the original legislation and seeks to respond to the concerns raised by our partners in community safety.

I would like to take this opportunity to commend the leadership of the Police Association of Ontario for their valuable input in the crafting of this bill. As we observe PAO lobby day today, I'm pleased to recognize these efforts and also to recognize, in the east gallery, Bob Baltin and Bruce Miller of the Police Association of Ontario, Karl Walsh, the recently elected president of the Ontario Provincial Police Association, and Dave Wilson, the president of the Toronto Police Association.

This bill that I'm introducing today is a fine outcome of the productive working relationship between the McGuinty government and the Police Association of Ontario. This bill reflects our government's plan to strengthen our province by strengthening our most competitive advantage—our people. If passed, the Mandatory Blood Testing Act, 2005, would resolve many of the issues that concern our community safety workers and give them the peace of mind to go about their work with greater confidence. It means greater safety and security for all Ontarians.

FAMILY LAW ARBITRATION

Mr. Robert W. Runciman (Leeds–Grenville): I'm responding to the Attorney General's statement. It's curious that the Attorney General is making this announcement today in the absence of the Premier, given the Premier's earlier decision to exclude the Attorney General from the public announcement.

At the outset, I want to indicate that we support the general—

Interjections.

The Speaker (Hon. Michael A. Brown): Stop the clock.

The member for Leeds–Grenville.

Mr. Runciman: At the outset, I want to indicate that we support the general intent of this initiative. The government, for unknown reasons, doesn't wish to share draft legislation with the opposition, so we will have to reserve final judgment. With this Liberal crew, we can't assume anything is going to be done properly.

This issue, the question of allowing Sharia law to be utilized in domestic disputes through private arbitration, is a casebook example of the incompetence of this McGuinty Liberal government. Sadly, the Attorney General allowed this issue to fester for month after month, turning it into a them-against-us controversy. He botched this, and he botched it badly.

But the Attorney General is not the only one at fault. Premier McGuinty has to share responsibility for this fiasco. He is the leader of the government. The question should have been resolved in a timely manner, not letting people twist in the wind and deepen societal divisions. It should have involved extensive consultation. Instead, we get a back door, clandestine Sunday afternoon announcement by the Premier, with the Attorney General, in a very rare occurrence indeed, hidden from public view. I would suggest a huge vote of non-confidence in the Attorney General's carriage of this issue—no consultation with any community, Christian, Jewish or Muslim, a covert and shameful way to act for any government that purports to be responsible. Our party, the official opposition, will be calling for public hearings on this legislation. Ontarians shut out from this process have a right to be heard.

1430

MANDATORY BLOOD TESTING

Mr. Garfield Dunlop (Simcoe North): I'm pleased to make a few comments on the bill introduced by Minister Kwinter. I want to thank him for bringing the bill forward, and also to congratulate him on having his grandson here in the House as a page.

I am pleased it has been brought forward today, on the PAO lobby day here at Queen's Park. I want to thank all the different police associations from across the province that have come forward today. I want to thank Bob Baltin for his kind comments to myself and Mr. Tory yesterday at their conference at the Marriott Hotel.

This follows up on Bill 105, a bill that was passed in this House, I think by 78 to 2. The problem with the bill is that it ran into the roadblock of regulations, and we've pointed that out on a number of occasions. I brought it up just a couple of weeks ago with the private security guards and investigators act, and the fact that we are running into a lot of regulations and that could delay the bill.

I say to the minister that I'm hoping that moving it to the Consent and Capacity Board will be a speedy process. The people who come forward, whether they are emergency service workers, victims of crime, ordinary citizens or good Samaritans, need to know this is a very speedy process, because they are being infected, in some cases, with blood from other people that contains very infectious and deadly diseases. So it's important this process move quickly.

I would suggest that if there's anything we can do with this bill as legislators, it's possibly to move to committee immediately after first reading today and get on with the hearings. We've been through this process before and we need to know, whether we travel the province or whatever, that we are going to be able to satisfy the wishes of all the stakeholders. In the end, we have to be assured that the process is speedy, because life and death depends upon it, and that's why we're here on PAO lobby day today.

I'll be asking our party to support this bill, but after first reading debate.

FAMILY LAW ARBITRATION

Mr. Peter Kormos (Niagara Centre): On behalf of New Democrats here at Queen's Park, I want to respond to the statement made today by the Attorney General that accompanied his tabling and first reading of the legislation that was a long time coming. I say, after but a cursory examination of it, that it is our fear the Attorney General and this government have made a bad situation worse.

New Democrats have been very clear that when it comes to the resolution of family disputes, it must be the public law that prevails, and if it's going to be a ruling that people are going to be calling upon the courts to enforce, it must be the public courts that apply that public law. Anything less is a disservice to those families and, most importantly, those kids who rely upon our justice system to provide justice for them when there are rancorous and oftentimes very dangerous family disputes.

It is no solution to suggest that somehow, among others, faith-based arbitrations can continue to resolve family disputes with binding arbitration if they but utilize the Ontario or Canadian law, when in the course of utilizing that Ontario or Canadian law, those inherent biases—I use that word in the most neutral way—prevail within the context of determinations in the course of an adjudication.

The Arbitration Act, 1991, supported by all three parties in this Legislature, was not the first Arbitration Act this province had. Arbitration, as we all know, is hun-

dreds of years old. The Arbitration Act, 1991, very specifically contemplates among its earliest sections the prospect there may be certain areas of law that should not be subject to arbitration. It is the New Democratic Party's position that the government should invoke those provisions of the existing Arbitration Act to exclude/exempt, family matters from arbitration.

But let's understand: The real issue here, and the real shame this government has to bear, is Dalton McGuinty's and the Attorney General's abdication of responsibility to maintain a fully staffed and fully resourced justice system for women and children seeking enforceable orders in the course of family breakdowns and women who find themselves prey of some very dangerous men.

The real issue here is the failure of the federal government to appoint a sufficient number of Unified Family Court judges, so that those Unified Family Courts can extend across the province, providing the access and the resource that they do for speedier adjudication of family disputes; the failure of this government to ensure an adequate level of numbers of provincial judges doing family work, its failure to provide an adequate number of courtrooms.

Go into a Family Court some day, Attorney General, and you'll see a sausage factory process. You'll see people having their cases being adjourned week after week, month after month, to the tune of years. You'll see litigants in the family law process being forced into agreements which are not in their best interests, which are not in their children's best interests.

Your persistent failure to adequately resource Legal Aid Ontario to ensure that litigants in the Family Court process—inevitably women and their children who need and deserve legal representation so that their rights under the existing law in this province can be enforced—is the shame that you have to bear.

This legislation is not a resolution to the crisis that you've created with respect to the inadequate level of support in terms of legal representation for women and their kids engaged and involved in serious disputes after the breakdown of a family relationship.

Attorney General, you have missed the mark. This is a chimerical response to a very, very serious problem. I say that this legislation should undergo some very, very strong scrutiny by this chamber and by its members.

New Democrats declare once again: Sir, you have taken a bad situation and in all likelihood made it far worse.

Interjections.

The Speaker (Hon. Michael A. Brown): Order.

Interjections.

The Speaker: I can wait.

ORAL QUESTIONS

POLICE OFFICERS

Mr. John Tory (Leader of the Opposition): My question is for the Minister of Community Safety and Correctional Services. Minister, as you and the Attorney General pointed out, the Police Association of Ontario is here with us today, representing the men and women who serve on our police forces across Ontario. They released a poll today indicating that over 80% of Ontarians believe that funding for police is a top priority. Indeed your government—you, the Premier and assorted others—made a promise over two years ago to fund 1,000 new police officers, and we'll only be moving forward in part on that commitment on November 30.

Minister, we've learned that the Toronto Police Service has requested 250 police officers to meet the community safety challenges, including record high levels of gunplay on city streets this summer. Can you confirm that Toronto will indeed receive the 250 officers they need to battle crime that they've applied for under the criteria set out in your program? Can you confirm that?

1440

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I'm pleased to respond. I'm sure the leader of the official opposition will know that when I made the announcement, I said that we would provide funding for 1,000 new police officers. We will provide full funding, at \$70,000 per officer, for 60 officers in the north. We will fund retroactively 400 officers dating back to October 23, 2003, and funding commencing for May 18, 2005. The rest of the officers will be distributed among other police services. We've sent out a package, the police services across Ontario have responded, and at the end of this month, as I've always said, we will say where that funding is going to go. It would be premature for me to tell you today, because we are going to be making that announcement at the end of the month. I can assure you that there will be a fair allocation of those resources.

Mr. Tory: Again to the minister: From this morning's Ottawa Citizen, we see a picture emerging of just how ineffective this initiative is going to be. The Ottawa Police Service submitted a 60-page application under your 1,000 cops program and, according to the budget chief of the police force, they took great care to meet all of the criteria under the program. The problem is that officials in your government today indicated that Ottawa will receive less than half of the officers they requested to ensure community safety. In fact, Ottawa has already hired 92 officers and needs to hire another 90 simply to keep up with population growth. They've made a request for 182 officers under your program to service the second-largest city in Ontario.

Based on the comments of your officials, how many officers under your program will be left out, will you say no to, for the city of Ottawa?

Hon. Mr. Kwinter: I find it interesting that you should raise that. I'm not embarrassed to say this. If you talk to Chief Bevan, he will tell you, as he told me, that he is just livid that under your government he did not get the number of officers that he thought he should get. He has asked if I would redress that inadequacy on the part of your government. I can tell you this: that when we allocate those officers, we will have a formula that will be transparent, and I can assure you that Ottawa will get its fair share.

Mr. Tory: Again to the minister: Areas all around Toronto are experiencing, of course, explosive population growth and, unfortunately, growth in crime and violent crimes as well. Durham region is facing significant growth and the police force is being stretched to the limit over a very large geographical area. Under your program, Durham has made a submission for a total of 77 new police officers. Will you guarantee today that Durham, with its population growth and the problems it faces in terms of crime, will receive the officers they say they need to deal with that population growth and with the growth in crime, the 77 officers? Will they receive that under your program?

Hon. Mr. Kwinter: I couldn't be more clear, in that we have received applications from police services right across the province. You have to understand that those applications come with the support of their municipality, their police service boards and their chiefs, and they have to fund their particular portion of it.

What is going to happen is, we have to evaluate if they meet our criteria, where we said 500 officers have to go to community policing and 500 officers have to go to six areas that we have designated. We have to go through that whole process and find out whether or not they meet the criteria, and then we have to allocate them fairly. That means we have to allocate them across the whole province on a formula that basically is based on population and other considerations, and we will do that. When we make that announcement, I will have no trouble standing up to defend how those allocations were made.

MUNICIPAL TAXATION

Mr. John Tory (Leader of the Opposition): My question is for the Minister of Municipal Affairs and Housing. Minister, your colleague the Minister of Finance stated that there would be no tax increases on the provincial watch, but as you know as well, only the province can give municipalities the ability to tax. That, of course, is precisely what is called for in the report that came out yesterday called Building a 21st Century City.

Minister, I want to remind you of all of the publicity and fanfare associated with your Premier signing the Taxpayer Protection Act on September 11, 2003. He had a big press conference, and he signed the document that day indicating he would abide by that act.

Section 3 of that act states that if the province gives a municipality the ability to raise taxes, it has to be subject to a referendum. My question is simply this: Is it your

government's plan to follow the Premier's commitment to abide by the Taxpayer Protection Act, and therefore should we expect there will be a referendum in respect of these powers being given to the city to create and raise new taxes?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'd like to thank the Leader of the Opposition for the question. First of all, I think we all realize in this House that for Ontario to be strong, it is absolutely essential that Toronto be strong, and that's what the report is all about. It's all about strengthening the local government in Toronto so that it can achieve the kind of dynamic growth that it's looking for in the 21st century.

We accepted the report yesterday. Staff of both the ministry and city hall have worked on it very diligently over the last year. There are some excellent suggestions in that report. We'll be looking at that, and in due time—hopefully, before Christmas—we will be introducing a new City of Toronto Act.

Mr. Tory: That was a very interesting little talk, but there was a pretty simple question that was asked.

It was your Premier who made the commitment to the people of Ontario that he would not raise taxes, and then brought in the biggest tax increase in the history of Ontario. It was also—

Interjections.

Mr. Tory: That is just a fact. As much as you don't like it, it's just a fact.

It was also your Premier, Dalton McGuinty, who signed—

Interjections.

The Speaker (Hon. Michael A. Brown): Order. Stop the clock. I need to be able to hear the Leader of the Opposition.

Mr. Tory: It was your Premier who said he wouldn't raise taxes and brought in the biggest tax increase in history. It was also your Premier who signed the Taxpayer Protection Act, and it says—and it said it when he signed it; there was no asterisk beside his signature—that you have to hold a referendum before allowing somebody to increase taxes. So I'm asking just for a simple yes or no answer. He signed it; it says what it says. Will he and you, the government, be abiding by what it says—yes or no?

Hon. Mr. Gerretsen: First of all, this government is extremely proud of what we've done for the city of Toronto already. Let's take a look at the provincial assistance that we've given Toronto: in the year 2003, \$137 million, which grew to \$183 million in 2004; in 2005, it's up to \$217 million, and by next year it will be \$312 million.

I'm sure the Leader of the Opposition would like to see a strong Toronto, a strong Ontario and a strong Canada. That's what this report is all about. We're going to look at the report, look at all the ideas, and come up with the best possible act as far as the City of Toronto Act is concerned, for the people of Ontario and for the people of Toronto. That's most important.

Mr. Tory: Still no answer. Taxpayers in Toronto would at least want from the minister the assurance that the city government will be held to account for how they run their affairs, especially if they are being given any additional ability to levy new taxes. Minister, since you're not willing to state definitively whether you will abide by the Taxpayer Protection Act that your Premier signed, can you assure us at the very least that the new City of Toronto Act, when it's introduced, will accompany any new powers to tax with reforms designed specifically to guarantee greater accountability to the taxpayers of Toronto and Ontario?

Hon. Mr. Gerretsen: We believe that the city of Toronto is a mature level of government and it deserves to be treated with respect, as do all the other municipalities in Ontario. But let me just give you a quote from an individual with which I totally agree. This individual said that we have "to give city governments more latitude to raise some of their own revenue if they choose to do so ... they will then be accountable for whatever they choose to do—to fund some things that may be priorities for these cities. Right now they have to go and ask for permission to do everything and I don't think that's right."

I agree with that statement, and that statement was made by John Tory.

Interjections.

The Speaker: Stop the clock. Order.

New question.

1450

TENANT PROTECTION

Mr. Howard Hampton (Kenora–Rainy River): I have a question for the Acting Premier. Who promised, "In our first year in government, we will repeal the misnamed Tenant Protection Act and replace it with an effective tenant protection law"? Was it (a) the Conservatives, (b) the Rhinoceros Party, or (c) the McGuinty Liberals?

Hon. Gerard Kennedy (Minister of Education): The Minister of Municipal Affairs and Housing.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Let me just say that this government has done more for the vulnerable people, when it comes to their housing situation, than has been done over the last 15 years. And let's just recount some of the things we've done. We've invested \$301 million to match the federal government's \$301 million for an affordable housing program that will create over 5,300 new units of affordable housing. We will also be providing housing allowances for over 5,000 lower-income households, and right now we're in the process of hearing that from our service managers throughout the province. We've established a rent bank to help people in emergency situations. We've established a Toronto pilot project in which some 400 units were made available at extremely low rents. We have the lowest rent guidelines—in 2005 at 1.5% and this year at 2.1%—that we've seen in this

province. We've done a lot and we will be doing a lot in the future as well.

Mr. Hampton: The correct answer to the question is the McGuinty Liberals. This was the Liberal platform and this is what it said: Before the election, Dalton McGuinty called the Tenant Protection Act a "tenant rejection act." He said that it "destroyed rent controls." He promised to repeal it within 365 days of taking office and vowed to replace it with real rent controls.

Acting Premier, today is day 774. Where's the tenant protection and where are the real rent controls that Dalton McGuinty promised?

Hon. Mr. Gerretsen: I'm sure the member will agree that this is a very complex and complicated issue. There have been a lot of different acts dealing with tenant protection over the last number of years that have been changed repeatedly. We felt that the right way to go about it was to have a consultation process that was led by my parliamentary assistant, Brad Duguid, in a very, very competent fashion.

We will be dealing with this issue, and I can tell you that we are also very proud of the \$24 million that has been made available for the strong start program, to make sure we can get affordable housing up and off the ground as soon as possible.

Mr. Hampton: I want to remind people that this is the minister who talked about real and meaningless consultation.

Jennifer Ramsay, who is with the Advocacy Centre for Tenants, says, "I hate to think of myself as naive, but I really believed the Liberals were going to act on this issue." Unfortunately, tenant protection is just another example of how the McGuinty government can't be trusted. The Premier promised "real rent control within 365 days." But here we are on day 774, with no results for tenants: Single parents, seniors, students and new Canadians are still waiting for Dalton McGuinty to keep his promise.

I ask again, when is Dalton McGuinty going to keep his promise of real rent controls, real tenant protection for hard-pressed tenants in Ontario?

Hon. Mr. Gerretsen: As the member well knows, when I made that very unfortunate statement—it was on the first day that the House sat, about two years ago—I was referring to an old Tory talking point. He well knows that. Let me just say that we are going to bring in real tenant protection, but the best protection we can give to the vulnerable in our community is to make sure that affordable housing is available, to make sure that housing allowances are available and to make sure that the rent guidelines are at the historically low levels they have been for the last two years.

We are proud of the work we've done, and we're going to bring in the kind of legislation that I think we will all be proud of in the near future.

The Speaker (Hon. Michael A. Brown): New question.

Mr. Hampton: To the Acting Premier again: I think tenants would probably be getting more from the Rhin-

oceros Party on this issue than they've obviously gotten from this government.

Tenant advocates came to Queen's Park today. They say the McGuinty government's broken rent control promise has meant more unfair rent increases, especially for lower- and modest-income tenants. That's because they can see that decontrol remains the law of the land; it gives landlords a free hand to raise rents when a rental unit is vacated. Dalton McGuinty promised real rent control and real tenant protection in 365 days. On day 774, will the McGuinty government finally keep its promise and introduce real rent controls that guarantee affordable rental housing for tenants? Will you do it now?

Hon. Mr. Kennedy: To the Minister of Municipal Affairs and Housing.

Hon. Mr. Gerretsen: Let me just say this: This is very much like the first question, and I've already stated this government is very proud of the record it has with respect to what we've done in the housing area for the vulnerable and low-income people in this province. It's a very complex issue. We will be dealing with it in due course, and we will be bringing in the kind of tenant protection laws that all of us can be proud of.

Mr. Hampton: The minister says that this has become a real complex issue. Well, Dalton McGuinty said, "We will provide real protection for tenants," and, "We will introduce real protection for tenants from excessive rent increases." He said all those things.

Let me tell you another problem here: arbitrary evictions. The Tenant Protection Act has set up a sort of kangaroo court system that lets unscrupulous landlords drive tenants out of their homes on to the streets without a hearing. The former Ombudsman called it "a mechanical exercise devoid of human consideration." He said that tenants deserve better. You said tenants deserve better 774 days ago. When will the McGuinty government bring in real rent control and end the unfair, arbitrary evictions that are driving tenants out of their homes and on to the streets?

Hon. Mr. Gerretsen: Just let me repeat again: We will be bringing in an act, and it will give real protection to tenants. But let me give some quotes of what people said about some of the earlier initiatives we had when we had the low rent guidelines. Michael Prue, what did he say? He said on April 20 in Hansard, "I stand up to actually applaud this government for reducing rents by 2% in the coming year. I believe that this is a good thing." We agree with Michael Prue. What did Gail Nyberg say, the former program coordinator of the Federation of Metro Tenants' Associations? "We're very pleased. Tenants need help now and this is a big step. It's a positive sign that this government is listening to both sides." We listen, we consult with the people as we have, and we will bring in a piece of legislation that we can all be proud of and that will protect tenants in this province.

1500

Mr. Hampton: Minister, the reason tenant advocates came here today is because they've been talking to your

government for 774 days, and as usual, they heard the promises of the McGuinty government, but there is no delivery, no keeping of the promises. They point out that tenants want to live in safe, secure, well-maintained apartments. Unfortunately, the Tenant Protection Act leaves many tenants living in squalor, in rundown buildings, while disinclined landlords refuse to maintain the properties, and when the landlord finally does do some maintenance work, they get a free hand to raise rents through the roof.

Acting Premier, Minister, it's time to give the Tenant Protection Act the Mike Holmes treatment. Tear down the old act and build the new one that you promised. It's day 774. When are you going to keep the promise you made—real rent control, real tenant protection?

Hon. Mr. Gerretsen: First of all, let me also welcome the tenant advocates who are here today in the House. They have a very important job to do, and certainly to make government aware of the demands of the people that they represent is extremely important.

But let's just talk about some of the other initiatives. This was what David Miller said on August 31 this year: The announcement—and this is with respect to affordable housing program—provides Toronto with much-needed federal and provincial funding for affordable housing, and he's delighted that \$116 million will be invested in affordable homes in this city.

That's what's important, to make sure that the vulnerable in our society have the housing that they deserve. That's exactly what we're doing, and we will be dealing with the Tenant Protection Act as well.

POLICE OFFICERS

Mr. Garfield Dunlop (Simcoe North): My question today is for the Minister of Community Safety and Correctional Services. Minister, according to the PAO today, it's quite obvious that we're in desperate need of police resources. You're now 26 months into your mandate, and there are a lot of communities desperately looking for assistance under the 1,000 cop program.

The city of Barrie, as you know, is one of the fastest-growing communities per capita in our province. Chief Wayne Frechette and the Barrie Police Services Board are responsible for the safety of the citizens of this very rapidly growing city. The city has applied for 34 net new officers under your Safer Communities-1,000 Officers Partnership program.

Minister, can you assure us, to the best of your ability, that the city of Barrie will receive the approval and funding they need for those 34 officers that they have very, very faithfully applied for?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I think the member should understand that when we put out the call for these officers, we got considerably more responses than the 1,000 officers we have committed to. What we have to do is evaluate them, (a) to find out if they meet our criteria, and (b) to find out if in fact we have them available.

You should know that what we have done is very significant. Your government's community policing programming was supposed to lapse in five years. We have not only extended that, we've extended it in perpetuity. By the time we are finished with this program, we will have provided \$67.1 million a year in perpetuity.

Now, whether Barrie, Ottawa or any other community is going to get what they ask for, I think it would be unrealistic because there aren't enough police officers to go around. But we will apportion them fairly and transparently and make sure that every police service is dealt with in a fair and upright manner.

Mr. Dunlop: They wouldn't have applied for them if they didn't need them. That's the problem.

We've learned that the region of York, under the leadership of Chief Armand La Barge, who is also the president of the Ontario Association of Chiefs of Police, and the police services board in York region have applied for the most in the province. They've applied for 148 community policing officers and 143 of the specific program officers under your 1,000 cop announcement.

Minister, of the 291 net new officers—and that's, of course, more than even the city of Toronto applied for—160 of those would fall into the retroactive hiring practice. The question really is more on funding now. When can York region expect to see their application for the 291 new officers approved, but, more importantly, when will they actually receive funding or get their cheque for the 160 officers that they have retroactively hired since October 2003?

Hon. Mr. Kwinter: I'm sure the member knows how the process works. What has happened is that various police services—and I have to stress that funding of police officers is a metro or a municipal responsibility. What we are doing is helping them out with this program, as you did when you were in government with your community policing program. So it isn't our responsibility to fund all the policing in Ontario. What we have done is that we want to help those municipalities that don't have the fiscal capability of doing it. So we are doing that, and we are going to be providing that funding.

Also, I'm sure you know, because it's exactly the same process you used, all of this funding is done in arrears. We have to make sure that these people were actually hired and that they meet our criteria. They then bill us for their share, and we pay them in arrears. That's the way it was done before; that is the way it's going to be done now.

The Speaker (Hon. Michael A. Brown): New question.

Mr. Howard Hampton (Kenora-Rainy River): My question is for the Acting Premier. Yesterday yet another Ontario citizen was shot on the street, the latest victim of a rising wave of gun violence. Ontario citizens are afraid. Eighty per cent of Ontarians feel that gun violence is a growing problem. But what do they see? They see a McGuinty government that is apparently more concerned with banning pit bulls than addressing the crisis of gun violence.

My question is this: Can you explain why the number of police officers on our streets, measured on a per capita basis, is declining under the McGuinty government?

Hon. Gerard Kennedy (Minister of Education): The Attorney General.

Hon. Michael Bryant (Attorney General): I'm happy, in a supplementary, to provide more information for the Minister of Community Safety and Correctional Services. But let's be clear: Notwithstanding anything that was just said, this government is investing more money in police services than that government ever invested in police services. This government is putting into place 1,000 new police officers. They made the promise to do it; we're doing it. Make no mistake about it: The investments that are going into public safety, policing and prosecutors, doing everything we can to prevent violence, are in fact at a level that puts public safety first. The suggestion that anybody in this House thinks that somehow dogs are more important than the 44 dead Torontonians, than the 70 people shot, is absolutely outrageous. And you should be—

The Speaker: Thank you. Supplementary.

Mr. Hampton: People have heard the McGuinty government announce, reannounce and reannounce again more police officers, but they don't see it happening.

I want to quote someone who said this two years ago: "The number of police officers per capita in Ontario has dropped more than 8% in the past 10 years. We need more police officers to keep our communities safe." Who said that? Dalton McGuinty.

What has happened after two years of the McGuinty government? Measured on a per capita basis, the number of police officers on the street is now down by 9%. You're not keeping pace, not even with the Conservatives.

Now municipalities are saying they are cash-strapped. You force them to pay two thirds of the cost of new police officers while you pay only one third of the cost. Will the Acting Premier guarantee cash-strapped municipalities today that if they cannot pick up the full two thirds of the cost that you demand, they will still get new police officers under the McGuinty government?

Hon. Mr. Bryant: The Minister of Community Safety and Correctional Services.

I just want to bring to the attention of the leader of the third party that between 1990 and 1995, based on police officers per 100,000, the NDP government decreased the number of police officers by 5.246%.

Hon. Mr. Kwinter: I can tell you that in 1990 the NDP had 20,685 police in Ontario; in 2004, the year we were in government, 23,214. Those are the numbers, and I challenge you to challenge those numbers.

Interjections.

The Speaker: Order. Stop the clock.

New question.

1510

SKILLS TRAINING

Mr. Lorenzo Berardinetti (Scarborough Southwest): My question is to the Minister of Training, Colleges and Universities. This year, our government announced that it would provide \$6.2 million to fund pre-apprenticeship training programs across the province. First of all, I'd like to say I'm proud of this commitment and this government's focus on learning.

Of this money, I know some has been used to fund pre-apprenticeship programs for at-risk youth. The record of the previous government speaks for itself. Year after year, they clawed back and cut programs that helped at-risk youth, leaving them with few avenues to pursue. Minister, can you please tell me about the portion of this funding that will specifically go to help at-risk youth, a demographic that was so neglected by the previous government?

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): I'd like to thank the member from Scarborough Southwest for his question. I'd also like to thank you for your advocacy on behalf of your constituents and in particular on behalf of those who don't always have somebody to advocate for them.

You're right: We're working very hard to provide opportunities for all Ontarians, with particular regard to those who are at risk. Of the \$6.2 million committed for various pre-apprenticeship programs, we made an announcement about a month and a half ago, in the Scarborough area, specifically about some programs targeted at at-risk youth. We committed \$1 million for five separate pre-apprenticeship programs in areas such as construction, craft workers, cooks, general carpenters, and brick and stonemasons, to assist those who would otherwise not have the opportunity to obtain up to 40 weeks of in-classroom and job placement training, so that they'd learn basic skills—literacy, job—and be able to go on to the type of apprenticeship which provides a real opportunity for the future.

Mr. Berardinetti: Thank you for that answer, Minister, and happy 50th birthday, by the way.

We know that it's our government's goal to have 26,000 registered apprentices in Ontario by 2007-08. The five projects funded by our government will help to address pre-apprenticeship training. However, at-risk youth will continue to need assistance, especially if they cannot afford to continue with their training.

Minister, what further programming does our government have in place to assist at-risk youth in becoming independent and accessing work and learning in order to help them become well-contributing members of society?

Hon. Mr. Bentley: Again I'd like to thank the member for identifying a very important issue. If it's a question of financial accessibility, the Reaching Higher plan has been constructed in a way—\$1.5 billion extra money for financial assistance. We're determined to ensure that

nobody misses out on an opportunity because of financial reasons.

With respect to youth who may not want or are not able to continue with a pre-apprenticeship or apprenticeship program, we have programs such as Job Connect, which provided up to 97,000 young people last year with information and assistance in terms of literacy, job skills and related training.

This past summer, we ran the summer jobs program. It's a \$50-million program every year which provides a \$2-per-hour incentive to employers. We hired 57,000 young people through that program—4,400 hired through the various government ministries and agencies. We're working with our colleague the Minister of Education on the Learning to 18 project, and his very important initiative that allows schools to be used for after-hour activities, which the previous Tory government cut.

POLICE OFFICERS

Mr. Robert W. Runciman (Leeds–Grenville): My question is to the Minister of Community Safety. We've been advised that the London Police Service has put in a request for 77 police officers under your program to help deal with a growing violent crime rate, including a record 13 murders this year in London. Despite it being two years late, you've announced allocations that would be made public on November 30. Can you guarantee today that London will receive funding for the 77 officers they've requested in terms of ensuring community safety in the city of London?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): Let me just repeat what we're doing. We've sent out these forms; we've sent out the information. Police services across Ontario have responded. They have said that they are prepared, on their part, to fund their share of a number of police officers, to the tune of whatever it is—77, 80, 100, 200; whatever it is. That number, of all of the people who are saying they're prepared to do it, is a number that exceeds 1,000. We have to take a look at those numbers to find out if they meet our criteria. Half of them go to community policing and the other half go to the six areas that we've identified. Once we have done that and we make sure that they're prepared to do that, we will then, on a formula basis that is fair, transparent, and equitable, assign those officers.

I can't guarantee anything to you today because you're throwing out numbers that may or may not have any relevance. But I can tell you this: When the time comes, we will make that allocation, and I am prepared to stand up and defend what that allocation is.

Mr. Runciman: It's certainly relevant to the city of London: 13 murders—I think, on a per capita basis, the highest murder rate of any municipality in Ontario. Their request was put forward based on what they believe they need to ensure community safety, especially in the face of a rash of violent crimes which are fuelled by guns, gangs and the illegal drug trade, yet you're making them

wait another week, on top of the two years that they've already waited.

The Essex police force has sought funding for four new officers under the program. The Perth and Chatham-Kent forces are also seeking new officers. Minister, will you guarantee today that on November 30, police forces in Essex, Chatham-Kent and Perth will receive the 11 officers they need to ensure community safety? Will you do that?

Hon. Mr. Kwinter: One thing I can guarantee is that every single police service that applied for officers will get police officers. I can't guarantee what the number is going to be, because there are several permutations. Number one, we are providing 60 police officers for the north, and we're funding those \$70,000 per officer. So we have to find out what officers want to go there.

I have to say, the member from Simcoe North issued a press release in July or August, calling for us to retroactively fund officers that were hired after October 23 and have already been put on the street, and we agreed. So we have provided 400 officers retroactively. They will start being paid as of May 18. But that will fit into the equation.

When you ask these particular questions about, "Will they get this or will they get that," it all depends on how many of them are retroactive, how many of them are current. We will go through that. We will assign them on a fair and equitable basis. Again, I think that those municipalities should be satisfied—

The Speaker (Hon. Michael A. Brown): Thank you. New question.

PROTECTION FOR HEALTH CARE WORKERS

Ms. Shelley Martel (Nickel Belt): I have a question to the Minister of Labour. On July 7, 2005, a Ministry of Labour inspector issued two orders requiring an employer in a long-term-care home to use safety-engineered medical devices and to provide training for these. The employer filed an appeal with the Ontario Labour Relations Board requesting suspension and removal of the orders. On August 11, the OLRB dismissed the employer appeal. But on September 2, in a follow-up inspection of the home, the same ministry inspector rescinded the very orders that he had issued in July.

Minister, how is it that an inspector could rescind orders that had been upheld by the OLRB and leave workers in this home with no protection from needle-stick injuries?

Hon. Steve Peters (Minister of Labour): I thank the member for the question. Certainly, ensuring health and safety in our workplaces is an extreme priority with our government. In 2004-05, we visited over 192 acute care facilities and issued over 2,000 orders. Sixty-eight of those orders were for needle-stick injuries.

I do not have the specifics of the case you brought forward today. I pledge to the member that I'll have an

answer for her on the specific case following question period today.

1520

Ms. Martel: I'd be happy to give the minister the specifics of the case, but let me point out that this wouldn't have happened at all if it were mandatory in Ontario for employers to use safety devices. This is the case in the United States, Saskatchewan and Manitoba, and frankly, it should be the law in Ontario, too.

Every year, 33,000 health care workers suffer a needle-stick injury. They may be exposed to 33 blood-borne diseases, including hep C and HIV/AIDS, and all the pain and suffering that go with that. These injuries are entirely preventable with the use of safety-engineered devices. Minister, will your government adopt my private member's bill and stop the tens of thousands of needless needle-stick injuries in Ontario?

Hon. Mr. Peters: Certainly, the ministry recognizes the importance of needle-stick prevention. That's why this past year the Ministry of Health invested over \$11 million in support of safety-engineered medical equipment. As well, the Ministry of Labour is working very closely with the Ministry of Health, as well as our health and safety partners, and looking toward where we go in the long term in developing additional measures and programs. My staff, as recently as September 22, 2005, met with the ONA, the SEIU and the Alliance for Sharps Safety and Needlestick Prevention to ensure that my staff are briefed. As well, last night I had a demonstration given to me of two safety devices that can play a very important role in ending needle-stick injuries. So it is an issue that we are looking at. We are working with the Ministry of Health and our health and safety partners.

DOMESTIC VIOLENCE

VIOLENCE FAMILIALE

Ms. Monique M. Smith (Nipissing): My question is for the minister responsible for women's issues. Minister, you've shown tremendous leadership in protecting women and children from domestic violence in our province. I'm pleased that this government's comprehensive domestic violence action plan has continued to help prevent abuse before it happens and get women and children the support they need when it does happen.

Domestic violence has a great impact on children of women who are exposed to domestic violence. Children who witness violence are at increased risk of experiencing social, emotional and behavioural problems, and we know that many of them are at risk of becoming victims or perpetrators of violence themselves. With today's busy schedules, families see less of their children, and most often our educators are spending more time with our children. Minister, can you tell this House today the details about the announcement and what it means for our education professionals?

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's

issues): I was very happy to be joined by Madeleine Meilleur, our minister responsible for francophone affairs, when we announced panels for both the English and French school boards. What we've done is set up expert panels in education for training of educators—that is, principals and teachers, as well as counsellors. They really are on the front line and notice changes in children's behaviour. Should that change be coming from domestic violence, that is what we need to find out. The sooner we can elicit that from a child, the more likely we can intervene early and perhaps stop it.

Our first and foremost priority is breaking the cycle of domestic violence. We had a tremendous announcement yesterday at OISE at the University of Toronto. We hope that within these next six months, we'll have a training package that will be the best practices of Ontario. We will raise that level to a province-wide standard and hope to be able to implement that for the start of the next school year.

M^{me} Smith: Madame la ministre, comme vous nous l'avez expliqué, la ministre déléguée aux Affaires francophones, M^{me} Meilleur, s'est jointe à vous, la ministre déléguée à la Condition féminine, hier afin d'annoncer l'aide aux professionnels en enseignement qui recevront la formation appropriée afin d'appuyer et de venir en aide aux étudiants qui seraient exposés à la violence domestique.

Il y a plusieurs femmes et enfants francophones en Ontario qui vont bénéficier de cette annonce. Madame la ministre, pouvez-vous aujourd'hui nous expliquer comment cette annonce améliorera les services pour les femmes francophones victimes de violence domestique?

Hon. Ms. Pupatello: The minister responsible for francophone affairs.

L'hon. Madeleine Meilleur (ministre de la Culture, ministre déléguée aux Affaires francophones): La violence domestique se fait ressentir parmi certains groupes à haut risque, soit par pénurie d'appui, soit en vivant dans des communautés où l'incidence de violence domestique est plus élevée. Voilà pourquoi le plan d'action rend prioritaire l'amélioration de l'accès aux services en français pour les femmes et les enfants qui sont à risque. Les personnes vulnérables de la communauté francophone doivent savoir que l'aide et l'appui existent et leur sont accessibles. Nous nous efforçons de nous assurer que les femmes et les enfants vulnérables recevront l'aide dont ils ont besoin dans leur propre langue et dans l'environnement socioculturel où ils sont le plus confortables.

POLICE OFFICERS

Mr. Jerry J. Ouellette (Oshawa): My question is to the Minister of Community Safety and Correctional Services. As you may recall, my father served for years in the policing community, completing his career as the chief of police in Thunder Bay, and also as the OACP chair. Not only that, but my grandfather was also the chief constable in his community in Poland before com-

ing to Canada. As such, policing is always a concern of mine.

Minister, across the north, police services have made requests under your 1,000 officers program for the much-needed new hires to ensure law and order across what are very often large geographical areas. We know that the North Bay Police Service has requested four new officers, Thunder Bay has requested eight, Sault Ste. Marie has requested 14 and Sudbury has requested 15. You made a commitment to provide full funding for 60 officers across northern Ontario under your 1,000 officers program.

Will you guarantee today that the police services in North Bay, Thunder Bay, Sault Ste. Marie and Sudbury will receive the 41 officers they need, and will you tell us how much of that funding these officers will receive to ensure 100% funding?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I'm glad that the member raised a question about the north, because we're very proud of how we've done this program for the north. What had happened, as you know, is that in the previous government, under their community policing program, they provided a maximum of \$30,000 per officer. When we initiated our program, we raised that to \$35,000 per officer. We met with police officers in the north, we met with the Ontario Association of Chiefs of Police, and they said that the north has a particular problem. Because of that problem, they will not be able to take up— notwithstanding that it's \$35,000 now, as opposed to \$30,000, we have to increase it.

I can tell you that a lot of discussion took place, and we finally came up with the number of \$70,000 per officer for the north. We are going to be providing \$70,000 per officer, for 60 places in the north. I can't tell you exactly, but you can do the arithmetic. If there are 60 requests, they will all get them. I can tell you that every police service in—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mrs. Elizabeth Witmer (Kitchener–Waterloo): My question is also for the Minister of Community Safety. In my community of Waterloo, the police responded to 156,000 calls for service last year. That's up 6.1%, as the population increases. Waterloo has asked for 79 new officers to help ensure community safety across the region, Guelph has asked for 13 and Halton for 64, in order to help deal with the very explosive population growth.

Minister, the need for these officers is real, and it's immediate. Will you guarantee today that Waterloo, Guelph and Halton region will receive funding for the 156 new officers they need to ensure community safety when you make your announcement on November 30?

Hon. Mr. Kwinter: I can't guarantee the number but I can guarantee that they will get officers. But I think it's important to understand that we set guidelines for what we're going to fund. We want to make sure that half of these officers are doing community policing. The other half have got to be involved in youth crime, guns and

gangs, organized crime, indoor marijuana grow-ops, dangerous offenders, domestic violence, Internet luring and child pornography.

It is up to those police services to designate that they in fact are going to be allocating those officers to those particular activities. If they don't, and if they say, "We're not prepared to do that," they will not be eligible for funding. That is why I can't give you an exact number, because we have to take into consideration all of those situations that we have to address.

We will make the announcement at the ending of this month. It will be fair, it will be equitable and it will be transparent.

1530

PROPERTY TAXATION

Mr. Michael Prue (Beaches–East York): My question is to the Acting Premier. Does the McGuinty government believe that seniors struggling with skyrocketing property taxes should be forced out of their homes and on to the streets?

Hon. Gerard Kennedy (Minister of Education): The minister responsible for seniors.

Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): Of course we don't believe that. We do believe that assessments are only one part of the municipal property tax equation. We do believe that there are tools available to municipalities to mitigate whatever negative impacts there may be resulting from higher assessments that individual taxpayers have endured as a result of this year's assessment. We are concerned about the system. We are looking forward to Mr. Morin's response with respect to issues present at MPAC, and we look forward to working with our municipal partners to ensure that senior citizens aren't penalized, that nobody is unfairly penalized as a result of a change in assessment that may or may not have occurred in the context of broader assessments across not only one particular municipality, but indeed across any number —

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Prue: Perhaps you might want to explain that in a little bit more detail to the MPP from Northumberland, because in the recent edition of the Coburg Daily Star, Mr. Rinaldi tells struggling seniors, those people who built this province, and some of those who fought for us in time of war, that they, and I quote, "might have to rethink home ownership." He went on to state, and I quote, "If people are on a fixed income and property tax bills keep rising, the choice might be to sell, downsize and live on the difference."

Will the Acting Premier, will the minister ask the MPP for Northumberland to apologize to seniors for his insensitive remarks, and are you prepared to make sure that your government does everything possible so that seniors don't end up on the streets?

Hon. Mr. Duncan: The member from Northumberland represents his citizens, including senior citizens,

well and owes nobody an apology. Let me tell you, you know, I can't use what I'm thinking, it's unparliamentary, but that member voted for a \$125 senior property tax credit for senior citizens, and what did you do? You voted against it. You voted against it. You ought to be ashamed of yourself for that. Let's talk about your being booted out of a hall in Ottawa for your position. I'm sure the House isn't aware of that. Tomorrow, I'll table the newspaper account of that particular meeting, when Mr. Prue was booted, literally booted out of a hall in Ottawa. By the way, they were right to do that, because you don't know what you're talking about. The member for Northumberland and many members of this caucus are engaging in an active discussion about the fairness of MPAC and how it works. We welcome the work being done by Mr. Morin, and we look forward—

The Speaker: Thank you.

Interjections.

The Speaker: Stop the clock.

New question, the member for Northumberland.

HEALTH CARE

Mr. Lou Rinaldi (Northumberland): My question is to the Minister of Health and Long-Term Care. Minister, the previous Tory government closed the Port Hope hospital in the riding of Northumberland, despite public outcry. In response to the public's needs regarding the loss of health-related services in the municipality of Port Hope, our current government announced on Thursday a new community health centre in the municipality of Port Hope, as well as a satellite centre in Trenton, to provide primary health care for individuals and families.

Minister, could you please tell the House about new initiatives such as the community health centre in Port Hope and satellite centre in Trenton.

Hon. George Smitherman (Minister of Health and Long-Term Care): This is the one that they call Lou back home. They know him as Lou because he's always there, in the local community, working on behalf of the local community. I was very pleased, on behalf of our government last week, to send a message to the people of Port Hope that, unlike the days when that party was in office, Port Hope will not be forgotten. Port Hope will not have our back turned on it. I too know a little of that feeling, as an MPP from a riding that had a hospital closed by those rascals. But I'm pleased to say that as part of our \$75-million investment in community health centres, we're moving forward with a new community health centre in Port Hope and a satellite community health centre in Trenton. We know that they're an integral part of a good system of primary care, particularly working hard to address those circumstances where the underlying health circumstances require a little bit more. That's what Port Hope is going to get from this government: a little bit more.

Mr. Rinaldi: Minister, the community health centres are a great way to enhance access to primary care, but surely the government's doing more. Could you tell the

House what other initiatives the government's launching to enhance access to primary care in Ontario, and could you tell us how those will benefit the residents of my community and all of Ontario?

Hon. Mr. Smitherman: Our government's strategy with respect to health care is the renewal of community-based health care services. At the heart of that is the idea that we must renew primary care—accordingly, our government's initiatives with respect to 39 new community health centres, 150 family health teams, the work that we've been doing to increase the size of our medical schools. I'm pleased to say that I'm a part of a government that in two short years has reversed the trend created by those rascals when they were in government that saw policies which—

The Speaker (Hon. Michael A. Brown): Order. You might want to rethink "rascals."

Hon. Mr. Smitherman: I withdraw, Mr. Speaker. I withdraw the offensive word "rascals."

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): Say "little rascals."

Hon. Mr. Smitherman: Can I replace it with "little rascals"? It's trademarked.

The Speaker: Just withdraw. New question.

POLICE OFFICERS

Mr. Norman W. Sterling (Lanark-Carleton): My question is to the Minister of Community Safety. Kingston has applied for 16—

Interjections.

The Speaker (Hon. Michael A. Brown): Order. I would like to be able to get on with petitions in a few minutes. The member for Lanark-Carleton.

Mr. Sterling: Thank you very much, Mr. Speaker.

Minister, Kingston has applied for 16 new officers; Smiths Falls and Gananoque, four each; and Ottawa, 182 officers. Ottawa has received funding for only 90 officers. I don't know what Minister Gerretsen has said publicly with regard to the need for officers in Kingston, but I do know that Minister Watson has publicly said that Ottawa deserves 182 new officers. For once, I agree with Minister Watson. The question is, will Minister Watson deliver for the city of Ottawa and will you deliver for the rest of eastern Ontario?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): If you take a look at the numbers of those requests that came in from municipalities across Ontario, there are far more than we will be able to allocate under the 1,000 officer plan. The previous government, when they had their community policing program, had 1,000 officers. We announced, as a campaign commitment, that we will provide an additional 1,000 officers. Not only are we doing that, but we've extended in perpetuity your program, to the tune of \$30,000 per officer forever. So when we are finished, we will be providing \$67.1 million per year to municipal policing.

We have a formula, and it really has nothing to do with the request that comes in. We will take a look at that formula, so that it's fair, and make sure that it's allocated on the basis of population and other criteria, including those areas that we have designated, and we will then make that allocation.

The Speaker: Supplementary?

Ms. Laurie Scott (Haliburton–Victoria–Brock): My question is also for the Minister of Community Safety and Correctional Services.

Interjections.

The Speaker: Stop the clock.

The member for Haliburton–Victoria–Brock.

1540

Ms. Scott: My question is for the Minister of Community Safety and Correctional Services. The city of Kawartha Lakes in my riding of Haliburton–Victoria–Brock has made a submission seeking funding for two new officers under your program, yet they've had to wait over two years to hear your response. The city of Peterborough has requested 11 officers to ensure community safety. Port Hope is seeking three new officers under your program. All these have been made to wait two years since you first promised these officers. Will you guarantee Kawartha Lakes, Peterborough and Port Hope will receive the 16 officers they need to meet community safety concerns on November 30? Will you commit to that today, Minister?

Hon. Mr. Kwinter: Notwithstanding that you seem to think they've been waiting for two years for my response, the program was just announced on May 18, 2005. All municipalities have been invited to submit their requests and they're going to be reviewed in a way that, if they meet our criteria, if they meet the requirements under this program, they will get their fair share. I can't tell you the exact number because we have to allocate it across the whole province. I can't be in a position where someone says, "Well, how come they got this and we only got that?" It will be transparent. They will be able to see exactly how they were allocated. That is the way the system will work.

PETITIONS

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Ernie Hardeman (Oxford): I have a petition here signed by a number of my constituents.

"To the Legislative Assembly of Ontario:

"Whereas without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to the community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I affix my signature, as I agree with the petition.

DISABILITY BENEFITS

Ms. Andrea Horwath (Hamilton East): I have a petition to the Legislative Assembly of Ontario:

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

"People with disabilities are entitled to the full support of their government with respect to income security and the dignity of a job; and

"The Ontario disability support plan does not provide an adequate income to cover the ever-increasing costs of living that people with disabilities face, and those who receive ODSP and find employment are punished with an earnings exemption that is far too low and needs to be increased; and

"An ODSP recipient will have their earnings clawed back by the McGuinty Liberal government if they earn more than just \$160 a month as an individual or only \$235 a month as a family; and

"Employment not only gives people on ODSP the dignity of a job and the pride in making meaningful contributions to their community, it also enables them to augment Ontario's inadequate disability cheque and keep up with the ever-rising cost of living.

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario for an immediate increase to the employment earnings exemption threshold for ODSP recipients so they are able to keep more of what they earn without the government clawing back their disability support."

I agree with this petition, and send it down by way of David.

MACULAR DEGENERATION

Mr. Jeff Leal (Peterborough): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (wet), there are other forms of macular degeneration (dry) that are not covered.

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

"There are thousands of Ontarians who suffer from macular degeneration resulting in loss of sight if treat-

ment is not pursued. Treatment costs for this disease are astronomical for most constituents and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program.”

I will affix my signature to this petition, which I already have, and give it to Nathan.

CANCER TREATMENT

Mr. Cameron Jackson (Burlington): “Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

“Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan with no such exception policy in place for intravenous cancer drugs administered in hospital; and

“Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients” in Ontario “with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

“Whereas cancer patients have the right to the most effective care recommended by their doctors;

“We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients.”

I sign this with my support as well.

PLANT CLOSURE

Mr. Howard Hampton (Kenora–Rainy River): “To the Legislature of Ontario:

“Whereas the city of Kenora is a community that depends on the economic contribution of the Abitibi Consolidated paper mill; and

“Whereas Abitibi Consolidated has publicly stated their intention to permanently close one machine and indefinitely idle the other; and

“Whereas the surrounding natural resources should bring an employment and economical benefit to the communities; and

“Whereas the government of Ontario recently relaxed the control of wood rights and allowed the companies to ship wood fibre to other areas to be processed;

“Whereas the Ontario government has allowed for increased electricity rates in northern Ontario;

“I, the undersigned, petition the Legislature of Ontario as follows:

“(1) Ensure Abitibi Consolidated is committed to maintaining both paper machines in Kenora;

“(2) The government will assist Abitibi Consolidated by reducing electricity rates, subject to point (1) above being guaranteed;

“(3) If Abitibi Consolidated fails to commit to point (1) above, the government shall, through the Minister of Natural Resources, immediately revoke Abitibi Consolidated’s wood licence for the Kenora and surrounding area;

“(4) The government shall immediately implement a comprehensive investment strategy for the northern Ontario forest industry, particularly the Kenora area;

“(5) The government will ensure community-based timber commitments remain today and into the future so that community-based employment is sustained.”

This petition has been signed by over 130 individuals, and I have affixed my signature as well.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Khalil Ramal (London–Fanshawe): I read this petition on behalf of my constituents of London–Fanshawe.

“Whereas without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

Mr. Bill Murdoch (Bruce–Grey–Owen Sound): “To the Legislative Assembly of Ontario:

“Whereas without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I’ve signed this.

1550

OPTOMETRY SERVICES

Mr. Shafiq Qaadri (Etobicoke North): I have a petition here addressed to the Legislative Assembly of Ontario.

“Whereas it has been over 16 years since the last OHIP fee increase for Ontario’s optometrists;

“Whereas the remuneration optometrists receive from OHIP for the comprehensive eye care provided to seniors, children, diabetics and others does not cover the costs of providing these services;

“Whereas the OHIP-insured services optometrists provide seniors, children, diabetics and others are no longer sustainable at the current levels of reimbursement;

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

“That it encourage the Ministry of Health and Long-Term Care to immediately initiate meaningful OHIP fee negotiations with the recognized representative body for Ontario’s optometrists, the Ontario Association of Optometrists.”

I send this to you, Speaker, by way of page Kumail.

SERVICES FOR THE
DEVELOPMENTALLY DISABLED

Mr. Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly of Ontario.

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I affix my signature in support.

FIRE AT RECYCLING PLANT

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): I have a petition.

“To the Legislative Assembly of Ontario:

“Whereas a fire on October 18, 2005, alerted the neighbours in the vicinity of Refine Industries Ltd., Long Sault, Ontario, to the establishment of a rubber recycling facility in the former Gildan Activewear plant, we, the neighbours of this facility, request that the Legislative

Assembly of Ontario conduct a thorough investigation of the establishment of this facility in a residential neighbourhood and the ensuing fire of October 18, 2005;

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

“Investigate the fire that occurred at Refine Industries Ltd., Long Sault, on October 18, 2005; and

“Through the Ministry of the Environment, determine whether the facility was operating with a valid certificate of approval; and

“If Refine Industries Ltd. was not operating with a valid certificate of approval, prosecution should follow, to the full extent of the law; and

“The neighbours living in the vicinity of this facility at Long Sault do not want to compromise their health by having to breathe in foul odours and/or particulates; and

“Therefore, because of the problems already created in the community by Refine Industries Ltd., it should be closed down permanently.”

I shall have this delivered by Andrew, and affix my signature.

QUEENSWAY CARLETON HOSPITAL

Mr. John R. Baird (Nepean–Carleton): I have a petition addressed to the Legislative Assembly of Ontario.

“Whereas the Queensway Carleton Hospital is one of the most efficient hospitals in the country;

“Whereas the Queensway Carleton Hospital’s priority should be providing excellent patient care and not money for Paul Martin’s Liberal government;

“Whereas the number of senior citizens served by the Queensway Carleton Hospital is growing rapidly in the west end of Ottawa and Nepean;

“Whereas the federal Liberal government led by Paul Martin has a surplus potentially as high as \$10 billion;

“Whereas all provincial political parties in Ontario have acknowledged the significant fiscal imbalance;

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

“The Ontario Legislature call upon the federal Liberal government to immediately cancel its plans to dramatically increase the rent for the land now being used by the Queensway Carleton Hospital, and that the hospital be charged only \$1 rent per year.”

I’m pleased to sign this petition, as have George Smitherman and Jim Watson.

MANDATORY RETIREMENT

Mr. Tony Ruprecht (Davenport): I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

“Whereas existing legislation enforcing mandatory retirement is discriminatory; and

“Whereas it is the basic human right of Ontario citizens over the age of 65 to earn a living and contribute to society; and

“Whereas the provinces of Alberta, Manitoba, Prince Edward Island, Quebec, Yukon and the Northwest Territories have also abolished mandatory retirement in various forms; and

“Whereas ending mandatory retirement is a viable means of boosting the Ontario labour force and accommodating the growing need for skilled workers;

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

“The Ontario government should act by abolishing mandatory retirement in the province of Ontario. This is best achieved by passing Bill 211, An Act to amend the Human Rights Code and certain other acts to end mandatory retirement.”

Since I agree, I’m delighted to sign this petition.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Garfield Dunlop (Simcoe North): I have a petition from folks who work at the Orillia branch of Simcoe Community Services. It says:

“Whereas without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent upon the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I’m very happy to sign this.

PROPERTY TAXATION

Mr. Ernie Hardeman (Oxford): I have a petition to the Legislative Assembly of Ontario:

“Whereas many owners of seasonal trailers kept at campgrounds have raised their concerns over the impact of property taxes on seasonal trailers and the unfairness of imposing a new tax on persons who use minimal municipal services;

“Whereas this new tax will discourage business and tourism opportunities in Ontario and will cause many families to give up their vacation trailers altogether;

“Whereas the administration of this tax will require a substantial investment in staff, time and resources across the province of Ontario;

“Whereas some representatives of the recreational vehicle industry, campground proprietors and trailer

owners have suggested an alternative sticker or tag system to establish fees for seasonal trailers;

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

“That the Parliament of Ontario immediately abandon the assessment and taxation of recreational trailers used on a seasonal basis in 2004; and that the government of Ontario consult with all stakeholders regarding the development of a fair and reasonable sticker or tag fee that would apply to recreational trailers used on a seasonal basis.”

I affix my signature.

NOTICES OF DISSATISFACTION

The Acting Speaker (Mr. Ted Arnott): It is my obligation now to inform the House that pursuant to standing order 37(a), the member for Dufferin–Peel–Wellington–Grey has given notice of his dissatisfaction with the answer to his question given by the Attorney General concerning sentencing credit arrangements and hiring of police officers. This matter will be debated today at 6 p.m.

Pursuant to standing order 37(a), the member for Kenora–Rainy River has given notice of his dissatisfaction with the answer to his question given by the Minister of Energy concerning hydroelectricity prices. Again, this matter will be debated today at 6 p.m.

BUSINESS OF THE HOUSE

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I seek unanimous consent to move a motion respecting the business of the House for this evening.

The Acting Speaker (Mr. Ted Arnott): Is there unanimous consent for the government House leader to move such a motion? Agreed.

Hon. Mr. Bradley: I move that notwithstanding any standing order or the order of the House earlier today, the House continue to meet beyond 6 o’clock for the purposes of completing the two scheduled late shows and consideration of the motion for third reading of Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters, following which the Speaker shall adjourn the House until Wednesday, November 16, 2005, at 1:30 p.m.

The Acting Speaker: The government House leader has moved that notwithstanding any standing order or the order of the House earlier today, the House continue to meet—

Hon. Mr. Bradley: Dispense, please.

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

1600

OPPOSITION DAY

VIOLENT CRIME CRIME VIOLENT

Mr. John Tory (Leader of the Opposition): I move that the Legislative Assembly call upon the government,

To recognize that under the watch of the McGuinty Liberal government, the province of Ontario has witnessed a record number of gun-related homicides in 2005; and

To recognize that the province of Ontario has fallen victim to excessive gang-related crime and youth violence with no coordinated youth strategy put forward by the McGuinty Liberal government to address and reverse this trend; and

To recognize that Premier McGuinty and the Attorney General were missing in action this summer when gun homicides were a weekly occurrence and when Ontarians needed their leadership the most; and

To recognize that the McGuinty Liberal government has failed to make any effort to effectively lobby the federal government to toughen sentencing for gun crimes; and

To keep its promise to hire 1,000 new police officers, not just to promise them over and over, and to keep their promise to “build safe communities with more police and more prosecutors.”

The Acting Speaker (Mr. Ted Arnott): Mr. Tory has moved opposition day number 3. I'm pleased to recognize the Leader of the Opposition.

Mr. Tory: In a perfect world, some issues would remain outside of politics. Some issues, like the safety of our children and the safety of our communities and our streets, would be taken for granted as a priority we can all agree on. Unfortunately, there is today, I believe and we believe in the Progressive Conservative Party, a crisis on our streets, a crisis of mounting gun violence.

The crisis is centred on but by no means limited to the city of Toronto, where just last night there were two more shootings, including the fatal shooting of a 29-year-old in the city's west end. But it hasn't been confined to the city of Toronto. In fact, I visited communities over the course of the summer on a repeated basis, whether Belleville, London, Dryden, where these issues of crime, and in particular guns, in many of these communities were raised with me. Last week in Brampton, 18-year-old Shandy Kirpal was ambushed by a gunman in the parking lot of his own high school. Parents and students had to wait in worry as police locked down the entire school.

I was at the anti-gun-violence rally at Yonge-Dundas Square and spoke there on Sunday. It was interesting, because there was someone there from the separate school board who made a point of noting that nowadays we have kids in the high schools practise and have drills

for lockdowns, whereas when he went to school and when I went to school, you practised fire drills. As I said that day, that kind of says it all.

The one in Brampton at the school was one of four separate shootings to take place in a day-and-a-half period of time, including another fatal shooting, this one of a 17-year-old at the intersection of Eglinton and Oakwood Avenue, right here in the city of Toronto. We've now seen close to 50 different homicides as a result of gun violence in the city of Toronto this year, and unfortunately—I regret to say this—it's apparent that the trend is not slowing down. Equally disturbing, or perhaps even more disturbing, is the number of incidents of gun violence among the province's youth, the number of young lives cut short, people who have been killed over the course of this year, due to the growth of a culture that glorifies violence and yet seems to fear no reprisal. I said, again at the rally on Sunday, doesn't it tell you that something is very wrong indeed when the families of Ontario, the kids and the parents of Ontario, fear the criminal gangs more than the gangs fear the legal consequences of their actions in engaging in this kind of activity? It does say something is terribly wrong.

So we have introduced this motion today because the Premier in particular and to some extent—I won't say completely, but to some extent—the Attorney General have just not taken the leadership role, the advocacy role of speaking out against this violence, of speaking up against this violence and making sure they do whatever they can directly and whatever they can as advocates on behalf of the people of Ontario to do something about this issue.

As was referred to in question period today, the same Attorney General of Ontario who held the province and the media spellbound with an endless parade of press conferences on the dangers of pit bulls has not yet seen fit to make similar definitive statements and analysis with anywhere near the same frequency and with anywhere near the same energy and determination as to what this Liberal government is going to do to stem the tide of gang warfare and gun violence that has entire neighbourhoods living in fear. I visited many of them over the course of the last number of months, and it wasn't the first time I had been, but I went over the course of the summer, going from memory, and I visited with people who live there, with law enforcement people, community leaders in St. James Town, Malvern, Rexdale, Flemingdon Park, and Jane and Finch.

I want to talk a little bit today, as I did on Sunday, not on what the experts told me, not on what I read in a report, not on what I heard here in the Legislature, but what those people told me about some of their concerns. The first thing they said—actually, I won't deal with them in order—among three or four things that were the highlight of comments, no matter which neighbourhood you were in, was that we need more police officers on the streets and in the neighbourhoods. I would say that that is one of the reasons why we asked the questions that we did today, because every single bit of extra support that

we can give to our law enforcement professionals will, in turn, help them to help families that are in need.

People told me in those neighbourhoods that they need the extra help. They need it not just, as they said, at times when someone is there to put up yellow tape. They don't just need it when there's been an incident. They need it in order to have police officers in the neighbourhoods forging the kinds of positive relationships with kids and families that are going to be so important going forward to addressing this environment that exists in these neighbourhoods. The Premier himself seemed to recognize this when he included in his election platform 1,000 new police officers who would be on the streets if he were elected to office.

So here we are now, two-years-plus into the mandate, and the unkept commitment to add 1,000 new police officers stands as just one more example among the Premier's 50-odd broken promises and unkept commitments to the people of Ontario. The 1,000 new police officers are not on the streets—not even half of them are on the streets. Even there, where the Minister of Community Safety claims that there are 400 when he rushed forward with those numbers, recognizing this was the week the police would be visiting Queen's Park, and so on and so forth, I think those numbers are seriously in question, and I think that they have all the smell of one of those kinds of shell games in terms of complicated math that the taxpayers are never really expected to understand.

What we have seen is at least half a dozen, maybe seven, press releases on this subject. We have seen announcement after reannouncement after reannouncement from the Premier and the Attorney General and the Minister of Community Safety: "Don't worry, the officers are on their way." Well, news releases do not keep the guns out of the hands of the gangs. They do not keep the gangs out of the communities. They do not allow a single child, a single family in Toronto or any other community—Belleville, London, Sudbury, Dryden or anywhere else—to feel a tiny bit more safe. It is the police officers on the streets in those neighbourhoods who are going to make those people feel safe, and I would suggest it is already two years later than it should be for those police officers. The time for action is now, and in fact, it was before now.

The families that I spoke to understand the need for police officers for the reasons I mentioned, not just for protection and enforcement, but so that we can forge those kinds of positive relationships with people who live in those neighbourhoods. Amid all the chatter about pit bulls, amid all the continual press releases about how the new officers are coming—"Don't worry, it's going to happen at some point very soon"—one area where the Liberal summer of silence continues is on fixing the justice system, and that is another theme that I heard more vehemently, with more energy and enthusiasm and determination, from the people who live in those neighbourhoods than from anybody else, because how can they have faith in our justice system—this is what they said to

me—when gang members who are arrested are back on the streets?

Do you remember the stories where they were cheering as the gang members were taken away, only to sort of think to themselves, "Boy, maybe it wasn't such a good idea to be cheering, because I just saw that guy back in the neighbourhood"? It seemed a matter of hours later, thanks to the justice system being run by this government and by this Attorney General. How much co-operation can our law enforcement professionals expect from communities in need if they know that violent criminals are likely to be able to plead down to lesser charges and to return to terrorize these neighbourhoods once more, it seems, in a matter of days? How much faith can we expect people to have in the justice system where we see the crown prosecutors, under the supervision of this Attorney General, day after day, week after week, doing these three-for-one and two-for-one deals, where, quite literally, you have people, as told to us by the police, walking out of a courtroom minutes after being sentenced, never going to jail? They were sentenced to years in jail, and because of this mathematical let's-make-a-deal kind of arrangement that the Attorney General continues to countenance, we have people walking out of the court.

The people don't get it. I don't get it. The people don't support it, they don't understand it and they think this practice should be done away with, where people are getting three-for-one and two-for-one deals: "Let's make a deal."

1610

We did finally hear some tougher talk from the minister while he was in the Yukon at the ministers' meetings. I'm prepared to recognize some limited progress, however small and however late. The reason I say it's small is because there were no specifics from this minister in the paper that he put in. It had some good sentiments in it but no specifics in terms of what he was looking for on behalf of the people of Ontario with respect to tougher sentencing for gun crimes and other crimes he would see included. And, lo and behold, that really let the federal minister off the hook, because when he gave his news conference, he too had no specifics with respect to what he would do. He just said, "We'll introduce legislation soon." Well, you know what? If there had been the kind of advocacy there should have been in the winter, spring and summer of 2005 from this government, including the Premier of this province, it would be law today, as opposed to being something now that is going to perhaps fall prey to the election timetable in Ottawa.

The other thing I heard from people in these communities was that they understand and they are pleading for some help in terms of addressing the social roots of crime. They talk about the need for more facilities, more programs for kids, more employment opportunities, recreational facilities and positive role models, to ensure that kids don't fall into the gangs and violence trap, and we support—I support—very strongly the need for that.

If I was to find fault with what we're doing right now, it is in the fact that what we have today from all levels of government is a patchwork quilt of these kinds of programs. You have a city program here, a provincial program there and a federal program over here. Isn't it kind of interesting that the Prime Minister of Canada came to town to make an announcement and he was accompanied by the mayor but not by somebody from the provincial government? On another day, you'll see the provincial government and the city making an announcement together but the federal government is not there. There is no coordination to this. It is not a comprehensive strategy; it is a patchwork quilt of programs. If handled on that kind of basis, where there's an initiative here and an initiative there—we haven't really determined what the best practices are nor taken the programs that work, whether it's Pathways to Education, the San Romano Way initiative or others, and said, "Let's take these across the city of Toronto, to Ottawa, to London or wherever they're needed." I would hope that we could see some leadership from this government, saying, "Fine. Let's get the governments together to have the kind of coordinated, comprehensive strategy that can help to address this problem." That is such an important element of making sure that the problem is successfully addressed.

In concluding my own comments, I would hope that the Premier of this province especially—I think if you check the record, he has had virtually nothing to say about this. The head of the government of the province of Ontario has had almost nothing to say, in a summer when gun violence was a problem not just in Toronto—certainly a terrible problem here—but in London, where I think they now have the highest number of homicides they've had in a long time and I think the highest rate of homicides in Ontario. It is a problem in Belleville. The police chief told me that when I was there, but fortunately it has not manifested itself in the same way, in homicides and so on.

I would hope that he can become an advocate. It's never too late to do that. He can help the Attorney General. The Attorney General can be more specific in his advocacy, more urgent in his advocacy. The Premier can be more urgent in his advocacy, to say to the federal government, where it's their responsibility, "Get on with it," and where it's the provincial government, "Get on with making the changes." Stop the three-for-one deals. Start to have a more comprehensive strategy for kids and families in terms of the programs that are needed.

We are introducing this motion so that we can have this discussion here today, but the hope as to the result is to spur this government out of its slumber and on with some real, specific, concrete action; not a hodgepodge of little things here and there, not just more press releases, but some real, specific, concrete action to address the problem.

The Acting Speaker: Further debate?

Hon. Michael Bryant (Attorney General): I'll agree with one thing the leader of the official opposition said,

and that is that the time for action was some time ago. That's why, from the very beginning of this government taking office, we put into place something that had a real impact. It was to—

Mr. John R. Baird (Nepean–Carleton): Bring your own wine?

Hon. Mr. Bryant: I didn't heckle the leader of the official opposition, although it's certainly your right, Mr. Baird, to do so.

We put together specialized gun prosecutors with the guns and gangs task force made up of specialized police officers, the idea being that, unlike the way it used to work, where police would do their work, and if a particular issue arose, they would in some cases call crown attorneys for advice, instead, we would have police officers and prosecutors working together from day one.

Obviously, organized crime has become more organized. The gangs have become more organized. That means we have to be more organized in terms of the evidence we put together, the wiretaps, the way in which we gather the evidence, so that it can hold up. Those challenges, according to then-Chief Fantino and now Chief Blair, were very well addressed by adding gun crowns to the guns and gangs team. Of course, we have to measure our success on the train of results. Based upon the very, very significant takedowns undertaken by the Toronto Police Service under the leadership of Chief Fantino and now under the leadership of Chief Blair, we saw real changes and real results that came out of the guns and gangs task force.

Now, that didn't start last summer. That didn't start last spring. That started really from the moment this government took office. We got it up and running, and it was announced in January 2004.

The idea that Mr. Tory has been talking about gun violence for a significant period of time is quite interesting. I, like everybody else, followed the mayor's race quite closely. I also followed the issues that were of great importance to the leader of the official opposition. I understand we had a very tragic summer, so it shouldn't be surprising that he would engage in the issue at the time in which we had a tragic summer. It's positive that the leader of the official opposition is becoming more familiar with the issues of gun violence and the issues facing our communities, but this is not something new to this government. It's not something new at all.

When all is said and done, it is clear—just look at the public accounts—that this government has made and is making greater investments in police services than the previous government did when they were in office. That's a significant investment. This government established a prosecutorial police guns and gangs task force that, in fact, undertook some very positive work. But it gets better. Importantly, we have added a federal presence. The federal prosecutors have now agreed to join that, which means that drug crime, obviously a significant part of the demand for gun crime, is now going to be folded into the guns and gangs task force.

Furthermore, as a result of the additional police officers and crown attorneys added to the guns and gangs task force, Chief Blair has indicated that other chiefs of police, other police services outside of Toronto, will also be participating. So we'll be able to bring that expertise and assist and work together with other police services.

The supply and demand of gun crime means we also have to choke gun supply. That means addressing legal guns, legally stored guns, and trying to stop those legal guns from ending up in the illegal gun market, for it is from there that they cause the human misery that they do.

So what do we do along those lines? It means offering gun amnesties to get the legal guns that are unwanted off the streets. That's one less gun that could be the subject of a break and enter, one less gun that could be stolen and end up in the illegal gun trade. I know the Conservatives don't support gun amnesties. I understand that. But gun amnesties can make a small difference, if only to reduce the risk of a legal gun ending up in the illegal gun trade.

We need to have initiatives such as Crime Stoppers. Obviously, we're very supportive of the Crime Stoppers tip line, which has already led to close to 100 tips, which are all being investigated and, in addition, close to a dozen illegal handguns being turned in. If we can get just one gun taken off the streets and avoid the human misery that it has caused, then we have accomplished something.

These programs, the gun amnesty and the gun tip line, can and will make a difference. But obviously much more needs to be done. That's why we need to have mandatory minimum sentences increased and in place, particularly for those—

Mr. Jim Flaherty (Whitby–Ajax): Tell your crowns not to bargain them away.

Hon. Mr. Bryant: Mr. Flaherty is impugning the crowns of Ontario. It's a shameful moment for a former Attorney General.

As I was saying, what we need to do is ensure that we have the offences and the penalties in place that target the precursor crimes that lead to the serious gun tragedies that take place. That's why, when we went to Whitehorse, Minister Kwinter and I, what we did was target very, very specific offences: illegal trafficking, illegal smuggling. These are the crimes that lead to the flow of guns on to the streets and cause the tragedies. That's why we fought for and achieved new Criminal Code offences for break and enter, stealing a gun; robbery, stealing a gun: obviously particularly pernicious offences that lead to the flow of sometimes legal guns, and illegal guns, into the illegal gun trade. Again, that leads to human misery.

1620

We also achieved a number of other initiatives with respect to bail, with respect to additional mandatory minimums, which will also be acted upon. I say to the leader of the official opposition, it is almost too bad that he wasn't able to be there in Whitehorse so that he could have understood the contrast. When his justice ministers found themselves in the federal-provincial-territorial justice ministers' meeting, oh, they were advocates all

right, but they never achieved anything—nothing on conditional sentence changes, nothing on dangerous offences changes, nothing on new mandatory minimums, nothing on Criminal Code changes. Our government, under the leadership of Monte Kwinter and a team that went off to Whitehorse, hammered out and achieved a unanimous agreement amongst federal, provincial and territorial justice ministers which the federal justice minister has taken to cabinet. It means that, as long as Parliament is around in a week or so, we're going to see those matters before Parliament. Parliament will have an opportunity to express its denunciation of gun crime.

That government, the Conservative government, had eight years to get one change out of the federal government. They got nothing. We went up to Whitehorse in a federal-provincial justice ministers' meeting and achieved an historic accord which is going to provide real, meaningful punishments and deterrents when it comes to those who want to participate in the gun trade. It is now clear: If you want to play any part in the gun trade, if you want to play a part in the flow of legal guns to illegal guns or otherwise play a part in gun violence, you're going to go to jail, and you're going to go to jail for a significant period of time.

I look forward to further debate from members.

Mr. Garfield Dunlop (Simcoe North): I'm very pleased to be able to stand today in this House and speak in support of this opposition day motion by my leader, John Tory. I couldn't agree more with some of the comments he has made. There are two things I want to zero in on. One is what I would call the inaction by the government. The second, of course, is the 1,000 police officers, which we've been pushing extremely hard in this House and on behalf of the citizens of the province of Ontario to make sure that the government would deliver on that promise.

Our leader, John Tory, identified the problem clearly last December. Over the course of the last 10 and a half months, Mr. Tory, on at least 20 occasions, has called on the government to be more active in the pursuit of gun crime and gun violence. The Attorney General claims that he formed the guns and gang task force in January 2004, but the fact of the matter was, the guns and gangs task force was actually started by the Toronto Police Service in 2002. They made a few amendments to the layout of the plans, but quite frankly, the guns and gang task force has been around since 2002.

I just wanted to point out that on 20 occasions in the last year, our leader, on behalf of our caucus, has called on the McGuinty government to get tough on crime. As I just heard my colleague ahead of me, Mr. Flaherty, say a few moments ago, after 12 years now, we're seeing—prior to, I guess, an immediate election—suddenly the federal government say they're going to listen to their provincial counterpart here in Ontario, and they're finally going to get tough on crime: after 12 years. I don't believe for a moment that it will happen. You can come out with all the promises you've made, but until I see legislation, until I see it passed in this House, I can't

believe for a moment that it's actually going to happen. It's just one more time that the government has tried to react to a lot of publicity.

I believe that last night we had our 47th homicide in the city of Toronto, in the GTA, in this year alone. If there ever was a time when we need immediate action, it's now. What we usually see happening from this government is that after there are a lot of headlines for three or four days, then we'll see a fancy press conference at metro police headquarters or we'll see it out at York region headquarters or something, and that's when we'll get all the folks together and they'll tell us how tough they're going to get on crime.

But let's go back for a second to the fact that we did question the minister today on the 1,000 new police officers. That was a promise made by both governments in the last election. It was made by both governments to add 1,000 new community officers to the streets of our cities and towns. These are net new officers, I believe, beyond the growth of areas. What we're seeing today is that after 26 months—26 months—finally, at the end of this November, we're going to see where some of those officers will be allocated. It was made very clear today that those communities are not going to see the number of officers that they requested. They didn't request them because they didn't need them, they requested them because those communities need them.

We named off a bunch of examples here today of the 1,000 new police officers and where they would be allocated, and we're not getting an answer. I'm assuming there will be a fancy announcement, probably downstairs or maybe at Toronto police services, or maybe we'll go out to Durham this time. We'll get the red banner up on the wall, and they'll say "safe communities" and Monte and Mr. Bryant will stand there—maybe even the Premier this time—and actually say where those officers will actually be positioned.

But if they would have actually started the program when they were creating that task force back in January 2004, if they would have started the 1,000 new police officers program then, we'd actually see officers on the streets today. I've said to the media a number of times and I've said to all kinds of stakeholders, like some of our OPP and our PAO folks, that there's no reason why that couldn't have happened. We should have had at least a third of those officers on the streets of our communities today. Perhaps it might have saved a few lives if we would have actually moved quicker on it. I don't know.

As I said, we are now 26 months in. They are claiming that they're going to cover some of the officers retroactively. But a lot of the police services went ahead and hired because of the high growth rates in those areas, for example, let's say York region or Durham region, maybe Halton, Peel. Those are areas that have tremendously high growth. What's happened is that the communities have gone ahead because they've got an additional assessment, and they've actually needed new officers regardless. So they've hired additional new officers for those areas. Mr. Kwinter is including those now. He's

including the officers who are hired due to the growth in these areas. We're saying that we need 1,000 net new officers above and beyond the growth areas and above and beyond the numbers held prior to 2003.

As we move in this direction, it's evident—I think every member of our caucus, the Progressive Conservative caucus, met today with a member of the Police Association of Ontario. That's my understanding, talking to Mr. Bruce Miller this morning. I think it's very clear—they identified that their top priority probably was the fact that they want to put those officers on the street for the safety of our communities. I couldn't agree more.

As we proceed in the next few months, we will be keeping a very close eye. We want to see those officers on the street. We don't want to see this fudging of the numbers. We don't want to see a lot of spin put on it. We don't want to see any more announcements. We want to see the officers hired. We want to know when the communities are going to be reimbursed for their money and when we will actually see police officers with their cruisers out working in our communities across our province.

We had a very interesting seminar here last Saturday with the community-based policing officers, community-based policing committees in the metro area here in the city of Toronto, and it was clear there as well. As I talked to community-based policing chairpeople and members of those committees, they couldn't point out enough times how important it was that we have those officers on the streets as soon as possible.

I do appreciate this opportunity today. I know that my colleague Mr. Runciman will be making a few comments as well here. I believe Mr. Flaherty is going to say a few words as well. I hope everybody in this House, including the Attorney General and the Minister of Community Safety and Correctional Services, will support Mr. Tory's resolution. It's a very important resolution and I hope all members will find it so important for the safety of our communities that they will get up and vote in favour of it this afternoon.

1630

Ms. Caroline Di Cocco (Sarnia-Lambton): I'm pleased to rise to speak to this motion. I want to state at the outset that the Ontario government under Premier Dalton McGuinty has a strong but balanced approach, both tough on crime and tough on the causes of crime.

I want to remind the leader of the official opposition, Mr. Tory, about how the former Conservative government, under Mike Harris and Ernie Eves, impacted programs that served children and youth. Many front-line workers I've spoken to, who have dedicated years to providing services to youth and youth at risk, have all had a common theme, and that is—again to the Leader of the Opposition—that your government devastated and lost many prevention programs for youth at risk. Not only did you not have any coordinating approach, but you actually eroded those programs. What happened as well is that you brought in the Safe Schools Act and then you didn't provide any support for suspended youth.

I want to remind the Leader of the Opposition about the effects this caused, and the effects of losing community use of schools. I've spoken to the Boys and Girls Clubs association, and what they've told me is this, and this is one of the effects around 2000-01: There was a program that was geared to students to stay in school. Then there was a program provided in east Scarborough, and there were eight programs, four nights a week, geared to children from ages six to 10. The use of schools for these programs went from not costing the Boys and Girls Club anything—then the Tories, the Conservatives, decided that schools had to charge huge rates if anyone wanted to use the school space. So it went from zero dollars to \$1,000 per evening.

What happened? The Boys and Girls Club could not afford to pay this, and overnight they lost 800 children from being able to use those facilities. Those children have become teenagers, and they did not have the benefit of these after-school programs that would have provided them access to athletic and other types of activities. They lost, as well, the employment of 15 youths who used to run those programs who were from families on social assistance. They lost 12,000 hours of programs because they were terminated. This all happened under the Conservative time in office. This, in my estimation, is also a cause of what is happening today. Again in east Scarborough, the indoor soccer team was cancelled because school facilities went from \$5,000 a year to \$55,000 a year, and it affected 5,000 kids.

In 2001, I met with groups in this province, with basketball groups, and I met with Boys and Girls Clubs. They were all in a panic about the loss of these programs. Do you know what? The Conservatives sat there and said, "It's not an issue. This doesn't have anything to do with crime. This has to do with community use of schools. How's that going to affect anything?" Their short-sightedness, in my opinion, is what is creating in large part some of the things that are happening today, and that's what the experts are saying as well. I say to you that it is our job: What we're trying to do is rebuild what was eroded, and it is not an easy task because once you lose those programs, it takes years to rebuild them. I would say, and I'm going to say it very strongly, that the former Conservative government has to take responsibility for eroding all those programs that helped kids all through this province.

Mr. Robert W. Runciman (Leeds-Grenville): I don't have a lot of time, approximately 10 minutes. I could speak on this issue all day with respect to the failings of the McGuinty Liberal government in terms of community safety.

I want to point out one frequent error, which the Attorney General made today. He mentioned that our leader, Mr. Tory, when he was campaigning for the mayoralty of the city of Toronto, didn't reference law and order and justice, but indeed, as we all know, it was the centrepiece of his campaign. One of his proposals was 400 additional police officers for the city of Toronto, which his opponent Mr. Miller at the time said was

unnecessary and too expensive. So I wanted to correct the record. We could spend all day correcting the record of the Attorney General in terms of many of his public comments.

What I want to talk about in my brief time is the false front this government is putting on, this misinformation campaign with respect to, "Oh, are we tough on crime," the pit bull fighter over there, jumping in front of the cameras at every occasion, telling the public, "I'm going to be tough on crime. We're going to crack down on gun crime. We're really there for you. Public safety is at the forefront of our agenda." Well, that is a false front.

The budget really tells the story. I think the only person who actually reported on this was Antonella Artuso of the Toronto Sun, a very dedicated and informed individual covering Queen's Park who pointed out that they were proposing in the budget to cut \$300 million out of the justice ministries. In reality, we've seen documents that indicate the actual cut is going to be closer to \$340 million. So what they're saying publicly versus what's happening behind the curtains is radically different.

I want to talk about a number of things with respect to this. Youth crime: The Attorney General was going to this conference he talked about so proudly this afternoon. One of the things he wanted to talk about was his concerns about increasing youth crime and soft sentences. I was sitting in this House when our government, the former government, expressed concerns to the federal officials about the changes that were being proposed for the Youth Criminal Justice Act, this new act to replace the Young Offenders Act. The McGuinty Liberal opposition supported those changes and in fact has embraced them. That's what's happening, behind the scenes, with respect to pre-charge diversion. It's significant. They've emptied half of the young offender secure and open custody beds in this province by pre-charge diversion and other methods. We know that one of the first things they did was shut down Project Turnaround. That was a strict discipline camp that was extremely successful in reducing recidivism among young offenders. In looking at some of these private documents, we know they're looking at extending pre-charge diversion for more violent young offender offences.

I had a police officer telling me the other day of a young offender who had been in trouble on a number of occasions and got a slap on the wrist, who was caught stealing a car. He was 15 years of age. Can you guess what his penalty was for stealing a car in the province of Ontario? A warning letter. That's the sort of thing that's happening in the province under the McGuinty Liberal government.

One of the first things they did as well was to transfer violent young offenders from the ministry of corrections to this new children's ministry. They're very understanding, compassionate people. They transfer violent young offenders from corrections to a children's ministry. That's the sort of thing that's happening behind the scenes.

They're also talking about emptying the jails to save money, by moving remands out to prisoner advocate associations, rather than housing them. These could be very violent people. Rather than remanding them to custody, they're talking about sending them out to the John Howard Society, the Salvation Army and Elizabeth Fry to house these people. What's the purpose of this? Again, to save money, and public safety be damned.

1640

We also know that with respect to this cost-saving exercise they've engaged in behind the scenes, under the cover of darkness—we've raised one issue, which they won't admit to—they're looking at transferring parole board responsibilities from the Ontario Board of Parole to the federal parole board. We know what a horrific, horrendous record the federal board has in terms of the early release of individuals who have committed horrific crimes.

We talked about the DNA bank that we set up, named after Christopher Stephenson, Christopher's Law. An individual who committed a horrific crime, murdering Christopher Stephenson after a sexual assault—a pedophile—was let out by the federal board of parole. We can list those horrific decisions all day. This government, to save \$3 million, wants to transfer that public safety responsibility to the federal government. That is, I think, frightening and alarming. It's another thing that's kept under wraps and, for whatever reasons, the media don't tend to pursue many of these issues.

The Crime Control Commission is another organization that I think performed some pretty effective work over the past eight years. They disbanded the Crime Control Commission. They left the number in the phone book and had someone answering the phone saying, "Crime Control Commission," but it was an empty vessel. That's the kind of thing this government engages in.

We know they have virtually gutted the victims' office. They have a VJF surplus of \$40 million, yet they couldn't pay the way for the French and Mahaffey families and their lawyer to attend Karla Homolka's hearing in Montreal a few weeks ago. They had to pay for it themselves, or their lawyer had to pick up the tab to represent the families at that hearing. That's the sort of shameful conduct, despite the Attorney General, when he was going to be in front of the cameras, making all sorts of public hay from the Homolka situation. He was out there every day, saying, "We're going to get tough on her and make sure she doesn't do anything." Here she is appealing the restrictions placed on her. It's not in public view and there are not a lot of headlines to be made. We can't even break into the VJF, but this is quite permissible. The Attorney General could have done this, and provided the funds so those families could have been there, and their counsel could have been compensated for the expenses he incurred in being present and putting his concerns and the families' concerns forward.

Our leader, Mr. Tory, talked about judicial discretion, and we know this is a significant problem that the government doesn't want to talk about. These two- and

three-for-ones have made the justice system something of a joke. We talk about a mandatory minimum for a gun crime that's on the books of four years. What's happening is that if someone is in custody for 18 months and the judge says, "I'm going to give you two-for-one credit"—that's pretty normal across the system at the moment, two-for-one credit for 18 months—that's 36 months' credit, which is three years off a four-year mandatory minimum, for a one-year. We have mandatory release after three quarters of the sentence is served. So we have that individual walking out the gates after nine months. That's what's happening. That's the reality.

We talked briefly about emptying jails. I know there is a plan afoot to try and empty about 2,000 jail beds in Ontario; for example, closing the Don jail and not replacing it with a remand facility in Ontario. That's the sort of thing that I could go on at length about, but I want to leave some time for the former Attorney General to get on the record as well.

We talked about programs to provide youth with alternatives. We are in support of that, but to suggest that that's the only problem in terms of gun crime is mistaken. One of the recent crimes we saw in October was where a young fellow, a 17-year-old, and his group of friends donned balaclavas and armed themselves with sticks and pipes and set out to rumble with an opposing group of teens. It was an episode reminiscent of West Side Story. Media reports said that the individual who died in that situation was an honour student at Woodbridge College, a man who lived in a good family and had various opportunities provided for him and his family in our society. So to try and focus in on one area, to say that's the whole problem, that we're not providing enough programs and there's not enough money being poured into that one sector, is misleading people. It's misleading the public. Certainly, that's an area we have to focus on as well, but we have to get tough on these very vicious people who are committing these crimes in our province.

The Acting Speaker: I'd ask the member for Leeds–Grenville to withdraw the word "misleading."

Mr. Runciman: Mr. Speaker, if you say so, I will withdraw.

Mrs. Liz Sandals (Guelph–Wellington): I'm delighted to be able to join the debate on the opposition day motion. I'd like to look at some of the assertions that I happen not to agree with.

For example, the assertion that the McGuinty Liberal government has failed to make any effective effort to lobby the federal government is absolute nonsense. Both Minister Kwinter and Minister Bryant have persistently, and I might add successfully, lobbied the federal government. In fact, just this week I was delighted to be up in the Jane-Finch area when Prime Minister Martin was there to make his announcement. As a result of our lobbying, in fact the federal government is going to toughen sentences.

The Leader of the Opposition said that there were no details. Perhaps he wasn't there, and I can share with him

because I was listening carefully. The federal government is proposing a legislative package that includes increasing mandatory minimum penalties for firearms smuggling, trafficking and the illegal possession of loaded handguns in a public place, expanding prohibition order provisions, restricting the availability of parole for violent firearms offences and facilitating witness testimony and protection. It also includes two new offences: breaking and entering with intent to steal a firearm, and robbery where a firearm is stolen. Prime Minister Martin reflected that in fact this was in response to the conversation with the federal and provincial justice ministers.

In particular, in response to urban violence in the city of Toronto, Minister Cotler announced a formal agreement with the province of Ontario to create dedicated, integrated teams of federal and provincial officials to collaborate and coordinate efforts to prosecute gun crimes. Prosecutors will be cross-designated to represent both the Attorneys General of Canada and Ontario.

I don't know about you, Speaker, but that sounds like detail to me, a lot of very specific detail about the success of our lobbying effort to make sure that the federal government toughens its approach to gun crimes. I would think that if the opposition leader would like to be helpful, he might want to lobby his federal counterpart not to dissolve the federal Legislature but actually to allow this legislation to go forward.

The next thing that I noticed is that the opposition leader is asking that we keep our promise to hire 1,000 new police officers. This is one of these things where I think the opposition is having a problem understanding, "Here's the schedule, and here's how we'll follow the schedule." In fact, we have followed the schedule, so let me share what we said.

We announced in this year's budget, in May, that we would be going forward with our 1,000 new officers commitment. We said that the schedule is as follows: We will send in August our application package to the police services boards. We did that on schedule, as announced. We said that in September the deadline for applications would happen. We did that on schedule, as announced, and had an enthusiastic response from police services boards all over the province. On schedule, last week, the review committee met to examine the applications, and in late November, on schedule, as promised, we will be notifying police services boards all over the province of the approvals. We will be flowing this in the way that the police services boards and police chiefs asked us to do. They said, "We would like you to put part of the money into officers who have been hired between October 2003"—the date of our election—"and this spring. We will be funding 400 officers in that form and we'd like you to form 600 officers that are new hires."

So we are doing what the police community asked us to do in the way we are flowing the money. There will be 1,000 new officers over the four years of our mandate, and we are simply following the announced schedule. I'm sorry that the opposition doesn't seem to understand following schedules.

1650

Now we have the question of no coordinated youth strategy. As Mr. Runciman I think just aptly demonstrated, one of the problems with the Tory government was that they didn't actually believe in prevention. I don't think they ever quite got it, that if you are going to have prevention programs, if you are going to reduce serious crime, you need to start by working with youth, in particular youth at risk but also all youth. So let me tell you some of the actions we have taken to deal with prevention of crime and violence among our youth.

First of all, for the last two summers, the summer of 2004 and the summer of 2005, we provided half a million dollars each summer to enable the creation of 300 summer jobs in the high-risk communities in Toronto, those communities that were experiencing the most youth violence. We were in there making sure that the kids had summer jobs and were not running around getting into trouble.

We have funded project PEACE, which is specific funding that flows through the Toronto police, to work with young people in the communities and specifically targeting gun violence and programs that help to intervene and prevent gun violence.

We have invested \$1 million in five projects that will help 100 at-risk youth work their way through pre-apprenticeship training programs so that they will have access to apprenticeship training programs. That means that kids who are out of school, out on the street, who weren't able to graduate, are getting back into pre-apprenticeship training and will have an opportunity to make something of their lives.

Community use of schools: \$20 million each and every year to make sure that what happened under the previous government, which was a loss of use of school space for community use, is reinstated.

I'm proud to be chairing the safe schools action team, and we will be announcing this week our plans for bullying prevention plans in every school. We have already announced the consultation dates to review the Safe Schools Act, which has been the subject of a great deal of controversy, brought in by the previous government ostensibly with their get-tough-on-youth approach, but has been shown to have some serious problems and in fact isn't being shown to necessarily be the final word on how to keep our schools safe. So we will be reviewing that act and making sure that we are handling youth at risk properly.

There are a whole bunch of things happening in our coordinated youth strategy, and I'm very proud of our strategy.

Mr. Flaherty: In the time available, I'll speak about some of the issues raised. I must say the member for Guelph-Wellington reflects the attitude of the federal Liberal Party and, no doubt, the Liberal Party of Ontario, the sort of photo op, "We'll give you a cheque," patronizing, condescending attitude toward what is a very serious issue of young people in Ontario and elsewhere in Canada killing other young people in the drug trade. This

is not a light matter. This isn't a matter that gets corrected with, "We'll write a cheque." This is a very serious matter.

When I met last Monday night with the black coalition in Toronto at Jane and Finch, they were concerned. These are 23 organizations that came together. The Prime Minister of this country had not even responded to their invitation to meet, but he was there the next day, at Jane and Finch, and I gather the member from Guelph-Wellington was there too, for the photo op and for the cheque. Isn't that a sad commentary on the lack of seriousness with which Liberals take this very serious issue in this province?

Then we have the Attorney General this afternoon in this place—and I know a little bit about that office and the responsibilities of that office, having held it—getting up and saying, "Here's the solution. I'm telling the federal government they ought to do A, B, C and D." All of a sudden, Professor Cotler, who is the current Minister of Justice, is having this conversion at the last moment, at the last breath of a Parliament. The Liberals, having been in power for 12 years plus there, and this government, having been in power for two years plus here, all of a sudden are going to get tough. How does he get tough on crime? He tells another government what to do, what they ought to do. Why doesn't he tell his crown attorneys, and he has the power to do this, "Thou shall not negotiate away, plea bargain away, minimum sentences for the use of a gun in a violent offence in Ontario"? That's in the Criminal Code now. That's within his power. Why doesn't he do what he has the power to do rather than say, "Oh, some other government ought to solve—"?

It's just fascinating. The Leader of the Opposition, our leader, said this afternoon, "What about this dead time business that goes on in our courts, where judges give two-to-one credit, and usually three-to-one credit in Toronto, for someone who spent time in the Don jail or in a county jail? What's that about?" That's judicial mathematics. He's the Attorney General of the province of Ontario. He has the crown attorneys on Bay Street. He's the one who can launch the appeals and fight that judicially created release mechanism, extra credit mechanism.

You know what happens—and I've been listening around the province of Ontario. Someone got arrested in one of our counties recently: violent crime, involved organized crime, bikers, and six years was the sentence. In this country, that means you are eligible for full parole one third of the way through; that's two years. The person had served 10 months in the local jail; double time according to the judicial mathematics is 20 months. He is going to be eligible for full parole: two years—24 months—and 20 months' credit: four months for a violent criminal offence. That's with the six years that people read about in the newspapers. We need truth in sentencing in this province and in this country.

The Attorney General then does another photo op. Here's what he does: He gets the police, and the task force or whatever they call it, to arrest more than 40 peo-

ple. It was about two months ago in Toronto. He makes a big deal of it, gets on the front page of the newspapers and says that this shows the effectiveness of what they're doing: removing guns from the street. Do you know that more than 30 of the people who were arrested—and this is according to the defence counsels who have told me about this—were out on the street the next day, with the consent of the crown. They're out on bail already, back in the community already, three out of four of them, more or less, the day after they were arrested.

We have to get serious about fighting crime. We have to get serious about getting guns off the street. If you carry a gun in Ontario, in the Dominion of Canada, and it's not a registered gun, obviously, if you're in criminal territory, if that's what your intention is, then you ought to go to prison. We need to be clear about that. We need to provide certainty to those who would violate the safety of our communities. I certainly support the resolution brought by our leader today.

Mr. Peter Kormos (Niagara Centre): I'm pleased, on behalf of New Democrats, the New Democratic Party here at Queen's Park, to speak in support of this resolution. As you know, the Police Association of Ontario is here at Queen's Park today. I just left members of the Niagara Regional Police Service and Staff Sergeant Steve MacLeod, a long-time police officer—I've known him as long as he's been a police officer—and a darn good cop. But he's one of many down in Niagara who are struggling with incredibly low levels of resources, and low levels of staffing, to cope with crime that has become more dangerous, more sophisticated, more high-tech and more demanding than it's ever been. So I join this debate leading off with nothing but praise for members of the Niagara Regional Police Service. They serve their communities with courage and professionalism, with true professionalism. I have known many of them for many years and have seen them work, and also have witnessed the dangers they expose themselves to on a daily basis, like cops everywhere else in Ontario.

But let's address, let's begin to address, let's begin to address very specifically—it's incredible. Throughout the course of the summer months, and now into the fall, as we approach winter, you have Liberal provincial leaders who somehow want to pretend that all is well in Toronto. It's, "Oh, let's not scare away the tourists. Let's try to pretend that the statistics demonstrate that, heck, 10 years ago was perhaps the parallel of this." Well, horse feathers, when there's been, for all intents and purposes, a shooting a day, day after day after day, week after week, month after month, and a slaughter on the streets of Toronto, almost inevitably young people being shot at and slaughtered by other young people armed with what appears to be some pretty incredibly potent firepower. These aren't BB guns; these aren't air pistols.

1700

Whether it's as a result of reading the press reports of this orgy of shooting and murders here in Toronto or listening to Chief Blair or other police officers in Toronto directly involved in the investigations of these shootings,

or whether it's talking and listening to community leaders from across the city, the impression one gets, a very legitimate one, is that gangs out there are armed to the teeth. You've got to wonder whether the police are literally outgunned in the total scheme of things. For some in the community to insist that this isn't something about which people should get excited, that people should stay calm and maybe just let this pass as if it's some sort of adolescent fad, that it ranks with disco as something that's going to come and go and in short order be nothing other than an unpleasant memory—well, I say there is a crisis. I say that the government of Ontario, Dalton McGuinty and his Liberals, has failed the people of Toronto, failed the victims of those murders and their families and failed the people of Ontario for not responding to this crisis with a level of extreme urgency.

Look, New Democrats, Howard Hampton and Marilyn Churley amongst others, have been out there. Howard has been visiting with communities across the province and certainly here in the city of Toronto. Howard Hampton has been visiting neighbourhoods that appear to be the turf of some of these gangs, meeting with young people and their parents. New Democrats have been very clear about the need for the restoration of those programs, job programs, training programs, school retention programs. Howard Hampton and the New Democrats have been very clear about this government's so-called Safe Schools Act and the extent to which it has become the gang recruitment act, because some of the most troubled kids in schools are being tossed out on the street, where they then become ripe fodder for gang recruitment.

While I hope everybody here understands the need to begin investing promptly in these community-based programs, in these neighbourhood-based programs that have the preventive quality that is designed to keep kids out of gangs and out of gang life, and hopefully to prevent them from getting armed with handguns in the first place, let's face it: Those programs and the process of instituting them, or reinstating them or restoring them, in and of themselves aren't going to stop the shooting that may well happen tonight, are they? It's my view that first and foremost the Toronto police force, Toronto Police Service, needs active, distinct, clear support from this provincial government, from Dalton McGuinty's Liberals, in getting new police officers promptly out on the streets of Toronto, because the first objective surely has got to be to harvest those handguns that are out there. As a layperson, I don't think it's inappropriate to observe that a police presence and adequate staffing will go a long way to doing that, to getting guns off the street.

Where are the federal Liberals when it comes to stopping the guns at the border? Your grandma has a hard time bringing across a couple of pieces of clothing from Niagara Falls, New York, without being subjected to GST and PST and all the forms she's got to fill out, but scores and hundreds of handguns are crossing that border on a monthly basis.

It was interesting, because there was a press conference a week and a half ago. The Attorney General was

there, the wonderful Minister of Correctional Services, the Solicitor General, Mr. Kwinter, was there, a person for whom everybody here has great regard, and the poor chief of police, poor Chief Blair. I felt bad for him. Here's the chief of police of the city of Toronto, which is being plagued with this crisis of gunfire, and what do the Attorney General and the Solicitor General make him do? They make him participate in an announcement around a gun amnesty, making it quite clear that legal guns can be turned in during this gun amnesty. Well, for Pete's sake, legal guns could always be turned in because they're legal. Nothing's going to happen to you if you turn in a legal gun; it's legal. You don't have to turn it in because it's not illegal.

Mr. Flaherty: I get it.

Mr. Kormos: Mr. Flaherty gets it, but those poor folks—I mean, the press, the gangs behind the cameras, the people with the little Sony dictaphones, the newspaper people, they were giggling. There were chuckles coming out of the press who were there, because here's the city of Toronto, and Dalton McGuinty's two top dogs—the Solicitor General and the Attorney General—have gone hunting and the best they can come home with is a gun amnesty.

I was worried—this took place over at police headquarters just down on Bay Street there—about being able to get out of the building, because I figured as soon as that announcement was made, there would be lineups around the block of gang members, gangsters and drug dealers wanting to surrender their handguns and their automatic firearms. I was worried that the crowds would be so huge that I just wouldn't be able to get out of there.

What has it been, a week and a half now, maybe two? Mark my words, if there had been handguns surrendered, there would have been press conferences with the handguns on display. There would be that big red backdrop, there would be trumpet players, there would be flags flying, there would be fireworks and cheerleaders with white go-go boots and pompoms.

Mr. Flaherty: A cheque presentation, maybe.

Mr. Kormos: There would be, as Mr. Flaherty says, a cheque presentation at 7. It doesn't matter who or how much. Nobody cares, because you know what the government always does: They always stale-date the cheques; right? You do it six months and a day, and you can't cash the cheque anyway. Think about it. It's like the promise of 1,000 new cops for cash-strapped police services across Ontario. The promise has been made how many times now, Mr. Runciman? I bet you four, maybe five.

Mr. Runciman: At least.

Interjection.

Mr. Kormos: Mr. Tory says, "Seven." I believe him. That comes to 7,000 new cops, and we've not yet seen one.

Look, understand this: Police services across Ontario are hard-pressed to deliver core services. Do you understand what I'm saying? They're hard-pressed to do the very basic core things. Down in Niagara region—and it's not unlike other police services—when we were visited

by members of the Ontario Association of Chiefs of Police, we were told that in Niagara region, frauds under \$5,000 don't get investigated—not because the cops don't want to; they just don't have the resources. If you make a report for fraud under \$5,000, it goes in a brown file folder and sits and collects dust, because there are no police officers to investigate it. Car theft? Call your insurance agent. It doesn't get investigated. It's true. Hit and runs: hard-pressed for them to get investigated. If there's a fatality, of course the cops are going to go there; let's not be silly. Break and enter? Well, they'll show up, but maybe not right away. And when they do show up it's not going to be like television, you know, with the dusting powder looking for fingerprints and taking the photographs, and the sniffing dogs. It's going to be, "OK, what did they take? It looks like they broke the window; yep, OK. Here is the general occurrence report number"—that's what it's called, a GOR number. "Tell your insurance agent." If he pays the 12 bucks or 15 bucks, they can get it for your insurance claim. Do you understand what I'm saying? Police services, good cops across Ontario, are unable to present and perform even core policing services.

1710

And to those folks who don't live in Toronto and somehow think there's some kind of moat around Toronto, some kind of wall or fence such that the gun violence is going to remain restricted to the city boundaries of Toronto, I say think again. Because if the gangsters and the drug dealers and the hoodlums are armed to the teeth in Toronto, you can bet your boots that they're similarly armed, if not today then in short order, to the same levels in communities, oh, 50 kilometres outside of Toronto, and then 100 and then 150. This is dangerous stuff; it's life-threatening stuff; it's life-taking stuff. People have been dying. Just as people have been shooting on a daily basis, people have been dying on a daily basis. And somehow Dalton McGuinty and the Liberals wanted to create the impression that all is well; oh, there's the occasional pop, crack, of gunfire: Let's not scare off the tourists. There is a crisis in Toronto. If there's a crisis in Toronto, it means there's a crisis in Ontario around the use of illegal handguns by criminals to shoot at and kill other people.

Sometimes little kids—we've read about the little kids, the victims. Again, to those folks who don't live in Toronto, folks like down where I come from in Niagara region, people in Pelham or Thorold or Welland or Port Colborne or Wainfleet, let's not think for a minute that somehow this is a Toronto-specific problem. Let's understand this: If Dalton McGuinty and the Liberals aren't prepared to step up to the plate to respond to what is happening in Toronto, then we have no reason to believe that Dalton McGuinty and the Liberals are prepared to or have the capacity to or the interest to or the will to or the desire to step up to the plate when it starts happening in other parts of Ontario as well.

You know what's remarkable? You've got a Solicitor General—a wonderful man, Mr. Kwinter is. I have the

highest regard for him. But he's the sponsor of the marijuana grow-op bill. We're going to support the bill, if and when it ever gets called again. But I recall in committee—I'll give credit where credit is due; it was Garfield Dunlop, from the Conservative Party, the Conservative critic, who tried to amend that bill. Because Bob Runciman was there too, and Bob Runciman was tearing a strip off the government, and as a result of Bob Runciman's tirade—

Interjection.

Mr. Kormos: Well, it was. Garfield Dunlop moved a motion to include crystal meth labs. This is the new scourge of young people—I guess not-so-young people. But it's high-powered methamphetamine that is incredibly addictive and just has an incredible impact on lives.

Did you read in the Star a couple of weeks ago about the crack houses in St. James Town, the apartments that are seized and taken over by crystal meth addicts in some of those buildings, one on each floor, and the neighbours have to live with it? The cops won't go in there. They don't have enough resources. They don't have enough staff. But the government refused to amend its marijuana grow-op bill to contain similar health and safety provisions around houses and other buildings that are used to manufacture this crystal meth, which at the end of day, as anyone can well presume, is far more toxic in the kinds of secondary by-products that are generated when people cook this stuff up.

What gives? You've got an Attorney General who has a fetish for wanting to make sure that there is not a traffic ticket in Toronto that doesn't get prosecuted. It's Bill 14. You've got an Attorney General who is prepared to start to turn the rules of evidence upside down to ensure that nobody beats a traffic ticket, yet you've got backlogs in your criminal courts that result in Askov determinations on a regular basis. So you've got an Attorney General who wants to get tough on traffic tickets but does the Alfred E. Neuman—remember?—"What, me worry?" when it comes to serious crime.

More than a little bit has been said about the trade-offs, the two for one and the three for one, for pretrial custody. I've read the judgments, as has the parliamentary assistant to the Attorney General, by good judges—I'm not going to criticize the judges—who have felt compelled to do these trade-offs. The reason they felt compelled to do them was because of the conditions under which people are serving their pretrial custody. This government has maintained unconscionable levels of overcrowding such that when it comes to sentencing, courts are trading off sentencing time for pretrial custody time at incredibly high ratios. So you've got people convicted of incredibly dangerous offences walking away without doing any more time, but, more importantly, with a record that says "suspended sentence," and the impression that creates in a subsequent court appearance.

New Democrats support and endorse the call for this government to prevail upon—and let's not try to pretend that these Liberals at Queen's Park are any different from the Liberals in Ottawa. It's the same Liberal Party, the

same logo, the same anthem, the same soirees, the same fundraisers. Let's not pretend that these Liberals at Queen's Park are any different from their Liberal sisters and brothers in Ottawa. But I endorse the call of this resolution for these Liberals. Who would be in a better position than Dalton McGuinty and his Liberals here at Queen's Park to prevail upon the federal Liberals to generate some tougher sentencing laws around gun crimes? It's not even a matter of a phone call; it's just a matter of pulling back the covers and peeking over the pillow. The conversation could be done in the leisure of pillow talk. This government wants to talk a big game about protecting communities and the people in them, and regretfully, that's all it is prepared to do: talk about it.

New Democrats endorse the proposition that there has to be a review of the Criminal Code provisions that are applicable to offenders, to criminals, using guns either in their own right or in the course of the commission of other crimes.

1720

Let's face it: All the new laws in the world, all the new sentences in the world mean zip, zero, nada, nothing if you don't have the cops to do the investigations, make the arrests and organize the evidence for the purpose of the prosecutions. All of the police work arresting and collecting evidence and organizing it for the purpose of prosecution means zip, zero, nothing if you have crown attorneys who on a daily basis are compelled to plea bargain away serious charges because they have to clear a docket. Do you know what drives cops crazy? It just drives them right bonkers when they work hard, when they work incredibly hard to do some sophisticated investigative work to collect evidence, to put it all together and package it up so that it can be used by a crown attorney for a prosecution, only to see the charge pleaded away to a lesser offence. Cops do stressful and dangerous work. They shrug and say, "Why should we bother?" They care; nobody else seems to.

You were here, Speaker, when the Ontario Association of Chiefs of Police came around. I don't know if they told you what they told me. They told me that there are some days in any number of communities across Ontario when there are more cops sitting in courthouses waiting to give evidence than there are out on the streets patrolling and investigating crimes and catching criminals. Shocking, isn't it?

Again, I don't know whether they told you this, Speaker, the Ontario Association of Chiefs of Police when they came here a couple of weeks ago, but you have police services that are spending 6%, 7% and 8% of their overall budgets on courtroom security, when the courtrooms are the province's responsibility. What's the matter with these guys? I'm talking about you, the Liberals. You have cash-strapped municipalities that need cash resources to hire police officers, and you're making them spend up to 8% of their police services budgets providing courtroom security in the province's courtrooms, and the province is charged with the responsibility for the administration of justice.

Mr. Zimmer, if I am wrong, just shake your head. Mr. Zimmer nods. He knows I am right. The province, charged with the responsibility of the administration of justice and the operation of the courts, doesn't accept the responsibility of financing courtroom security. Nuts, ain't it, Speaker? Every penny that police services, that police boards and municipalities across Ontario have to spend on courtroom security, which should be paid for by the province of Ontario, because they're their courtrooms, is money that isn't being invested in catching criminals, making our communities safer, putting bad guys in jail and, quite frankly, getting some of those guns off the street.

There was an announcement a week and a half ago. Oh, were there some puffed-up chests when ministers, I think it was the Attorney General and Solicitor General, came back to Queen's Park from wherever it was this announcement was made and talked about—help me with the numbers if I'm wrong—24 new cops in Toronto in the anti-gangs squad. Well, no, I'm afraid it wasn't 24 new cops. You see, they moved 24 police officers from other parts of Toronto. So they gutted police stations across Toronto to move those police officers into the anti-gangs unit. Bizarre isn't it, that they would dare to come back and try to leave the impression, the misimpression—they tried to lead people to believe, creating the misimpression, that the province was responsible for 24 new police officers in the anti-gangs unit, when in fact there wasn't one new police officer in the city of Toronto. They were 24 cops moved from other important roles, leaving those roles unattended to and the streets they used to patrol, unpatrolled.

I want to say to you that there is an opportunity for folks here in Ontario and across the country to let Ottawa know what they think about Ottawa's dismal failure to keep those folks safe in their homes over the course of the next couple of months when there is the inevitable federal election. And I understand. Look, I'm going to vote for a New Democrat in this upcoming federal election. That shouldn't surprise anybody. If you're one of those right-wing types, if you're one of the people who believe in privatizing everything and if you're one of those people who just want to see public health care turned into a two-tier, three-tier, four-tier system—you've seen Stephen Harper on television and you've heard his speeches and you know what he stands for. If that's your cup of tea, who am I to tell you not to vote for the Tories?

The other option, the only other alternative, is to vote for the New Democrats, because, if you vote for the Liberals—just think about it. If you voted for a Liberal in this coming election, you'd only be encouraging them. If you voted Liberal when you got back home, you'd only be encouraging those guys up in Ottawa. Paul Martin would go, "Whew." He'd lean over and say—who would he lean over to? He'd say, "Well, Dosanjh, we've beaten another one, by the skin of our teeth. Whew. You can get those Gomery reports and grey-box them." We have grey boxes down where I come from now. Blue boxes are for

cans; grey boxes are for papers. If you vote Liberal in this coming federal election, you're only encouraging them. How many more millions of dollars have to be taken out of hard-working taxpayers' pockets by the Liberals before we put an end to all this nonsense?

I'm pretty impressed with what Jack Layton has been doing in Ottawa.

Interjection.

Mr. Kormos: Well, no. I'm darned impressed with what Jack Layton and New Democrats have been doing in Ottawa. I think people are understanding—it certainly has impressed me with the importance of making sure that we've got even more New Democrats in Ottawa to keep them honest. Just like up in Scarborough–Rouge River, where Sheila White is putting up signs left and right—mostly left—and Sheila White is out there knocking on doors talking to folks, Sheila White is working real hard because she knows that the folks in Scarborough–Rouge River want to send a message to Dalton McGuinty. She knows that sitting here with this caucus at Queen's Park is going to be the best message that the folks of Scarborough–Rouge River could ever send to Dalton McGuinty and the Liberals here at Queen's Park. I tell you, Sheila White would not only serve the folks of Scarborough–Rouge River well but she'd serve this Legislature well. What a woman. She is something else, let me tell you. She would be one heck of a legislator, one heck of an MPP. Sheila White would turn heads here at Queen's Park. Sheila White, the NDP candidate in Scarborough–Rouge River, would carry on a legacy of representation there that those folks deserve and, at the same time, let them deliver a message to Dalton McGuinty and his Liberal gang that is more than warranted. Dalton McGuinty and his Liberal gang—a message to them by voting for Sheila White.

1730

It would be a message about the government's inaction when it comes to the plague of shootings over the course of the last months now. Wasn't there a time when we were hoping we could refer to it as that period of weeks during which there were shootings every day? It's now that period of months during which there were shootings a day. With cops still frustrated because they're understaffed and underresourced—they are—with courtrooms still backlogged so that criminals are walking away, with charges being dismissed because of the Askov ruling, with crown attorneys plea-bargaining away serious charges because of those same backloads that this government simply hasn't come to grips with, I want repeat that this government is just hell-bent, it's so passionate, about making sure there isn't a traffic ticket in Toronto that doesn't get prosecuted.

The Attorney General, by gosh, by golly, is going to get tough and make sure traffic tickets don't get withdrawn. He's going to make sure the backlogs in traffic ticket court are addressed. He is going to make sure that those people who park illegally are going to get hit hard. The justice system is going to come down on them like a ton of bricks. He is, with Bill 14: double parking—over. I

can hear the Attorney General now in his leadoff speech on second reading: double parking—vanished. Parking too close to the intersection—gone. Dirty licence plate—no more. Michael Bryant is going to get tough. He is. He's got Bill 14. He's going to clamp down on traffic ticket offences and ensure that none of those charges get thrown out. He's going to get more JPs into provincial offences courts. He's going to clear the backlogs. Michael Bryant, the Attorney General, is going to turn the rules of evidence upside down so that there aren't any scofflaws beating their traffic tickets.

But when it comes to shooting down kids and others in the streets of Toronto, it's The Basketball Diaries. When it comes to the need for more police staffing, cops out there on the street, it's, "We promise another 1,000." When it comes to financing these things, it's another stale-dated cheque that looks good in the photo op but will never clear when it gets to the bank because it was dated six months and one day ago.

We are pleased this resolution was put forward today. We will be supporting this resolution. New Democrats look forward to the chance to participate in meaningful responses to this plague of gun violence, and I look forward to seeing people like Marilyn Churley in Ottawa—

Mr. Baird: And?

Mr. Kormos: —along with John Baird, dealing with it at the federal level in a way that the federal Liberals simply can't, or won't. Marilyn Churley would sure stir things up in Ottawa, wouldn't she? Can you imagine her with John Baird? Jim Flaherty of course would be the senior, thoughtful, moderate in the context of that trio. He would be the stabilizer.

I'm looking forward to voting for this resolution.

Mr. Shafiq Qadri (Etobicoke North): First of all, it's clear the opposition benches seem to have the federal election on their minds. Clearly, the pre-writ campaign has begun. We wish them well as they desert this particular place.

I'd like to begin with a quotation from a good liberal Democrat, LBJ, Lyndon Baines Johnson, who said, "The ... city should be a collection of communities where every member has a right to belong. It should be a place where every man feels safe on his streets and in the house of his friends. It should be a place where each individual's dignity and self-respect is strengthened by the respect and affection of his neighbours. It should be a place where each of us can find the satisfaction and warmth which comes from being a member of the community of man," which I would encourage other members of this House to join as well. "This is what man sought at the dawn of civilization. It is what we seek today."

To that end, as we've heard from the PC side, they have actually caused, engendered, led to a lot of the difficulties that unfortunately we are facing on the streets of Toronto today. They entered the word "downloading" into the vocabulary, into the discourse of politics in Ontario; for example, a \$181-million cut from the Ministry of Public Safety and Security in the years 2002 to 2003. With reference to offering, for example, the youth of

Ontario and others opportunities to reach their full potential on social services, they cut the operating budget of the Ministry of Community and Social Services by 17%. These are but two small examples whose unfortunate, lingering, negative effects echo still, particularly within my own riding.

Le gouvernement McGuinty est résolu à mettre tout en oeuvre pour débarrasser nos rues des armes à feu et maintenir la sécurité au sein de nos collectivités. Pour combattre la violence armée, il faut intensifier la lutte contre le crime par des mesures rigoureuses d'exécution de la loi et une prévention efficace, tout en ciblant les causes du crime. La pauvreté et le désespoir sont notamment des facteurs de violence par arme à feu. L'Ontario est déterminé à améliorer l'environnement des communautés par des investissements ciblés dans les logements améliorés, la sécurité à l'école et des activités parascolaires, ainsi que des programmes destinés aux jeunes et adultes à risque.

Dans le cadre de stratégie de lutte contre les armes à feu, le gouvernement McGuinty poursuivra sa collaboration avec tous les paliers de gouvernement et les membres de la collectivité afin d'élaborer des changements législatifs et des initiatives communautaires visant à éradiquer la violence par arme à feu.

It's a collective approach, whether it's tough on crime or tough on the causes of crime, tough on the aspects of prosecution, of enforcement, of rounding up gangs, organized crime, those prone to violence, or addressing the social causes of crime. It's an integrated plan. That's why we must not support this particular resolution.

Mr. David Zimmer (Willowdale): I'm proud to add my words of support to the words spoken earlier by the Attorney General. Look, the bottom line is that we're all concerned about the rising gun violence in Toronto and elsewhere in Ontario. The Attorney General and the Minister of Community Safety and Correctional Services have introduced a comprehensive, multifaceted strategy to combat gangs and guns. Our government is working with the police, the city of Toronto, community services agencies and others to combat this problem. We're doing everything possible to reduce gun crimes and prosecute those responsible. Gun violence is a multifaceted problem. We're being tough on crime; we're being tough on the causes of crime. Success is being achieved.

Just last week, the Attorney General and the Minister of Community Safety and Correctional Services attended the provincial-territorial meeting of justice ministers. We urged the federal government, and indeed the federal government agreed, to increase mandatory sentences for gun crimes, including trafficking and importing of weapons, to create new offences related to guns that are subject to mandatory minimum sentences.

Ontario has also urged a review of the Youth Criminal Justice Act to ensure that the most effective approach can be taken regarding young persons who commit serious crimes involving firearms. These efforts are successful.

A remarkable national consensus has been achieved. The federal government has committed itself to a

legislative package that calls for, among other things, increased mandatory minimum penalties for firearm smuggling, trafficking or importing of firearms, and for the illegal possession of loaded firearms in a public place; extended prohibition order provisions; restrictions on the availability of parole for violent firearm offences; and improved witness testimony and protection programs. The proposals also call for the introduction of two new offences to the Criminal Code: breaking and entering with intent to steal a firearm, and robbery where a firearm is stolen. Those are new offences. Ontario's proposals will lead to tougher gun laws.

1740

Ontario and the federal government have agreed to move forward on a team of prosecutors working together here in Toronto to take action on gun and related drug offences. This means federal and provincial prosecutors working together with local police and indeed federal police.

We were pleased to be present last week when the Prime Minister pledged over \$50 million in new funding over five years for a national gun violence and gang prevention fund. The Prime Minister also promised \$1 million in funding for community-based justice initiatives in Toronto, which would include a pre-charge diversion program that would see some of the cases handled outside the traditional justice system. This bold initiative has been welcomed by Mayor Miller and indeed all Torontonians. The federal government agrees with us that Torontonians should not have to endure violent gun crime perpetrated by gangs on the streets.

We're also very pleased with the \$50 million in new federal funding to support community-based prevention and intervention projects targeting guns and these gangs.

Meanwhile, we continue to implement our anti-gun initiatives through expansion of the Toronto guns and gangs task force, the ongoing gun amnesty, the streamlining of the witness protection program, and the expansion of youth justice committees.

In January 2004, soon after the McGuinty government came into office, the Attorney General assigned expert prosecutors to work full-time with the Toronto guns and gangs task force. Toronto police officers and expert crown attorneys are now working together from day one of an investigation through to the conclusion, conviction and sentencing of the accused.

Crown prosecutors never withdraw or plea-bargain firearms-related offences unless there are exceptional circumstances. The crown must also seek appropriate sentences that will act as a deterrent and consider seeking sentences higher than the mandatory minimum.

Last month, the Attorney General and Minister of Community Safety and Correctional Services expanded the guns and gangs task force significantly. It's a result of these efforts on behalf of this government that I am very proud of and, for the reasons that I've outlined in these remarks, the efforts that we're putting into this issue of guns and gangs, that I'm happy to speak to this.

The Acting Speaker: Further debate?

Mr. Brad Duguid (Scarborough Centre): I suggest you pay close attention to what I'm saying, Mr. Speaker, because when I looked at this, I've got to tell you, I was absolutely incensed by some of the falsehoods that I've seen in this particular motion. I do ask you to pay close attention—

Interjections.

The Acting Speaker: I am indeed paying very close attention, and I would ask you to withdraw that unparliamentary remark.

Mr. Duguid: I certainly will, Mr. Speaker. That's why I did ask you to pay close attention, because it is difficult for me to restrain myself when I look at some of the things in here that are—and I believe it's OK for me to say—not true, because that's a judgment. I say it—

The Acting Speaker: If the member is testing my patience, he'll find that it's limited. I would ask him to withdraw that particular unparliamentary remark.

Mr. Duguid: I indeed withdraw that, Mr. Speaker.

But as I look at some of the things in here—a suggestion, for instance, that the Attorney General has not made an effective effort to lobby the federal government to toughen sentences for gun crimes: The Attorney General has been the leader across this country in terms of rallying Attorneys General right across Canada to ensure that we toughen up federal gun laws. So that's completely untrue when I look at that—completely.

Interjections.

The Acting Speaker: I'm going to warn the member to refrain from further unparliamentary comments.

Mr. Duguid: Suggesting for a second that the McGuinty government is responsible for gun-related homicides or that the increase in gun-related homicides is the fault of the McGuinty government—that's an absolute crock, and that's parliamentary, I'm sure.

I suggest that the Leader of the Opposition simply look in the mirror. Look at those caucus members around him. I wouldn't go so far as to say that it's the fault of the former government entirely for some of the problems that we're experiencing, because we all know that gun violence is a very complex issue. But it would be absolutely incorrect to suggest that they weren't at least a very serious contributing factor. Rather than point fingers, as Mr. Tory is doing with this particular motion, he should be apologizing for the previous record of his government. He should be apologizing for closing school gyms and facilities for our young people. That resulted in the destruction of social groups, school groups, Scouts, Guides, and sporting groups that utilized these schools and needed these schools to help keep them off the street. They closed them down.

He should be apologizing for the severe cuts in social programs that impacted high-risk families and children. Many children impacted by his party's brutal cuts to social assistance are now the very young people that are at risk of joining gangs, the very young people that are at risk of getting into some of these criminal activities. Yet he tries to blame the current government for the very

problems that his previous government had a very significant role in creating. To that I say, "Shame."

I was at an anti-violence event on the weekend and I watched the Leader of the Opposition speak. He gave a good speech. I give him credit for that. But who was there lobbying me? Somebody with a John Tory button on, lobbying me about anti-gun-control. I've got the petition right here. I'll ask a page to come up and deliver it to the Leader of the Opposition, because maybe he wants to sign the petition as well.

The Acting Speaker: That concludes the time available for debate on this motion.

Mr. Tory has moved that the Legislative Assembly call upon the government to recognize that under the watch of the McGuinty Liberal government, the province of Ontario has witnessed—

Mr. Greg Sorbara (Vaughan–King–Aurora): Dispense.

The Acting Speaker: Dispense? Dispense.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

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

The division bells rang from 1747 to 1757.

The Acting Speaker: Mr. Tory has moved opposition day number 3. All those in favour of the motion will please rise.

Ayes

Baird, John R.	Jackson, Cameron	Scott, Laurie
Barrett, Toby	Klees, Frank	Sterling, Norman W.
Chudleigh, Ted	Kormos, Peter	Tascona, Joseph N.
Dunlop, Garfield	Miller, Norm	Tory, John
Flaherty, Jim	Munro, Julia	Wilson, Jim
Hampton, Howard	Murdoch, Bill	Witmer, Elizabeth
Hardeman, Ernie	Ouellette, Jerry J.	
Hudak, Tim	Runciman, Robert W.	

The Acting Speaker: All those opposed to the motion will please rise.

Nays

Arthurs, Wayne	Gerretsen, John	Peterson, Tim
Bentley, Christopher	Hoy, Pat	Phillips, Gerry
Berardinetti, Lorenzo	Jeffrey, Linda	Pupatello, Sandra
Bradley, James J.	Kennedy, Gerard	Qaadri, Shafiq
Brownell, Jim	Lalonde, Jean-Marc	Ramal, Khalil
Bryant, Michael	Leal, Jeff	Ramsay, David
Cansfield, Donna H.	Levac, Dave	Rinaldi, Lou
Chambers, Mary Anne V.	Matthews, Deborah	Ruprecht, Tony
Colle, Mike	Mauro, Bill	Sandals, Liz
Crozier, Bruce	McMeekin, Ted	Sergio, Mario
Delaney, Bob	McNeely, Phil	Smith, Monique
Dhillon, Vic	Milloy, John	Sorbara, Gregory S.
Di Cocco, Caroline	Mitchell, Carol	Van Bommel, Maria
Dombrowsky, Leona	Mossop, Jennifer F.	Wilkinson, John
Duguid, Brad	Oraziotti, David	Wynne, Kathleen O.
Duncan, Dwight	Parsons, Ernie	Zimmer, David
Flynn, Kevin Daniel	Patten, Richard	
Fonseca, Peter	Peters, Steve	

The Clerk of the Assembly (Mr. Claude L. Desrosiers): The ayes are 22; the nays are 52.

The Acting Speaker: I declare the motion lost.

ADJOURNMENT DEBATE

SENTENCING

The Acting Speaker (Mr. Ted Arnott): We will now do the late shows.

Pursuant to standing order 37(a), the member for Dufferin–Peel–Wellington–Grey has given notice of his dissatisfaction with the answer to a question given yesterday by the Attorney General. The member has up to five minutes to debate the matter, and the minister or parliamentary assistant to the minister may reply for up to five minutes. I recognize the member for Dufferin–Peel–Wellington–Grey, the Leader of the Opposition.

Mr. John Tory (Leader of the Opposition): Thank you very much, Mr. Speaker. There are a lot of occasions—and I am relatively new to the House, in fact the newest member of the House—on which I could have registered dissatisfaction with the answers given by various ministers of the crown, but never, I don't think, was an answer as utterly unresponsive and unrelated to a serious issue raised yesterday as the one given by the Attorney General in respect of the matter in particular of lenient sentencing arrangements and deals entered into by his crown attorneys in respect of the sentencing of people who are convicted as criminals.

You might recall that my question was specifically this: Will he give instructions to his crown attorneys, will he make it possible, will he give such direction as is necessary to stop this practice of the two-for-one, three-for-one and let's-make-a-deal arrangements that are presently routinely and frequently entered into by his crown attorneys in the justice system, that allow people to get three times the credit for time served before their sentence and, I think, in the process make a mockery of the justice system?

He could have stood up and said, "Do you know what? The Leader of the Opposition is absolutely right. This kind of thing makes a mockery of the justice system. It goes against everything that people are telling us in terms of how there have to be fixes made to the justice system to restore confidence in realistic sentencing" and so on. He could have said, "We're just not going to do it any more, and while I can't stop a judge at some point in time from himself or herself ordering such an arrangement, my crowns won't recommend them and my crowns won't agree to them."

What did he do instead? He got up and read us an old page out of some old briefing note about some things they had done here and there that had absolutely nothing to do with the issue of sentencing; an old rehash of old lines somebody else wrote for him. Then he went on to tell me, in a supplementary answer on the same subject, that he would speak slowly so that he could be certain that I would understand him.

Well, I think this makes a mockery of question period and a mockery of the justice system. The real danger that I have in mind, the fear that I have, is that if we leave it

in place, it's going to make a mockery of his own sentencing reforms that he talks about so much in this House and elsewhere.

Of course, we can all see that the results of the efforts in Whitehorse last week are completely non-specific. Mr. Cotler said, "Oh, yes, we buy in. We're going to get tougher on those gun criminals." Mr. Bryant is taking credit for a completely non-specific, non-existent piece of legislation that probably won't be passed, given the federal electoral timetable. But the bottom line is, let's say it was passed—and we should all hope it should be. The bottom line is that if you leave this three-for-one and two-for-one deal-making in place, engaged in by the crown attorneys employed by, responsible to and accountable to the Attorney General of Ontario, you have a situation where almost any sentence that's passed is subject to being negotiated out of by a two-for-one or a three-for-one deal. I don't think the people of Ontario understand that that's what is going on here. You literally have people in court who are sentenced to a lengthy period of incarceration for a crime they have committed, but because they did a three-for-one deal on the time served before their sentencing, they walk out of the courtroom the same day and never go to jail.

What would a taxpayer think if that was televised and they're watching and they hear the judge say, "I sentence you to the minimum time prescribed by law of three years in jail, but I have a note here saying there's an arrangement that you get three-for-one credit for time served, so you can go"? That's why people have no faith in the justice system. That's why there are criminals out there who we know are smart enough to work the system; they have lawyers who are smart enough to work the system.

The reason I filed the notice of dissatisfaction is because I think what the Attorney General should have stood up and said is: "It is my job as the chief law officer of the crown to build, restore and maintain faith in the justice system. That is my job, and so therefore we are going to stop this. We recognize that these two-for-one and three-for-one let's-make-a-deal arrangements are eroding faith in the justice system and so we're going to stop it, and the Leader of the Opposition is right. I'm going to go back to my office and issue a directive to those people, saying that while we can't control what judges do, we're not going to abide by those kinds of agreements. We're not going to suggest them. We're not going to agree to them as the crown, because we know it's wrong."

That is what the minister of justice and Attorney General should have said if he was serious about answering the question and indeed if he was at all serious about doing what he is there to do, which is to uphold and promote confidence in the justice system of Ontario so that people can stop thinking that we're making a mockery of it and can start thinking that the justice system is there to protect them and to make sure that criminals are more afraid of some of the consequences of their actions than the families are afraid of the criminals.

The Acting Speaker: The parliamentary assistant to the Attorney General, the member for Willowdale.

Mr. David Zimmer (Willowdale): Here is what I hope is a less theatrical answer.

The issue of credit for time spent in pre-trial custody is a matter solely within the discretion of the sentencing judge, based on the unique circumstances of the individual case. Ultimately, crowns do not determine how much credit is given by a judge for time spent by an accused in pre-trial custody.

The crown does not support three-for-one credit as a general policy. Crowns have received strong and clear direction on how to deal with this issue.

The Criminal Code allows judges to consider pre-trial custody in determining an appropriate sentence. Where appropriate, the two-for-one principle has been recognized in the courts and approved by the Ontario Court of Appeal.

The Ontario Court of Appeal recognizes giving enhanced credit for time spent in pre-trial custody when custody is more onerous on an accused than a post-custody sentence would be.

As I've already mentioned, generally the crown does not support three-for-one credit. Crowns have received instruction on how to oppose such requests in appropriate cases. Crowns are also aware that they should be proactive in making efforts to expedite cases where the accused is in custody in order to minimize the so-called "dead time."

Crowns understand that, where appropriate, they should call evidence to rebut defence allegations of onerous conditions in pre-trial custody. They understand the need to ensure that the sentencing judge has accurate information in the form of evidence where the conditions are onerous.

Our Court of Appeal made reference to the potential for this issue to "swallow up the entire sentencing process." Mr. Justice Moldaver made this comment in a case called *R. v. J. B.* That's reported at [2004] O. J. No. 2559, for the benefit of the lawyers here. We agree with Mr. Justice Moldaver's comments in that case.

Let me say something about seeking tougher sentences. We've worked diligently for some time in an effort to ensure that sentences for gun-related offences actually match the crime and act as a deterrent to further gun violence. We're happy that these efforts are proving fruitful. The Prime Minister has committed to increasing mandatory minimum sentences for firearm crimes.

At a recent meeting of justice ministers in the Yukon, tougher gun laws were agreed upon. In the coming weeks, legislation will go before Parliament that will result in a number of improvements, including increased sentences for trafficking or importing firearms and for illegal possession of loaded firearms in a public place.

We're pleased that the federal government has recognized with us the need to change mandatory minimum sentences for certain gun crimes. We need these changes in Ontario. Following Ontario's lead at the recent justice ministers' meeting, there was consensus that mandatory

minimums need to change, and the federal government has agreed to make those changes.

We are not proposing any specific amount for these increases at this point in time. This is because the question of the amount of the sentence is a matter of detail and analysis that should be left to the officials to look at, having regard to various constitutional issues, as well as developing an overall comprehensive framework of mandatory minimum penalties.

We believe that both the current four-year offences and those attracting one-year mandatory minimum penalties should be increased.

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Let me say something about seeking tougher sentences here in Ontario. In Ontario, our guns and gangs crowns have developed and will continue to supplement a firearms prosecution package, which is now available to all crown prosecutors. This package includes sentence precedents and related material that can be used as a resource in seeking higher sentences. We are implementing new and innovative ways for crowns to bring community impact evidence before the court in seeking these tougher sentences. This involves crown prosecutors developing and presenting evidence to the court about the devastating impact of gun offences. The Ontario Court of Appeal has endorsed this view that exemplary sentences are the only way to deter criminals from carrying handguns. The court's ruling in *Regina versus Danvers* sends a clear message that gun violence will not be tolerated and that the public must be protected.

Let me say something about expanding the guns and gangs task force. In January 2004, we assigned a special team of prosecutors to work with the task force. We expanded that task force by adding 26 experienced police officers and 32 crown attorneys who will work exclusively on the prosecution of these offences.

This government takes this issue seriously. I hope that my remarks have satisfied and have expanded the material before the Leader of the Opposition.

The Acting Speaker: That concludes the first of two late shows.

HYDRO RATES

The Acting Speaker (Mr. Ted Arnott): We will do the second one now.

Pursuant to standing order 37(a), the member for Kenora-Rainy River has given notice of his dissatisfaction with the answer to a question given yesterday by the Minister of Energy. The member has up to five minutes to debate the matter, and the minister or parliamentary assistant may reply for up to five minutes.

Mr. Howard Hampton (Kenora-Rainy River): Yes, I asked the minister a specific question yesterday. I asked her if the McGuinty government would order Ontario Power Generation to return the \$181 million that it has taken from the pockets of Ontario industries and Ontario consumers over the last quarter, at a time when paper mills are shutting down, when steel mills are threatened

with shutdown because they can't afford to pay the high price of electricity under the McGuinty government's policy of driving hydroelectricity rates through the roof.

This is the answer that I got. The minister said, "When I was doing my reading, a little bit of homework, this was the government that I think purchased land in Costa Rica for a rain forest." Now, assuming the minister has done the homework and done the reading, you must be able to tell us: When was this so-called rain forest purchased? Where was this rain forest purchased? How many acres, how many hectares were purchased? Can you tell us the price per hectare, the price per acre? Can you tell us the total price, the total cost? Can you tell us exactly how, when, where and through whom this was transacted? If you are going to allude to these situations and assert to the public that they are true, then you must be able to back up your answer. So I am asking you now, since you say you did the homework, since you say you did the reading, can you answer the questions?

The Acting Speaker: In response, the Minister of Energy.

Hon. Donna H. Cansfield (Minister of Energy): As a matter of fact, the question really was around the OPG \$181 million. I had answered the question a number of times, but the member didn't like the answer. The answer was that 5% of the investment in fact goes back to OPG and the remaining amount goes to pay the stranded debt.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): That he drove up.

Hon. Mrs. Cansfield: Well, it's interesting. Actually, that's right. The previous government—under the NDP, in fact, the prices for hydro were raised about 40%.

I think what's really important here is that we're actually taking a far more responsible approach to our baseload generation. And in particular to the question that was asked around Niagara—

Mr. Hampton: And about Costa Rica?

Hon. Mrs. Cansfield: Mr. Speaker, I'd be more than happy to respond if in fact I could have the opportunity to do so.

The Acting Speaker: I would ask the member for Kenora–Rainy River to refrain from his interjections so as to allow the Minister of Energy to respond to the question.

Hon. Mrs. Cansfield: As I recall, the question was around the \$181 million. I did respond; he did not like the answer. The answer remains the same: 5% of the investment goes to OPG; the remainder goes to pay the stranded debt.

Interestingly enough, in OPG we have both regulated and unregulated assets. In OPG, the regulated assets are in Darlington, Pickering, Niagara and Saunders, and in the unregulated we have assets such as the coal-fired generation, Lennox and others. Of the two, we have \$800-and-some-odd million that has been accumulated over the base of 4.7. That revenue ceiling, if there are dollars over the \$847 million, in fact goes back to the consumers—

Mr. Hampton: Have you asked about Costa Rica?

The Acting Speaker: I would ask the member for Kenora–Rainy River once again to refrain from heckling the minister, please.

Mr. Hampton: With respect, Speaker, I'm still waiting for an answer on the Costa Rica issue.

The Acting Speaker: But his heckling is out of order, and he knows it. Again, there are limits to my patience, so I would ask him once again to refrain from heckling the minister.

Hon. Mrs. Cansfield: Thank you very much, Mr. Speaker. I will continue.

As I said, there are both regulated and unregulated assets. Of the approximately \$840-some-odd million in the unregulated over the 4.7 ceiling, that is returned to all consumers in Ontario. A portion actually goes to homeowners and small businesses, and roughly 15% to 20% goes back to—

Interjection.

The Acting Speaker: The Minister of Energy has the floor.

Hon. Mrs. Cansfield: Thank you very much, Mr. Speaker.

In fact, 15% to 20% of that, roughly, goes back to large industrial consumers. So in fact they do get a rebate.

We have two issues here. One is the \$181 million. A percentage is kept for OPG in terms of their investment, and the remainder goes to the stranded debt. And of the other \$800-and-some-odd million, a portion goes to help small businesses and the regular consumer, and 15% to 20% actually goes to the large industrial consumers.

It is interesting as well: I think that on record we have, from the particular member, that he is opposed to coal. In fact, he actually said that he would close all coal-fired plants by 2007. But then he went ahead and cancelled almost 2,000 megawatts of clean, renewable energy, and in his book, *Public Power*, he said, "Some of our environmental-focused supporters wanted us to start dotting the landscape with windmills, solar houses and so on, but we said no, as this made no economic sense." But, he also said, "We will continue to live with the effects of the coal mistakes for decades to come. Some of us will die before our time, victims of coal-generated air pollution"—*Public Power*, page 109.

So in fact, I have answered the question. The question was around the \$181 million. I believe I have answered that question very satisfactorily. I answered it not once but twice, maybe three or four times yesterday. But the member didn't like the answer and kept on badgering. For me, I would say that I have responded with due diligence and I have provided the necessary information that should, in fact, make the Speaker very pleased.

Interjection: What was the cost of Costa Rica?

Hon. Mrs. Cansfield: The \$181 million was the question, Mr. Speaker.

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ORDERS OF THE DAY

TRANSPORTATION STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LE TRANSPORT

Resuming the debate adjourned on November 14, 2005, on the motion for third reading of Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters / Projet de loi 169, Loi modifiant le Code de la route et modifiant et abrogeant diverses autres lois à l'égard de questions relatives au transport.

The Acting Speaker (Mr. Ted Arnott): We are now going to do questions and comments in relation to the presentation of the member for Bruce–Grey–Owen Sound. Are there any questions and comments? No.

The Minister of Transportation.

Hon. Harinder S. Takhar (Minister of Transportation): I would like to thank the members of all parties who are here tonight to debate the bill—

The Acting Speaker: I would remind the Minister of Transportation that you're participating in questions and comments with respect to the speech given a few days ago by the member for Bruce–Grey–Owen Sound. Would you wish to make a comment with respect to—

Interjection.

The Acting Speaker: OK, you have two minutes.

Hon. Mr. Takhar: I want to thank everybody who participated in this discussion, and I want to put some of the facts about Bill 169 in response to the issues you have raised.

One is about the taxi scooping. The facts are that this is an illegal activity going on in this province, and the safety of the public who come to this province is being heard. What we are trying to do with this scooping bill is to make sure that the licensed taxi drivers can pick up passengers wherever they're licensed to do so, so the safety of the passengers can be protected.

Another thing we're trying to do through this bill is the issue of studded tires. There is research that clearly shows that if studded tires are used in winter, 5%—the lives of people can be saved. That is another aspect of this legislation.

The third point I want to make is about gridlock. Gridlock is costing our economy an incredible amount of money, to the tune of about \$1.8 billion a year. Some of the things we are proposing in this legislation, including the HOV lanes and also to promote public transit, are actually geared to ensure that the congestion issue gets resolved to a certain extent so it is not costing the economy too much money.

I want to say this again: The issue of illegal taxi driving is not an airport issue and it is not a Toronto

issue; it's a provincial issue. It's all about the safety of the public, and that's why we are pushing this bill ahead.

The Acting Speaker: Further questions and comments? The member for Beaches–East York.

Mr. Michael Prue (Beaches–East York): No, I'm not.

The Acting Speaker: Further questions and comments? The member for Bruce–Grey–Owen Sound has two minutes to reply if he chooses to do so.

Mr. Bill Murdoch (Bruce–Grey–Owen Sound): I'll just say that it's been a great debate. I want to thank Jean-Marc Lalonde and Gilles Bisson for putting in the fire-fighters problem that we had in our area. I certainly appreciate that.

I probably won't have to wear another Toronto Maple Leafs tie again, because Montreal won't lose to them again, I'm sure. Thank you, Mr. Speaker.

The Acting Speaker: Further debate?

Mr. Prue: Thank you very much, Mr. Speaker. I think I stood up somewhat prematurely the last time.

I'd just like to give some of the members of the House a little bit of history, for those members who were not here during the last Parliament. In the last Parliament, there was an identical bill related to the scooping provision put before us in a private member's bill by the then member from Bramalea–Gore–Malton–Springdale. In all respects, that bill was identical to what is contained in the Liberal government bill here today.

When it was put forward, there were many people who were upset with the bill and there were also proponents for the bill. The proponents included the Greater Toronto Airport Authority, which came to my office on the Danforth to lobby me, not once but twice. They came to talk about the benefits of the bill for Toronto international airport, and how the anti-scooping provisions would assist them in looking out for the scoopers. The second group that came to see me was the airport limousine drivers, who as well did not want people coming in to scoop their fares. Now, you have to remember that the then member from Bramalea–Gore–Malton–Springdale was a Conservative and he was sticking up for the people in his municipality, the people who lived in his municipality, who worked in his municipality and the area around his municipality, which included Pearson airport.

This private member's bill did not succeed in passing, as so many private member's bills do not, in spite of the fact that it had support then from the Conservative Party, that it had support from the Liberal Party, but did not have support from the New Democratic Party. When it was called out on a voice vote, when it was called out on an agreement on whether or not that bill would proceed in the hectic days that usually happen around Christmas or at the end of session, there was no vote; there were no voices raised in opposition to the bill. One of those voices was mine. The reason I opposed it then, and the reason I oppose the provision today, has nothing to do with the fact that people are scooping at the airport. Some people do that. It had nothing to do with the GTAA saying that this was going to be better for them, reduce

their policing costs. That's not the issue either. The issue then and the issue today remain one and the same: The people who drive cabs in Toronto do so under very difficult circumstances. They can pick up fares within the confines of the city of Toronto. If they pick up a fare that wants to go to the airport, they can drive their customer to the airport. But once they get there, there is nothing they can do in return. If they have a pre-arranged, and I mean pre-arranged, pickup, they can pay \$8.50 and go into a lock-up. They sit in that lock-up sometimes for an hour or two hours. When they are called out of the lock-up to come and pick up their fare, sometimes it takes up to half an hour. I want to tell the minister, if he doesn't know this, that a half-hour of waiting for a cab, when there are cabs all over the place—most of those poor men and women who wait and pay \$8.50 end up with no pre-arranged fare. They drive back to Toronto because they can't get back in and say, "I have another one." They lose the \$8.50, they lose the hour and they earn absolutely no money—empty ride. This is what happens.

The converse does not happen to the limousine drivers. The limousine drivers pick up someone at the airport and drive them to their location. They occasionally drive me home, I'm sure they drive the minister home and I'm sure they drive most of the people here home. They then wait downtown, or in whatever location they are, and get a phone call when people want to be picked up to go back to the airport. They sometimes have to wait a few minutes, but they don't pay \$8.50. They don't pay anything at all. If they wait, they go into the coffee shop, have a coffee and wait until it coincides. If they have to wait more than an hour, they go back to the airport and join the line. If they have to wait less than an hour, they have a coffee and go to pick up their new person. They make their living that way.

The people in Toronto feel that this procedure that exists today is unfair. The anti-scooping provision reinforces the unfairness. That's what it does: It reinforces; it makes it even difficult. It makes it so that if one of them makes a mistake, if one of them is frustrated, if one of them is in the line and then their fare isn't there and somebody says, "Can I get in the cab?" on a snowy night and there's nobody around and they say, "Yes. Why not?"—a \$20,000 fine. Do you know what that means to an individual who barely makes minimum wage in Toronto? For most cab drivers, that's basically their life.

I want to tell you that they came and made that position very forcefully to the New Democratic Party, to the Liberals and to the Conservatives. There were Liberals who said no too. There were Conservatives who would not allow it to go through on the government bill. Former Minister Sterling spoke about this last night. This is why the bill was unfair. That's why it remains unfair today. The airport is able, is abundantly able, to look after scoopers. Do I think there are people there? I've been scooped once, or at least attempted once. Somebody will come and say, "If you want to get into my limousine, you have to go up the elevator, four flights of stairs, and you have to walk to the far end to where my car is

parked." Because he's not allowed to be out in front, he's not going to do that. He takes the bag, and you go way up there and that's what happens. Then you drive out as if he's just an ordinary customer. Those are the scoopers. That's who they are. These aren't people who drive up and put a light on the top and say, "Limousine." That isn't what they are. These are guys who usually have a late-model, good-looking car who park in the parking lot. That's what they do, and they shouldn't be doing that. But in order for your bill to pass, you are making it even more, ever more, difficult for ordinary cab drivers in the city of Toronto.

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What we have here is a very real problem. The Toronto cabbies see how the airport people can come downtown, wait and get a callback. But they also know that every single day they are scooped in this city in enormous numbers. Some of the people who do this exercise at the city of Toronto estimate it to be in the hundreds of millions of dollars a year in lost fares for the cab drivers of Toronto, and those fares go to the limousine drivers of the GTA.

How this happens is really simple, Mr. Minister. The big hotels in downtown Toronto have contracts. When somebody says they're going to the airport, they don't call a cab, they call the limousine company, because they have a contract and an agreement with the limousine companies. That's who they call; that's who they take. So all of the cabbies might as well not line up in front of the hotel for the \$40 fare from the Royal York; they might as well not line up expecting one of those. But the more insidious thing that happens is that at the hotel there is a graft, a thing called cookies. This is where the doorman will tell an American tourist or somebody who is from out of town who wants to go on an extended, long ride, say to Niagara Falls for the day—the guy says, "Can you get me a cab? I'd like to go to Niagara Falls for the day." Well, any cabbie in the world, in Toronto, would like to get that fare, but he doesn't and she doesn't. Who gets the fare is the limousine drivers, because the limousine drivers pay what is called a cookie. It's usually \$20. They slip \$20 to the doorman. The doorman then says, "Excuse me, limousine driver, he's going to the airport." Once everybody is finally inside, they say, "Excuse me, no, that's not it; it's Niagara Falls for the day." The \$20 changes hands and everybody is happy. That's how easy scooping is in Toronto and how difficult it is in Mississauga, at the airport. It is night and day.

Do you want to stop scooping at the airport? Of course you do. Would that you had the same concern for the scoopers who are coming and literally stealing money from the cab drivers of Toronto. These cab drivers suffer from extremely low wages. Some of them make \$50 for an entire shift, after they have paid for their gas and paid the people—\$50 for their entire shift for a day. That's about minimum wage. They have been hit by SARS. They have been hit by the decline in tourism. They have nowhere to turn. They have gone to the council. Toronto city council understands this and has begged you in a

motion not to proceed with this section. The mayor has weighed in. The mayor has sent a letter—and I am sure you have it—in which he says he agrees with the city council. He is simply asking that the Minister of Transportation and opposition critics be advised that he supports council's decision. The people of Toronto support this. The cab drivers have been circling this building on two or three occasions, and they want to be heard.

We are asking you, quite simply: Don't proclaim this provision. I'll vote for the rest of the bill. Please help the city of Toronto cab drivers.

The Acting Speaker: Further debate?

Mr. John Tory (Leader of the Opposition): I'm pleased to have the opportunity to speak to this bill. I want to begin by associating myself completely with the comments of the member for Beaches–East York.

I had the opportunity many years ago, in the early days of my law practice, to represent at one time or another both groups of taxi drivers and groups of limousine drivers—a long, long time ago. It's funny, because the general issue of scooping was around back then. You make friends among those people, many of whom are still in the business and have been in the business for many years, and you see them when you're using the cabs and the limousines. As the member for Beaches–East York said, we all use these limousines and taxis to get around. You do realize, as he said, how hard they work. You do realize that they get up at 4 o'clock in the morning and that they are dealing with skyrocketing costs of insurance and gasoline. Yeah, they just had a recent fare increase that may help a little bit, but you realize how hard they work. In many cases they have to pay lease payments or rental payments to the taxi owner they are renting the cab from, because a lot of them in effect don't own the plates they operate under.

They have a real problem with the scooping that goes on in the city of Toronto, exactly as the member for Beaches–East York said, where there are the deals he talked about with the hotels. Frankly, even beyond that, there are limousine people who go around in a kind of completely unfettered way, just scooping people right off the street.

What a shame it is that, when you know that—because people have told you in this House; I've read the speeches; I've watched the debates—you couldn't see your way clear to do anything about that and to assist in any way with respect to that, but you could see your way clear to proceed with this, when you've been asked over and over again—in fact, if you go through the record, you were asked in the committee by, I think, members of both of the opposition parties to delay the proclamation of this section pending either the resolution of the City of Toronto Act or the Municipal Act—one or the other, or both. You were asked in a letter that came from the city of Toronto council requesting that you delay the proclamation of this, pending the resolution of either the City of Toronto Act or the Municipal Act. You were asked, as the member for Beaches–East York said, by Mayor Miller, who wrote saying that he endorsed the views of

Toronto city council in respect of delaying the proclamation. As I recall, even the member for Scarborough Centre, one of your own members, indicated that there was, as we all know, a process going on in respect of the Municipal Act, where there were discussions, modifications and reforms taking place. It was a process that was underway.

You have to ask yourself the question: Why would it be that a reasonable request like that, shared by opposition parties here—I can't speak to this, but the member for Beaches–East York indicated that there were Liberal members who shared the view because they care about the livelihood of and fairness for Toronto taxicab drivers—by the mayor of the city of Toronto, and that there is a process underway which would allow for, if you didn't proclaim the section, a sense of fairness to apply here—I think it's even an environmentally friendly thing where you will not have the situation going on, as it has gone on and as it will go on under this law, where people have to go back empty. You will have a level playing field, which I thought we believed in here, that one group shouldn't be favoured over the other. If they want to compete with each other, it's up to them to establish who gets the business. You won't have this business going on that the member for Beaches–East York described very well in detail and I had it described to me 25 years ago, with respect to people having to sit or come back empty, which is environmentally unfriendly and bad for their business, bad for their time. Time is money to these people. Why wouldn't the minister, why wouldn't the McGuinty government create that level playing field? Why wouldn't they allow that level playing field to prevail just by not proclaiming the section of the act pending the City of Toronto Act being resolved—which it apparently will be quite soon; we're told that it's coming into this House quite soon—or the Municipal Act, which is sure to follow shortly thereafter?

Instead, what this minister has done, through absolute refusal even to consider the points of view of the city council of Toronto, the mayor of Toronto, opposition members of this Legislature, members of his own party, the cab industry and the Toronto taxicab drivers, is to decide that you're going to cast them to the four winds. I wonder why that is. Isn't it strange that you'd cast all of those people to the four winds?

I think it is just most unfortunate. I really just wanted to speak so that I could have the opportunity to say that I think this is the kind of thing that I believe breeds disrespect for the political and the parliamentary process, because those people would have every reason to ask why you couldn't agree to delay the proclamation of a section pending the resolution of a matter, whether it's the City of Toronto Act or the Municipal Act, where this could all get itself sorted out, and why, instead, you would cast these people to the four winds and subject them, as the member for Beaches–East York said, to a situation where they could be sitting there—I'm not arguing it's right; if it's against the law, it's not right—on

a snowy night, pick up a fare and be subject to a fine of \$20,000.

That's your idea of fairness: that these guys have to go out there with a fare and can't come back with a fare, whereas the limousine people, who can make deals with the hotels, can pick people up on the street, where it's almost impossible to enforce it—at the airport it's relatively easy to enforce who picks people up and who doesn't. By the way, when the members of this House, on all sides, have said, in respect of the rest of this bill—again, I've seen the debates; I've read the Hansard. You have as broad support for the other provisions of this bill as you could get on any piece of legislation that I've seen in my short time here. The other parties have said that there is just one section they have asked you to delay proclamation of, pending what could be a resolution arrived at somewhere else by another piece or two of legislation presently being prepared by this government.

Instead, you're going to upset the apple cart for the taxi drivers; you're going to create a non-level playing field and put that into legislation; you are going to perpetuate an unfairness on these people, and I just think it is unfortunate. I wonder why that is. It doesn't make any sense to me that, in an instance where you know you would have our support, ours and that of the New Democratic Party, to not proclaim this section for a period of time, that you would have the support of the city council of Toronto, the mayor of Toronto, a number of your own members, the entire Toronto taxicab industry—why would it be that you just won't give any consideration whatsoever to delaying proclamation of this section?

You know best what that answer is. There can't be any rational answer for it or any answer that holds any water here. I think it is unfortunate. You've been prepared to cast these people aside. You've been prepared to reject the most reasonable of requests that have been made on their behalf, simply to delay proclamation of one section of a bill where you have people in this House wanting to support all the other sections of the bill, and on this one you won't even think about it. To me, it is what gives this place a bad name, when reasonable people come forward, supported by lots of other people outside, some of whom are entirely dispassionate people in respect of all this, and the government just says, "No, we drafted the bill. We have our reasons for doing this sort of thing. We're not going to tell you what they are. We're just going to do it. That's our policy, and that's all there is to it."

It's too bad that a piece of legislation that has many good things in it can't have been made that much better by just saying that a section that will be passed as part of the bill, because we know what the result is going to be when we vote in a short period of time, couldn't have been made that much better, that much fairer—to take into account the interests of these people who are struggling to make a living in this city—by delaying proclamation of the bill. I regret that, and it's unfortunate. I think it says a lot, and unfortunately none of it good, about the process here.

The Acting Speaker: Questions and comments? Further debate? I see the Minister of Transportation in the House and would ask him if he wishes to use two minutes to reply.

Hon. Mr. Takhar: I want to thank all the members who participated in the discussion on this bill. This is a democratic process, and in a democratic process discussion takes place and everybody puts forward their point of view. I acknowledge and I respect all the points of view that have been put forward.

I want to thank, first of all, all the members who participated, but I also want to thank all those who participated in the committee delegations as well. As a result of all that, I think this bill is much better, and it improves the safety of all the people on the roads in Ontario.

We are absolutely committed through this bill to improving safety for all the people of Ontario and making sure that the illegal activity in this province stops. I again want to thank each and every one who participated in the discussion and in the delegations.

The Acting Speaker: Mr. Takhar has moved third reading of Bill 169. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

It being a quarter to seven, this House stands adjourned until tomorrow at 1:30 of the clock.

The House adjourned at 1843.

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