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Assemblée législative  
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## **Official Report of Debates (Hansard)**

## **Journal des débats (Hansard)**

**Tuesday 28 February 2006**

**Mardi 28 février 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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Hansard Reporting and Interpretation Services  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 28 February 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 28 février 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### SAMANTHA BAKKER

**Mr. Ernie Hardeman (Oxford):** I want to take this opportunity to congratulate six-year-old Samantha Bakker of Woodstock, in my riding of Oxford. Samantha is receiving an Ontario Spirit Tsunami Award this afternoon. The award is to recognize her for her generous spirit and desire to help raise money for the victims of the tsunami.

It all started when Samantha was shopping with her parents. She noticed the can on the checkout counter with a big red cross on it. She asked what it was for, and her parents explained that the Canadian Red Cross was collecting money to send to Southeast Asia to help people who were hit by the tsunami. She put money in the tin and told her parents that she felt good helping out because she felt sad for these people. Samantha and her parents then discussed how they might help raise money for this very needy cause and decided that selling something Samantha created on eBay might be the answer. Six-year-old Samantha decided to draw a picture. She used her crayons to draw a picture of the world surrounded by hearts.

Bidding for her drawing quickly hit \$10,000, but when the auction closed the buyer turned out to be fake. When Toronto real estate developer Don Darroch heard what happened to Samantha, he decided to make the contribution himself and handed over a cheque.

Once again, I want to congratulate six-year-old Samantha for her kind heart and efforts to raise money for people in trouble halfway around the world. But I also want to thank Don Darroch for helping to keep Samantha's dream alive and also, at such a young age, to allow her to continue to believe that there are good people in the world who can be trusted.

#### IDENTITY THEFT

**Mr. Tony Ruprecht (Davenport):** Congratulations today to the Minister of Government Services, who produced a pamphlet on how to protect yourself against identity theft. Identity theft is the fastest-growing crime in North America. Confidential and private information is being stolen on a regular basis, affecting literally thousands of people. The cost of this crime exceeds billions

of dollars. Countless hours are wasted to restore one's good credit rating. Our citizens need protection.

The consumer federation of Canada has some recommendations in this regard. They say:

"(1) All consumer reports should be provided in a truncated (masked-out) form, protecting our vital private information, such as, SIN and loan account numbers.

"(2) Should a consumer reporting agency discover that there has been an unlawful disclosure of consumer information, the agency should immediately inform the affected consumer.

"(3) The consumer reporting agency shall only report credit-inquiry records resulting from actual applications for credit or increase of credit, except in a report given to the consumer.

"(4) The consumer reporting agency shall investigate disputed information within 30 days and correct, supplement or automatically delete any information found unconfirmed, incomplete or inaccurate."

I know that our ministry is following this up and will protect our consumers.

#### HIGHWAY 417

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** I rise today to request in the strongest way possible the support of the Ministers of Transportation and Public Infrastructure Renewal for a commitment to proceed with the extension of Highway 417 through Arnprior to Renfrew and beyond.

It was the previous Progressive Conservative government that brought the 417 to Arnprior, but that is where it has stopped. I, along with county and municipal politicians, have been asking when we can expect to see the next phase begin. The positive effects of the extension to Arnprior are already being felt. If the people and communities in my riding of Renfrew–Nipissing–Pembroke are going to be able to develop and prosper, then the four-laning of this highway must be given top priority by this government.

It has been shown that in order for an area to attract and retain the businesses, the professionals, the services and the institutions that bring with them a rising standard of living for everyone, good infrastructure must be in place. This highway project is a must. The condition of the current Highway 17 between Arnprior and Renfrew is deteriorating rapidly as well, and must see rehabilitation soon.

Ministers, your government has repeatedly snubbed its nose at the needs of rural Ontario. Where is our share of

the gas tax? Take this opportunity to right the balance sheet a bit. In April 2004, Harrowsmith magazine named Renfrew county and the Ottawa Valley one of the 10 prettiest places to live in Canada. Build us a proper highway and let people experience this beauty for themselves.

#### MATTAWA GENERAL HOSPITAL

**Ms. Shelley Martel (Nickel Belt):** It's been one year, eight months and 25 days since the Mattawa General Hospital submitted its request to this government to go to tender for a new hospital, and still no reply.

It's hard to imagine a community that is in more need of a new hospital. The original hospital was built in 1902 and is used mainly as offices. Patient care is delivered in wooden portables set up in 1967, when a fire forced a temporary fix until a new facility could be built. The list of building deficiencies is long: no sprinklers, an earth-floor basement, perimeter heating only in patient rooms, an outdated electrical system, no ductwork for ventilation, etc.

Under these ridiculous circumstances, hospital staff are doing an amazing job, but they have had enough. On December 8, 2005, local ONA president Colleen Hartwick wrote to Minister Smitherman and said, "Our facilities are completely inadequate and present very serious health and safety issues. We simply cannot fathom why your government continues to allow this situation to continue for our members and the patients we serve."

On December 16, 2005, the chair of the hospital board also wrote to the health minister and said, "We wish to impress upon you the very serious patient and staff safety issues which result from continued delay in replacing the existing facilities." Ms. Pierce asked for a meeting with the minister as soon as possible to try to get rapid approval for the project. No meeting has occurred.

All the technical, architectural and engineering work for the new hospital has been done. The \$5-million local share is in place. What is needed is some \$9 million from the McGuinty Liberals and the green light to go to tender. It's time these decisions were made so that Mattawa can get the new hospital it deserves.

1340

#### HOMELESSNESS

**Mr. Khalil Ramal (London-Fanshawe):** On Sunday, February 19, I and some members of my riding association had the privilege of visiting the men's mission in London to help serve supper to residents. The men's mission provides shelter to homeless people, and when temperatures reach minus 18 with a wind chill, as they did that Sunday, homeless shelters become necessary to those without a home. I would like to thank the dedicated staff at the men's mission for their ongoing commitment to providing those who are less fortunate with a place to stay and helping them get back on their feet.

The McGuinty government has helped them through a 3% increase for homelessness programs and emergency

shelters, and in 2004-05, the province spent over \$154 million on homelessness initiatives.

Ontarians of all ages volunteer their time to a wide variety of organizations, but after the holiday season, when people get back to their daily routines, volunteering is not always top of mind. But shelters need more volunteers all year round. I urge Ontarians to volunteer some of their time to a homeless shelter or other organization that provides services to those less fortunate. If every Ontarian shared some of their time to help others, this province would be a happier, healthier and safer province for all to live in.

#### LOCAL HEALTH INTEGRATION NETWORKS

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** Despite the McGuinty government's insistence that LHINs are all about giving local communities more control over health care, there is growing concern and fear in rural Ontario that LHINs are definitely not local and in fact will destroy rural health care.

Hospitals in Wallaceburg, Strathroy and Newbury all face serious challenges with the creation of LHINs. Indeed, tonight in Glencoe, the Friends of Four Counties Hospitals are hosting a forum entitled Take Back Your Hospital—Your Voice Makes a Difference. They are presenting five recommendations that address, as they say, the "health care crisis in Ontario's rural communities":

(1) Implement a rural hospital funding formula that guarantees the continued provision of all essential services at local rural community-based hospitals.

(2) Provide sufficient funding to keep in-patient beds in rural hospitals, ensuring that rural citizens receive care within their communities.

(3) Restore outpatient services in rural hospitals, eliminating unreasonable travel to already overburdened urban centres.

(4) Develop provincial health strategies that recognize the value of accessible health care to a rural community's economic viability.

(5) Establish integrated solutions amongst the ministries.

I urge this government to dispense with the—

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

#### ELMDALE PUBLIC SCHOOL

**Mr. Richard Patten (Ottawa Centre):** Elmdale Public School in my riding of Ottawa Centre has been named a recipient of the prestigious Ontario Spirit Tsunami Award, and will be presented this award this afternoon by the Honourable Mike Colle, Ontario Minister of Citizenship and Immigration. This outstanding recognition comes from a fundraising challenge sparked by Sam Arnold, a grade 6 student at the school who wanted to do something to help those affected by the South Asian tsunami.

The ensuing city-wide campaign, which ultimately raised over \$350,000 to support relief efforts, succeeded because Sam's challenge truly resonated with other children. Students were asked to consider giving two weeks' allowance or some money received over the holidays, or to complete additional chores at home in order to earn funds to donate.

"This award is a tribute to the caring nature of our entire school community," says Paula Roy, past chair of the Elmdale school council and key organizer of the campaign. "Not only did Elmdale's staff, students and parents contribute over \$10,000 in just a few days, but many people also brought word of the project to their workplaces, giving the drive a much broader reach. All the money raised qualified for matching funds from the federal government, so in effect, the campaign actually raised \$700,000."

This is not the first time that Elmdale has taken the lead in disaster relief fundraising. In the late 1990s, another student-inspired campaign raised over \$1,200. Then, in the 9/11 tragedy, money was raised for this event, and \$84,000 for the Heart and Stroke Foundation.

Elmdale principal Erin Linnen says, "Part of our job in educating young people is to help prepare them for the future, and learning to help others is a lifelong lesson."

So I say, on behalf of this House, kudos to everyone—  
**The Speaker (Hon. Michael A. Brown):** Thank you.

#### CANADIAN BASEBALL HALL OF FAME AND MUSEUM

**Mr. John Wilkinson (Perth–Middlesex):** What do Fergie Jenkins, Gary Carter, Andre Dawson and even Jackie Robinson have in common? They have all been inducted into the illustrious Canadian Baseball Hall of Fame and Museum in beautiful St. Marys, located in my riding of Perth–Middlesex.

Now in its 24th season, the Canadian Baseball Hall of Fame and Museum originally opened in Toronto in 1982. It moved to its current idyllic location in St. Marys in 1994.

Ontario is no stranger to baseball. Ontario sluggers have over 57,000 at bats in the major leagues and compiled 14,698 hits, including 647 home runs. Our pitchers, led by Chatham's Fergie Jenkins, won 1,179 major league games and struck out 7,822 batters. We have produced major leaguers as far north as Kapuskasing's Kirk McCaskill and as far south as Windsor's Reno Bertoia.

In celebration of Ontario's rich baseball heritage, please join my co-hosts, John Yakabuski and Rosario Marchese, and me for a beer and chicken wings reception in room 230 of the Legislature from 4:30 to 7:30 tonight and be on hand for the introduction of the 2006 induction class to the Canadian Baseball Hall of Fame and Museum. Confirmed celebrities for tonight's reception include hall of fame members Jim Fanning, Fergie Jenkins and Don McDougall, as well as Toronto's own Rob Butler, the last Canadian to win a World Series ring, and many, many more. Finally, I'd like to welcome Tom Valcke and Scott Crawford from the Canadian Baseball

Hall of Fame and Museum to the members' gallery. Mr. Speaker, play ball!

#### LOCAL HEALTH INTEGRATION NETWORKS

**Mr. Ernie Parsons (Prince Edward–Hastings):** I rise to provide some context for the local health integration networks proposed in Bill 36. There are a lot of rumours floating around about this legislation. Some suggest that the bill serves only to create bureaucracy and privatize health care. The rumours are, to put it generously, misinformed. Their end result is to cast a shadow of fearmongering and misinformation over what is, in reality, some of the most progressive health policy ever introduced in Ontario.

LHINs are not about creating bureaucracy. Just the opposite, LHINs are about bringing health care policy to the ground level, about letting local health experts take control of local health care decisions that affect local communities. Consider this: Health is a \$33-billion budget. We, as legislators, have a duty to stop pretending we can best manage an operation that large from one head office.

In response to the other rumour, I could not be more proud of our government's commitment to public health care. In fact, our government is the first to put this commitment in writing, which we did in the Commitment to the Future of Medicare Act. LHINs are just one more example of the McGuinty government's commitment to accountable, transparent public health care.

#### VISITORS

**Mr. Tony Ruprecht (Davenport):** We have in the gallery today a very prominent person from the Portuguese Canadian community: Mr. Manuel De Paulos. Thank you for coming.

#### INTRODUCTION OF BILLS

##### HEART DEFIBRILLATOR USE CIVIL LIABILITY ACT, 2006

##### LOI DE 2006 SUR LA RESPONSABILITÉ CIVILE DÉCOULANT DE L'USAGE DE DÉFIBRILLATEURS CARDIAQUES

Mr. Crozier moved first reading of the following bill:  
Bill 71, An Act to promote the use of automated external heart defibrillators / Projet de loi 71, Loi visant à promouvoir l'usage de défibrillateurs cardiaques externes automatiques.

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

The member may make a brief statement.

**Mr. Bruce Crozier (Essex):** This bill, which I am proud to introduce today, aims to promote the use of

automated external heart defibrillators by ensuring that users of defibrillators and the owners and operators of premises in which they are installed are protected from civil liability. I hope this is a step toward saving lives in Ontario.

HIGHWAY TRAFFIC AMENDMENT ACT  
(BRANDON'S LAW), 2006  
LOI BRANDON DE 2006  
MODIFIANT LE CODE DE LA ROUTE

Mr. Parsons moved first reading of the following bill:

Bill 72, An Act to amend the Highway Traffic Act to require that all school buses be equipped with safety crossing arms / Projet de loi 72, Loi modifiant le Code de la route pour exiger que tous les autobus scolaires soient pourvus d'une barrière de protection.

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

The member may wish to make a brief statement.

**Mr. Ernie Parsons (Prince Edward-Hastings):** School bus safety in this province is second to none. The record is exemplary. What we do know from statistics, though, is that the most dangerous place for a student is outside of the bus, prior to getting on or having just gotten off the bus. There is currently legislation put through by our government that I'm proud of, which requires that all new buses be equipped with crossing arms. These are arms that open up in front of the bus so that any student passing in front of the bus can be seen by the bus driver. Unfortunately, there are still a significant number of buses without these crossing arms, so this bill will require that all buses in Ontario be retrofitted with these crossing arms.

The short title of this act is, the Highway Traffic Amendment Act (Brandon's Law), 2006, in memory of a student in Trenton who was tragically run over by his own school bus.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Michael A. Brown):** Agreed? Agreed.

**Hon. Mr. Bradley:** I move that, notwithstanding standing order 96(d), the following change be made to the ballot list of private members' public business: Mr. McMeekin and Mr. Brownell exchange places in order of precedence such that Mr. McMeekin assumes ballot item 68 and Mr. Brownell assumes ballot item 25.

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

## HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, February 28, 2006, for the purpose of considering government business.

**The Speaker (Hon. Michael A. Brown):** 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 1353 to 1358.*

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

### Ayes

Balkissoon, Bas	Gravelle, Michael	Pupatello, Sandra
Bentley, Christopher	Jeffrey, Linda	Racco, Mario G.
Berardinetti, Lorenzo	Kular, Kuldeep	Ramal, Khalil
Bradley, James J.	Levac, Dave	Ramsay, David
Bryant, Michael	Marsales, Judy	Rinaldi, Lou
Cansfield, Donna H.	Mauro, Bill	Ruprecht, Tony
Caplan, David	McMeekin, Ted	Sandals, Liz
Crozier, Bruce	McNeely, Phil	Smith, Monique
Delaney, Bob	Meilleur, Madeleine	Smitherman, George
Dhillon, Vic	Mitchell, Carol	Takhar, Harinder S.
Di Cocco, Caroline	Mossop, Jennifer F.	Van Bommel, Maria
Dombrowsky, Leona	Parsons, Ernie	Watson, Jim
Duguid, Brad	Patten, Richard	Wilkinson, John
Flynn, Kevin Daniel	Peters, Steve	Wong, Tony C.
Fonseca, Peter	Peterson, Tim	Wynne, Kathleen O.
Gerretsen, John	Phillips, Gerry	Zimmer, David

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

### Nays

Arnott, Ted	Kormos, Peter	Scott, Laurie
Barrett, Toby	Marchese, Rosario	Sterling, Norman W.
Bisson, Gilles	Martel, Shelley	Tascona, Joseph N.
Dunlop, Garfield	Miller, Norm	Tory, John
Hardeman, Ernie	Murdoch, Bill	Wilson, Jim
Horwath, Andrea	O'Toole, John	Witmer, Elizabeth
Hudak, Tim	Ouellette, Jerry J.	Yakubuski, John
Jackson, Cameron	Runciman, Robert W.	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 48; the nays are 23.

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

## STATEMENTS BY THE MINISTRY AND RESPONSES

### GREENBELT

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** Today I'm pleased to speak about a most important anniversary. It was one year ago today that our government announced Ontario's greenbelt plan.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** I need to be able to hear the minister. There's a little bit too much chatter in here.

Minister?

**Hon. Mr. Gerretsen:** I'm pleased to speak today about a most important anniversary. It was a year ago today that our government announced Ontario's greenbelt plan. The greenbelt is a critical part of our government's plan for managing growth and building healthier communities. It is a lasting legacy for our children and future generations.

The greenbelt plan preserves natural heritage and water resource systems. It protects prime agricultural and specialty crop areas such as those found in the Holland Marsh and in the Niagara Peninsula. In fact, it provides permanent protection for approximately 1.8 million acres of environmentally sensitive and agricultural land.

When we started work on our greenbelt plan, we were determined to get it right. Our aim was to permanently protect land around the greater Golden Horseshoe, from Rice Lake in the east to the Niagara Peninsula. We wanted to safeguard land in the midst of our country's most densely populated region. Many have told us during this last year that indeed we did get it right.

The greenbelt provides an opportunity for farmers to be self-sustaining in crop production to feed Ontarians, raise livestock and grow the specialty crops that are a signature of Ontario's fine agricultural reputation. The greenbelt helps retain and create hundreds of thousands of agricultural jobs ranging from assisting farmers in their fields to technologically advanced food processing and crop research.

We have permanently protected more than 100,000 acres of the Niagara Peninsula's tender fruit and grape specialty crop area. As you know, the Niagara region is unique in its ability to produce tender fruits and grapes.

Our greenbelt plan has the additional effect of supporting the Niagara area's growth as an international tourism destination, based on its outstanding wineries and wines.

The greenbelt also provides opportunities for sport and recreation. These opportunities were expanded with the government's donation of over 500 acres of land for the establishment of the Bob Hunter Memorial Park in the greenbelt's Rouge River watershed.

It also supports the rural communities that contribute so significantly to the Golden Horseshoe's quality of life. These towns, villages and hamlets within the greenbelt provide economic, social and commercial benefits to the residents in the entire region. I'm proud that we've had the foresight to preserve and protect these unique communities.

The Greenbelt Council, chaired by Dr. Robert Elgie, has been established to provide us with expert advice on the implementation of the greenbelt. Among his many accomplishments and responsibilities, Dr. Elgie is a former MPP who held a number of cabinet posts. He was also appointed a member of the Order of Canada in 2003.

His commitment to his community and his dedication to serving Ontarians are truly remarkable.

I am also pleased to announce that the Greenbelt Council has selected Howie Herrema as its vice-chair. Mr. Herrema is very familiar with the greenbelt plan, since he is a member of the Uxbridge council and several agricultural organizations.

We are pleased to have the advice of the Greenbelt Council members, who come from a wide variety of backgrounds, truly reflecting the diverse nature of the greenbelt.

Last February, we took a major step forward with the greenbelt to protect green space, natural resources and agricultural lands in the Golden Horseshoe. It is a legacy that all of us can be most proud of. We will continue to build on it, to ensure that Ontario and Ontarians will offer a quality of life that is second to none, for generations to come.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I am pleased to rise today to mark the first anniversary of our government's greenbelt legislation. As my colleague the Minister of Municipal Affairs and Housing has said, the greenbelt offers residents great natural beauty, provides clean air and water, and protects lands that generate some of the highest-value agricultural products in the world, creating valuable benefits for Ontarians now and into the future.

Among those benefits is the enhancement of a vibrant tourism industry based on recreation, bed and breakfasts, agri-tourism and culinary tourism.

The governing council of the United Nations environment program recently reported that tourists worldwide are increasingly looking for more attractive and unpolluted places. Tourists want to do more hiking, cycling and skiing in a natural setting. The greenbelt promotes recreation, sport and tourism with its extensive trail systems, open spaces and parklands.

Recently, I attended a Ministry of Tourism seminar, one of three that provided tourist operators an opportunity to discuss how they can benefit from increased business due to their location in the protected greenbelt area. As a result of their response, we will organize a greenbelt marketing committee to help greenbelt tourism operators reach their full potential.

I am also pleased to say that the Greenbelt Foundation has begun accepting grant applications from non-profit groups for projects that support agriculture, vibrant rural communities, tourism, recreation and environmental protection. The foundation grant program was designed after consultation with farmers, civic leaders, naturalists and community groups to make it fit their needs. I understand the foundation has budgeted \$5 million this year to support local initiatives.

The greenbelt is great news for our food security, our environment, our health and the tourism industry. It is a remarkable permanent legacy for our children and all Ontario.

## REPETITIVE STRAIN INJURY

**Hon. Steve Peters (Minister of Labour):** Today is International Repetitive Strain Injury Awareness Day. This day is recognized annually to raise awareness of ergonomic-related issues.

These types of injuries are of major concern to workers in workplaces in this province. They are, though, not the type of injuries that show up in the news, like falls off scaffolding or chemical explosions. They are common, everyday injuries like back pains and muscle strains. They are caused by repetitive, stressful or awkward movements on bones, joints and ligaments. It is precisely because these injuries are so common, so everyday, that they are of such concern.

The health and safety of Ontario workers is our number one priority. Ergonomic-related injuries account for 42% of all lost-time injuries across the province. These injuries are taking a tremendous toll, both in human and financial terms. They are the number one reason for lost-time injury claims reported by the WSIB. They result in huge direct and indirect costs to employers, estimated at a staggering \$12 billion over the past eight years, and they result in untold pain and suffering for Ontario workers.

### 1410

Our government is acting to solve the problem. We recognize that progress is being made, but there is more work to be done. One year ago today, our government marked RSI Awareness Day by forming an ergonomics advisory subcommittee to recommend ways to better protect Ontario workers. Made up of representatives from labour and management, the panel examined best practices and policies for addressing this serious cause of injury. I want to thank the representatives for their hard work and their dedication.

In September, they submitted their initial report, and we are moving forward on that report. In January, I launched the government's Pains and Strains campaign and announced that we are committed to addressing all of the Minister of Labour's specific recommendations. The campaign deals with such areas as awareness, education and prevention, as well as improved training, more resource materials, increased expertise and better tracking of ergonomic-related injuries.

Almost everyone we talked to supports education and awareness as an important first step in prevention. The Ministry of Labour and the Workplace Safety and Insurance Board worked together to develop an ergonomics tip sheet. It raises awareness of the importance of ergonomics in the workplace, and it provides facts, prevention tips and links to a wealth of information.

As well, beginning in April of this year, ministry inspectors will focus on the basic risk factors during inspections of high-risk workplaces. This will happen in the industrial and health care sectors. They will distribute copies of our tip sheets to these employees. At the same time, each organization's experience with ergonomic-related injuries will be reviewed along with the preventative steps they have taken. This will help employers

identify ergonomic risks and help to prevent them. Our inspectors will encourage employers, especially small and medium-sized businesses, to connect with their safe work associations to implement inexpensive, cost-effective solutions. By doing so, we will enable these employers to take action to implement solutions.

We believe a safe workplace is a good workplace and that it just makes good business sense. Frankly, healthier workplaces make for healthier bottom lines. Here in Ontario, we are creating a corporate culture that makes workplace health and safety a top priority.

Our long-term plan, which will be carried out over the next 18 months, includes more enhanced ergonomic training for inspectors. The training will allow them to actively look for and better recognize ergonomic hazards as part of an inspection. This will ensure that if employers have not taken action, our inspectors will have the knowledge to better enforce the employer's obligation with respect to ergonomics. Ontario workers will be protected.

I am pleased to tell the members about the next phase in the government's Pains and Strains campaign to support our education and awareness focus. Today, we are launching a new section of the ministry's website, dedicated entirely to ergonomics. The website supports the Pains and Strains campaign by providing simple, straightforward information to employers and to workers. The sometimes technical nature of ergonomic-related terminology is written in plain language so that it's easy to understand by the audience.

Last week, I had the privilege of meeting once again with the ergonomics subcommittee. As part of their initial discussions, the panel was unable to agree whether or not an ergonomics regulation was necessary. They committed to going back and taking a closer look at the issue, and I now have that report. I want to thank the members of the subcommittee for their hard work and thoughtfulness. We are now in the process of reviewing that report. I will be meeting with the committee once again in March to discuss their deliberations. In the meantime, though, we plan to move forward with our plan.

We are working to end the suffering that these types of injuries create for Ontario workers. We are working to reduce the financial burden that these types of injuries create for employers. We will continue to work with our health and safety partners to provide more information and better resources. We will make sure that the necessary technical and field support are in place to support our work. Our inspectors will have the knowledge to better enforce the employer's obligation with respect to ergonomics.

If we work together, we can achieve our goal of safer workplaces in the province of Ontario. We are going to continue to move forward on fulfilling our plan to protect Ontario workers.

## SMOKE ALARMS

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I rise today to speak



to the issue of new smoke alarm requirements in Ontario. Many Ontarians owe their lives to courage and exceptional bravery demonstrated by the thousands of our career and volunteer firefighters. Day in and day out, they put their lives on the line. Their superb efforts to protect us from the ravages of fire make Ontario one of the safest jurisdictions in North America. But we, as individuals, homeowners and tenants, have the means to reduce even further the risk of loss from a disastrous fire.

Experience shows that smoke alarms can give occupants the precious seconds they need to escape a fire, provided there are enough working smoke alarms in the home. It is a fact that most fatal fires occur at night when everyone is asleep. Many people are alive today because they have working smoke alarms. We need to get this message out to all Ontarians: Smoke alarms save lives.

Previously, the Ontario fire code required that smoke alarms be installed and maintained between sleeping areas and the remainder of the home. I'm pleased to announce that effective tomorrow, March 1, 2006, in addition to existing requirements, a smoke alarm must be installed on every storey of a home, including those floors that do not have a sleeping area. We have amended the Ontario fire code to make this change. We're doing this to save lives. It's just that simple.

Statistics show that there was no smoke alarm warning in approximately half of all fatal fires in Ontario over the last 10 years, and that is simply not acceptable. By having smoke alarms on every storey and outside all sleeping areas, occupants will be alerted earlier to a fire, greatly increasing their chances of getting out safely. More working smoke alarms also mean that firefighters will not have to risk their lives as often in attempting to extinguish out-of-control fires. By making smoke alarms mandatory on every storey of a home and outside sleeping areas, we can reduce the number of such tragedies in Ontario.

Municipal fire departments across Ontario are aware of the new smoke alarm requirements and will be enforcing them. They are also working very hard to increase public education efforts to encourage homeowner compliance.

Smoke alarms are inexpensive. Additional smoke alarms can be purchased for less than \$10 each. That's a small price to pay to keep our loved ones safe.

In 2005, Ontario's fire death rate was the lowest in history. The partnership between the Office of the Fire Marshal and the Ontario fire service has contributed to this continued decline in our fire statistics. The decline is also a strong indicator that the three lines of defence—fire prevention and public education, emergency response and fire code enforcement—produce results.

We hope that the new smoke alarm requirements will improve these statistics and make our communities safer. Our goal is to make sure that every home in Ontario has a working smoke alarm on every storey. This small change to the fire code will go a long way to saving more lives in Ontario. It is a reflection of our commitment to building stronger, safer communities in the province of Ontario.

**The Speaker (Hon. Michael A. Brown):** Response?

**Mr. Garfield Dunlop (Simcoe North):** I'm very pleased today to respond to the announcement by the Minister of Community Safety and Correctional Services. Certainly our caucus, and I hope every member of this House, would agree that smoke alarms save lives. If some of the regulations have to be tightened up in the building code or in any other code, we want to make sure that that is done. It's very similar to the education we've done with the general public on things like drinking and driving, the use of airbags in cars, the safety of seatbelts and safety seats for young children. We have a responsibility, and I think it's a positive step.

If I could say one thing as we go down the road of smoke alarms, I'd like to pay special tribute to the four fire departments in the west end of my riding—the Penetanguishene, Midland, Tiny township and Tay township fire services—that came up with a very unique idea called the safe babies program. What that meant was a smoke alarm for every baby. Those four fire departments went together and made sure that for every new baby born in the Huronia District Hospital in Midland, there was a smoke detector in each and every baby's bedroom. That might be an area where we could go even one step further. As we go down that road, maybe we should have smoke alarms in every bedroom in every home in the province. These four fire services went together on this step, and I think it was a very positive step.

I wanted to also add that one of the partners in that program was the Central North Correctional Centre, which actually purchased smoke alarms for all of these families that were having new babies in the area.

I thank the minister for making this announcement today. I hope that every member of this House would be very supportive of any law that makes it better for our young children.

Mr. Speaker, while I have the floor, if I may, I have a couple down today from my riding and I'd like to point out that they're here. Jen and Andrew Hill are in the audience.

**Mr. Peter Kormos (Niagara Centre):** And what does Jen do?

**Mr. Dunlop:** You won't believe this, everybody, but Jen is the federal NDP candidate in the riding of Simcoe North. I welcome Jen and Andrew here today.

That's all I have to say on this. We do appreciate and support stronger rules on fire safety.

1420

#### GREENBELT

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to respond with respect to the Greenbelt Act. I would say, with all due respect, that to bring forward a law—and the government, by their majority, can pass a law. But it takes real leadership to make it a success and to implement that law. I would point out, for example, that the Bill Davis government brought forward the Niagara Escarpment Commission Act with a plan to make it

work, and based on science. I would point out it was the Mike Harris government that brought forward the Living Legacy program based on science, with a plan and funds to make it work. It was the Ernie Eves government that brought forward the Oak Ridges moraine plan with funding and a plan to make it work. So I stand proudly on the record of Progressive Conservative governments over the last couple of decades in making green initiatives work.

What have we seen in the past year, however? I know the Minister of Tourism sent signals over to that Greenbelt Foundation to get them off their plush leather chairs in that swanky office in Yorkville, the most expensive real estate in the city of Toronto. Twenty-five million dollars has been dedicated to the Greenbelt Foundation. All that we've seen so far is a couple of million dollars that have been given for contracts to Liberal-friendly advertising firms for somewhat annoying advertisements, polling and for these swanky offices in downtown Toronto. So I'm pleased to see that the Minister of Tourism has pushed them back and they'll finally start investing in worthy projects.

I don't want to dwell on it, but let's look over the past year. Who can forget the greenbelt map that included a cemetery and a garbage dump as tender fruit land? Who can forget the greenbelt map that cut the Beverly marsh in half, but put already serviced land in Grimsby as part of the protected area? Who can forget the fundraiser at the swanky Sorbara estate, where the Premier allegedly made promises to developers on the greenbelt? Who can forget the cuts in municipal funding to greenbelt municipalities like Pelham, Grimsby, Lincoln and Niagara-on-the-Lake while their growth has been frozen? And who can forget a Minister of Municipal Affairs hounded by reporters, trying to explain the science? I think at the end of the day he did admit—I hope it was political science—the reality. This has been an inauspicious year. It's been the year of the greenbotch. Let's hope they do much better in the time ahead.

#### SMOKE ALARMS

**Mr. Gilles Bisson (Timmins–James Bay):** It's interesting that the government brings forward a bill to deal with smoke detectors. I support, I think with all other members, the initiative to expand the use of those. But I remind the minister that we had two gentlemen die in a fire in the local jail in Kashechewan, where there was no fire suppression, no fire detection systems whatsoever.

I asked the minister across the way the simple question: Why is it that we have jails in the Nishnawbe-Aski region that don't have the same standards as those that are situated here or in any other community in Ontario? Why is it that a jail in Timmins or a jail in Toronto or a jail in Belleville is very clearly identified as having to have a fire suppression system and has to meet certain standards, but because those jails happen to be situated on First Nations lands, we don't have to follow any of those regulations?

So I say to the government across the way, your initiative is a good thing to bring forward, but it doesn't deal with the issues that are facing people in First Nations communities. Maybe you should start dealing with those issues so that in the future we can save some lives.

#### REPETITIVE STRAIN INJURY

**Mr. Peter Kormos (Niagara Centre):** To the Minister of Labour: New Democrats find it very, very strange that you would stand once again recognizing an International Repetitive Strain Injury Awareness Day; furthermore, acknowledging that ergonomic-related injuries account for 42% of all lost-time injuries, that they are the number one reason for lost-time injury claims reported to WSIB, that they result in huge costs to employers and that they result in untold pain and suffering for workers. And what do you have for those workers? You've got a website.

Let me tell you, Minister: Those workers don't need to be educated about what repetitive strain injuries do to them, their futures and their families; those workers don't have to be told what repetitive strain injuries do to them in terms of creating permanent disabilities, preventing them from ever working again in a workplace and subjecting them to a WSIB regime that causes them to live out the rest of their lives in poverty.

It is criminal that when the evidence is in, when the facts are clear, when other jurisdictions—British Columbia, Saskatchewan, European jurisdictions—have clear ergonomic regulations that have prevented these types of injuries, you would continue to drag your heels.

You talk about a committee that's divided. We know where that divide is. You chose to park yourself firmly and clearly with the bosses and ignore the workers and their injuries in the process.

This isn't a matter of any more consultation, Minister of Labour. This is a matter of providing leadership and acknowledging that the recommendations that have been made clear about the need for ergonomic regulations would in fact provide respite, some comfort and some relief for these workers, who stand to have a greater likelihood of repetitive strain injury than not.

You've been the recipient of any number of letters, hundreds of them, and I've got copies for you here. Page, come on over here. Let the Minister of Labour read these, if he hasn't read them yet: letters to you, Minister, from injured workers across this province explaining that ergonomics are very important if we're going to prevent musculoskeletal injuries from occurring among workers in Ontario.

"These strains and sprains injuries represent more than 40% of lost-time injuries" here in this province.

"Voluntary approaches to protection from musculoskeletal injury," which is what you're advocating, "have not worked. In our province, the rate of strains and sprains injuries in relation to all other workers' compensation claims has been the same over the last eight years.

“British Columbia, Saskatchewan and many European and other countries have ergonomics regulations in effect. Why shouldn't Ontario workers have the same protection?” I echo that request: Why shouldn't Ontario workers have that same protection?

“Ontario has many important occupational health and safety regulations to protect workers yet has no ergonomics regulation to protect Ontario workers. The time for an ergonomics regulation is now.”

These people are pleading with you to demonstrate leadership, to demonstrate your commitment, however modest and temporary, to workers and their interests, and to implement ergonomics regulations now. The question to be put by these workers to you is, just whose back pocket are you in that prevents you from taking that action to protect these workers from those injuries?

*Interruption.*

**The Speaker:** Order. I would remind our guests that we're very happy to have you with us, but any demonstrations within the chamber are not permitted.

#### VISITORS

**Mr. Bill Mauro (Thunder Bay–Atikokan):** On a point of order, Mr. Speaker: I would like to take a minute to introduce to the Legislature, visiting from Thunder Bay, the home of Eric Staal—who was inexplicably left on the taxi squad in Turin—the mayor, Lynn Peterson, and the CAO, Mr. Bob Petrie.

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

#### ORAL QUESTIONS

##### LOCAL HEALTH INTEGRATION NETWORKS

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Over the past several months, our party has asked you and your Minister of Health fairly detailed questions about your LHINs legislation. In our last exchange, I think the people of Ontario were left with a very mistaken impression by you about the vast powers of centralization this bill gives to your minister: the power to merge and close hospitals, the power to shut down services in hospitals and the power to transfer charitable gifts—no oversight, no hearing, no nothing. Why are you spending \$160 million on another layer of bureaucracy which will essentially be rendered completely powerless by the vast new powers being given to your minister? Why are you doing that?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'm pleased to have the opportunity to speak to this issue again and to help the leader of the official opposition better understand what it is that we are doing here.

Specifically with respect to the issue of ministerial powers, I think it's important for the leader as well as Ontarians to understand that those powers are not to be

exercised unless and until the minister receives advice in that direction from the local community. This represents an incredible transformation. What it does is it gives the local health integration network, that committee, unprecedented authority to have influence with respect to the delivery of health care in the community by giving advice to the minister in this regard. So the minister looks forward, as he has already done, to continuing to work with those local health integration network committees.

**1430**

**Mr. Tory:** The Premier's answer is not in accordance with the facts. If you look, for example, at section 30 of the bill with regard to charitable gifts, it says specifically that there is no consultation with anybody, not even the poor old donor who gave the money. The minister can just issue an order transferring a charitable gift to another hospital. In the case of the other things, the merging and closing of hospitals and the shutting down of services, it says that he has to get the advice of the LHINs; he doesn't have to follow it. As the leader of the third party pointed out yesterday, these are all people you put there anyway.

You brought in the largest tax hike in Ontario's history under the guise of improving health care. I had a chance to see some of this so-called improvement when I was at the Peterborough hospital. I can tell you that at the Peterborough hospital they're thinking about furniture, but they're thinking about hospital beds, not new desks for bureaucrats. Why are you wasting this health tax money on centralizing power, buying new furniture and putting together new offices for expensive bureaucrats? Why would you do that to the people of Ontario and waste their money when they're looking for hospital beds, not bureaucratic—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Premier?

**Hon. Mr. McGuinty:** I really fail to understand the leader of the official opposition's confidence in Ontario communities. What he is effectively saying throughout all of the criticism that he's levelled at our government in connection with local health integration networks is that he doesn't trust local communities to have influence for the first time in a real way when it comes to the delivery of health care in their community. We see things differently.

He would take over \$2 billion out of Ontarians' health care. We have increased funding for health care. Also, as an expression of our confidence in local communities, we're saying to those communities that we're going to put in place 14 local health integration networks, and for the first time in the history of this province, you will have a real say in how health care is delivered in your community. We think that is progressive. We think that's a step forward. And we think it finally recognizes that when it comes to health care, nobody should be more influential than Ontarians themselves.

**Mr. Tory:** I say to the Premier, if you really meant a word you said, you would be saying that the local people, whose advice you say you value so much, would get to make these decisions, subject to a veto by the minister,

instead of simply having the minister ask for their advice and then proceed to issue an order regardless of what they say.

On my visit to Peterborough, I made another visit. I decided to visit the LHIN responsible for Peterborough on the way back. It's in Ajax, an hour away from Peterborough. I was going to talk to them about patients lying on stretchers in the hallways of the Peterborough hospital. The doors were locked; the lights were out. All you could see through the door was all the new furniture. All the other businesses on that floor were staffed and open.

If the minister is not going to exercise these new powers to close hospitals, merge them, shut down services or transfer charitable gifts, why do you have to give him these powers if you're really trying to place that responsibility with the local people? Why does he need those powers if he's not going to use them? Why?

**Hon. Mr. McGuinty:** Again, so Ontarians are clear as to where we're moving on this front, overall the number of positions will in fact be reduced as a result of this local health integration network strategy.

With respect to new furniture, it is quite true that some new furniture has been acquired. But I can tell you, it's going into boardrooms where, for the very first time, decision-making will be subject to the light of day at the local level. The leader of the official opposition says, let's make those decisions in downtown Toronto in some office tower, remote and far removed from Ontarians. Again, what I think this boils down to fundamentally is that I have confidence in the people of Ontario at the community level to lend good and positive shape to the quality of health care they receive. The leader of the official opposition hearkens back to a bygone era. He wants all those decisions to be made in some office tower in downtown Toronto. We see things differently.

#### MINISTERIAL CONDUCT

**Mr. Jim Wilson (Simcoe–Grey):** My question is for the Minister of Transportation. In the Integrity Commissioner's report on page 2, when referring to Chalmers Group you said, "I was never actually involved in this business, ever." And again, on page 17, "I had no involvement...." Yet, Minister, in Hansard on February 16, just two weeks ago, Minister Papatello told this Legislature how well she got to know you when she recruited you to be a candidate for the Liberal Party and how she had a very good window to watch you and see you. She said three times during that debate that the Chalmers Group of companies was your second home. Minister, having someone describe Chalmers as your second home doesn't jibe with your sworn statement. We also have a letter from a former Peel school board employee who says he saw you at the Chalmers Group headquarters dozens of times.

Which is it, Minister? You told the Integrity Commissioner you had no involvement, yet Minister Papatello says it was your second home and it was the empire you built. Who's telling the truth here, Minister?

**Hon. Harinder S. Takhar (Minister of Transportation):** The Leader of the Opposition made some accusations to the Integrity Commissioner, and the Integrity Commissioner has ruled on that. I have said in this House that I accept his report entirely. That issue has been dealt with.

**Mr. Wilson:** Your campaign literature here says that you were the president and CEO of these companies. You now say that's not true. You accepted awards from the Mississauga Board of Trade, the chamber of commerce, the New Pioneer Award. Your ministry website brags about how wonderful you were at Chalmers. Now you say that's not true, that you hardly went there. Minister, here's a picture of you inside your factory, taken in 2001, and I'll send that over to you, a place you say you were, quote, "never involved in." The same article says you oversaw three additional companies. Now you say this isn't true.

Minister, when it suits you, you oversee this company. You brag about it during your campaign and you accept awards for the Chalmers Group, but the Integrity Commissioner is told an entirely different story. Can you tell us which one of the many stories you have woven is actually the truth?

**Hon. Mr. Takhar:** I think the party on that side is becoming desperate. Let me say this: I always said, that I had a majority shareholding in this company. I always said I held the title of president and CEO of this company—always maintained that. Every document will show that. Now they are trying to recreate what has already been dealt with by the Integrity Commissioner. I think they need to move on. I am moving on. I am proud of the work that company did when I was the president and CEO of that company, and I can take some credit for that.

**Mr. Wilson:** Minister, you spent a great deal of time telling the Integrity Commissioner that you really had nothing to do with that company. Why would you need a parking spot there full-time, then, if you really had nothing to do with that company and your wife ran it all? The evidence you've given the Integrity Commissioner seems to be in doubt. He's dubious about it, I'm dubious about it and I think the people of Ontario are dubious about it. You were reckless and negligent in your dealings with your company, and you're now reckless and negligent with the truth. Minister, I give you one more opportunity: Why don't you tell the people the truth in this matter? Clear your conscience, come clean with the people of Ontario, something you have yet to do in this matter.

**Hon. Mr. Takhar:** All these issues have been totally dealt with by the Integrity Commissioner and I accept his report entirely. That is the end from my point of view, and I'm moving on to do my job and focus on my job.

#### LOCAL HEALTH INTEGRATION NETWORKS

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Premier, and it's about the Premier

who promised a more democratic Ontario but who is breaking that promise yet once again today. I'm talking about your LHINs bill, Premier. We know that people across Ontario have very serious concerns about your LHINs bill and what it will do to patient care. People across Ontario want more debate, not less. They want more discussion, not less. But instead of listening to them, you have brought in a motion to choke off debate and discussion, a guillotine motion that will shut debate down. Premier, when you were in opposition, you said cutting off debate "diminished our democratic institutions." Can you tell us what's different now?

1440

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I'm pleased to take the question. I want to remind the leader of the NDP that the announcement on the part of our government concerning LHINs was first made on 6 October 2004. I have a copy of the release that was put out on that date. We have, since that time, introduced a bill. By the way, back then we announced the first in a series of ongoing bulletins to keep the stakeholders and the public informed, and we set up—and I think this is without precedent—a LHIN website so that people could always stay informed.

Beyond that, the bill was introduced; we've had five days of debate, 10 days of committee hearings, and 56 amendments were adopted, 10 from the opposition, including some from the NDP themselves. So we think we've had a very good opportunity, as have Ontarians, to thoroughly consider the implications of this legislation, and we look forward to moving ahead.

**Mr. Hampton:** The Premier wants to pretend that this bill has had a lot of debate. Premier, you introduced this bill on November 24. Do you remember that? That was about when the federal election was called, and all eyes were focused elsewhere. You had second reading debate during the federal election, when all eyes were focused elsewhere. You limited public hearings to only seven days on a bill that will centralize power over local health services in the hands of the Minister of Health and will allow him to order the transfer, order the shutdown, order the privatization of important health and hospital services.

Premier, you used to say that we should have debate and discussion about these important issues. Can you tell the people of Ontario now why you introduced this bill at a time when all eyes were focused on a federal election, and why now you're bringing in a guillotine order to shut down debate and ram it through?

**Hon. Mr. McGuinty:** I'm not sure about the leader of the NDP, but I am confident that Ontarians can manage federal issues and provincial issues, that they can cope with an ongoing federal campaign at the same time as they pay attention to provincial government initiatives.

Again, we've had five days of debate so far on this. Today will be the sixth. We've had 10 days of committee hearings, all kinds of amendments introduced, many of which have been adopted. This idea was first broached in an official way by our government back in 2004. Beyond

that, there have been workshops in each and every LHIN, involving over 4,000 people from a variety of backgrounds. So we think we've given all kinds of opportunity to Ontarians who are interested in this issue to provide us with their very best advice, and much of that advice had been incorporated in the legislation itself. Again, we look forward to moving on.

**Mr. Hampton:** Premier, just some of the measures included in your LHINs bill: You will set up LHIN boards and LHIN areas in northern Ontario that are larger than most European countries, yet you call this local decision-making about health care; you will give the Minister of Health the authority to order the privatization, for example, of things like hospital cleaning and hospital food services, which directly impact patient care; and you want to do this at a time when the public has spent most of the last eight or nine weeks focused on events in Ottawa.

Premier, do you really think that's fair to the people of Ontario? Do you really think it's fair to ram through a bill that really hasn't had the kind of public attention, public debate and media coverage that health care issues deserve? Do you really think that's fair, Premier?

**Hon. Mr. McGuinty:** What I believe to be unfair is when the leader of the NDP needlessly frightens Ontarians. I think we have a shared responsibility here to talk about the facts as they exist. The leader of the NDP says that this somehow represents some kind of a conspiracy to introduce more private delivery of health care. I want to remind Ontarians that this is the same Mr. Hampton whose government privatized services at the following hospitals: St. Thomas Elgin General Hospital in 1993, the Trillium Health Centre in 1994, the Halton health care centre in 1992 and the Joseph Brant Memorial Hospital in 1991.

I am proud to say that on our watch, as a result of investments we have made, there are now 13,000 more people working in health care in the province of Ontario. If anybody is committed to better health care for more Ontarians, it's this government.

## ENERGY CONSERVATION

**Mr. Howard Hampton (Kenora–Rainy River):** I wonder what the Premier fears from more democratic debate.

Premier, in December, when the Ontario Power Authority released its \$40-billion scheme for more nuclear power plants, you promised "a full, open and public debate." Instead of a full, open, public debate, what we've seen is an attempt at a sales job by your government.

Today, a report by the Sierra Club says that there are serious data gaps in the Ontario Power Authority's supply mix report that bias the report against energy conservation and against energy efficiency. Before you try to ram through your \$40-billion nuclear boondoggle, will you instruct the Ontario Power Authority to go back, do its homework and present a fair and balanced report

that looks seriously at energy efficiency and energy conservation targets?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Energy.

**Hon. Donna H. Cansfield (Minister of Energy):** Thank you for the question. We received the report from the Ontario Power Authority after they had invested seven months and dealt with many stakeholders over a long period of time, engaging also the Sierra Club and the Pembina Institute, in addition to individuals who wished to participate. That then came to us and we posted it on the Environmental Bill of Rights website. We actually extended the date. We've done 12 cities. We have participated in putting out a new brochure where every Ontarian will have the opportunity to speak with some anonymity around what they see the future of electricity and power will be in this province. And then we will put together some recommendations that will go forward to the Ontario Power Authority, which, in turn, will develop an integrated supply plan. That plan will then go to the Ontario Energy Board.

The Ontario Energy Board will take anywhere from six months to a year to look at prudent and responsible measures with that plan. Then each project will undergo whatever is required—

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

**Mr. Hampton:** I think the Premier didn't want to answer the question and the minister failed to answer the question.

This is a quote from the Ontario Power Authority report, and they admit what the Sierra Club has charged: "The first requested recommendation is for conservation targets for the long term." Then they say, "The Ontario Power Authority is not in a position to recommend long-term conservation targets at this time." This report doesn't even answer one of the principal demands that was placed upon it by the McGuinty government.

The Sierra Club is simply suggesting: Send it back to the Ontario Power Authority and instruct them to answer the demand. What do they recommend as long-term energy conservation and energy efficiency targets? Don't just try to sell the public on a \$40-billion nuclear mega-scheme.

**Hon. Mrs. Cansfield:** Actually, the member just made some huge assumptions. The Ontario Power Authority is one set of recommendations. We have been listening to Ontarians right across this province. We haven't finished. As a matter of fact, Ms. May is coming in to see me very shortly, and it will be about the fourth time she has been in to see me, along with Pembina, along with Greenpeace and many other individuals who still choose to.

It is the collective that will ultimately help us make decisions as we move forward and make determinations on what is in the best interests of the people of Ontario. Then there still will be a very fulsome process that people will have an opportunity to continue to consult and engage their opinions in.

I believe that we have put in place a process that is inclusive, that encourages participation, unlike a previous government that actually cancelled consultation on conservation, or another government that chose to sell everything and didn't need to do any consultation because the private sector would pick up everything.

So we have put together a very comprehensive approach—

**The Speaker:** Thank you. Final supplementary?

1450

**Mr. Hampton:** Premier, you may be happy with the report that the Sierra Club says is biased in favour of mega-nuclear power and is biased against energy efficiency and conservation, but I think it's pretty clear that people across Ontario want a fair and balanced report; they want consideration of energy efficiency and energy conservation.

My question to the Premier is, are you simply going to allow the Ontario Power Authority to say, in response to your government's demand, "Oh, we're not going to set energy conservation and energy efficiency targets. We're not going to do that; we're simply going to go straight for nuclear power"? Do you think it's an acceptable response to the people of Ontario, to allow that kind of report, which the Sierra Club says is clearly biased and unbalanced in favour of nuclear power and against energy efficiency and energy conservation?

**Hon. Mrs. Cansfield:** May I reiterate—obviously the member didn't understand. How about, no?

#### MURDER INVESTIGATION

**Mr. John Tory (Leader of the Opposition):** My question is to the Premier. Given that the two victims involved were both from Ontario, I wonder, by offering to help Ottawa or doing things on your own, what has your government done to assist on the investigation and getting to the bottom of the recent murders that took place in Mexico?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I was asked about this this morning by members of the media and indicated that, on behalf of Ontarians, our expectation is that all authorities will co-operate to the fullest extent possible in order to ensure that the investigation is nothing less than absolutely thorough. We stand at the ready. If there's any role that we can play, any role whatsoever, if we can be of any assistance in any regard, we are more than prepared to do so.

**Mr. Tory:** I appreciate that answer, because there seem to be a lot of unanswered questions about this and concerns that haven't yet been fully satisfied.

I wonder, beyond indicating to the press and here in this Legislature that you would offer any assistance, has there been even a phone call made to Ottawa or a consultation between the Minister of the Attorney General and the foreign affairs department? I think there are Ontario residents who are concerned about this, both because there are two Ontario residents who are involved

who were the victims, but also because there are a lot of Ontarians who are planning to travel in the next few weeks. I just think it's the kind of thing that, when they see these things in the news media, they worry about. I think anything we could do to be of help to whoever is leading the charge is something we should do. Have we made a proactive offer of assistance to Ottawa in this regard?

**Hon. Mr. McGuinty:** Speaker, I think the Attorney General has something to say.

**Hon. Michael Bryant (Attorney General):** Yes, we have. We want to be able to assist the victims' families in any way, shape or form, so the Ontario Victim Services Secretariat has contacted the Department of Foreign Affairs and the justice ministries to indicate that if there is any way that the Ontario government can assist victims or victims' families, of course we want to do that.

Obviously, our government offers condolences to the families. If there's any way that we can provide additional assistance, we'd accept any suggestions from the official opposition and the third party, as all of us want to do everything we can to assist victims and, if in any way, assist the federal government as the foreign affairs department and the justice ministries continue to handle this.

#### TUITION

**Mr. Rosario Marchese (Trinity-Spadina):** To Mr. Bentley, the Minister of Training, Colleges and Universities: Before the last election, Monsieur McGuinty and many other Liberal MPPs ranted and raved about the high cost of education for college and university students. Now you're planning on imposing yet another round of tuition hikes on students and their families.

At first you denied it; you promised to consult. But then, before consultations even began, the Premier announced that there would be no discussion. Minister, the cost of education in Ontario has risen by 139% in the last decade. Why are you adding to the cost?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I don't know why you go back just 10 years, because of course you started that when the NDP promised a freeze in 1990 and increased fees by 50%. That's part of the legacy. A part of the legacy is, since 1990, rapidly increasing fees, little government investment—in some years, disinvestment—and no improvements to student aid. What we said was that we'd freeze fees for two years while we assessed the needs.

The Rae review assessed the needs. We would make substantial investments in post-secondary education to support the education of students—that's the extra \$6.2 billion in assistance for post-secondary education and skills training—and we would substantially improve student assistance for the many students who were ignored by the NDP or the party opposite during the previous years. That is \$1.5 billion. We made the first improvements this year, and there's more to do. And now

we bring in a student tuition framework that will improve both access and quality.

**Mr. Marchese:** Mr. Bentley claims that high costs are no barrier to education. When I talk to parents and students, they feel differently. When they see that medical school tuition fees at the University of Toronto—

*Interjections.*

**Mr. Marchese:** Speaker, you've got to help. These people are—

**The Speaker (Hon. Michael A. Brown):** Stop the clock. Order. I need to be able to hear the member for Trinity-Spadina, and he needs to be able to ask his question without undue assistance. The member from Trinity-Spadina.

**Mr. Marchese:** When students see that medical school tuition fees at the University of Toronto are over \$16,000 a year, they see a barrier. When they see law school tuition rising to \$22,000 a year, they see a barrier. I see a barrier. Students and parents have made it clear that the high cost of education prevents people from getting the education they need.

Minister, I've tabled a bill, Bill 12, that would freeze tuition fees until the next election. If you're confident that higher tuition fees would help students, why not put it to the people in 2007? Will you do that?

**Hon. Mr. Bentley:** So much passion for people in opposition, so little when they had a chance in government. A 50% increase in fees, and what did they say to the poorest students from the poorest families? They took away the upfront grants for tuition. We restored them this year—32,000.

Did they improve student assistance? Not a penny. We've made improvements benefiting 135,000 students in this year alone.

Did they invest in the quality of their education? Not at all. In the last two years they took money away from students.

Our approach is different. We won't support the type of approach the NDP took. We'll support a different approach: Improve the quality of education through investments, improve access for the students who need it with improvements to student assistance; bring down the barriers for disadvantaged groups, such as first generation students; and come up with a tuition framework that actually improves quality and access. That's the right approach, and that's our direction.

#### LOCAL HEALTH INTEGRATION NETWORKS

**Ms. Kathleen O. Wynne (Don Valley West):** My question is for the Minister of Health and Long-Term Care. I know that any time there's change on the horizon, people get a little concerned. When I was travelling with the standing committee on social policy, my colleagues and I heard from a lot of people who were very worked up. They were concerned about how LHINs would affect them personally, and they seemed to be concerned because they were the victims of a sustained campaign

that some parties have put in place that was saying things like, “LHINs will result in massive job losses,” and health care workers being stripped of their pay and benefits.

Minister, we’ve worked very hard on this side of the House to establish a track record of fairness and even-handedness in labour relations. Can you please tell me how Bill 36 addresses the concerns of employees in the health sector?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I want to thank the honourable member for the work that she and all others did on the standing committee. It was a challenging task, and we’re very grateful for it.

I think it is fair to say that our health care community is still rocked somewhat, if you will, from the work of the Tory legacy, the Harris-Eves days, when there were meaningful cuts to health care. Change is never easy, and we recognize that. But I think it is important to keep in context that, under our government, there are 13,000 additional people working in service to Ontarians in the delivery of health care.

On the matter specifically related to labour, we know that in an environment where we have a quarter of a million employees and thousands of various health care providers there will be opportunities to enhance service delivery. Accordingly, we got advice from unions themselves that Bill 36, the Public Sector Labour Relations Transition Act, known as PSLRTA to those who are very familiar, will help to cover health integration. We took that advice. And various presenters also brought us recommendations that we include a provision to require employers to develop a human resources adjustment plan. Any time there is a possible impact on employees—

**The Speaker (Hon. Michael A. Brown):** Thank you. There may be a supplementary. Supplementary?

1500

**Ms. Wynne:** Indeed, Minister, the request for that human resources plan did come to us a number of times and it was one of the amendments I was happy to see that we brought forward.

Years of firing nurses and shutting hospital beds under the previous government sapped the morale of those working in health services. They’re eager that the government move quickly to improve working conditions for those who dedicate their lives to health care. Can you tell me what we’re doing to ensure that Ontario is once again the destination of choice for those interested in establishing a career in health?

**Hon. Mr. Smitherman:** We do think that it’s a crucial responsibility of government to create, especially in this competitive environment related to health human resources, a circumstance where Ontario is a preferred destination, where people want to work in our health sectors. A significant part of our initiatives have been designed to stabilize funding for our hospitals; as an example, to give them a better capacity to plan and take advantage of the opportunity to make those environments ones that are more welcoming for their employees and to

make progress on the key challenge of having 70% full-time nurses. We’ve worked hard, as Doris Grinspun from the registered nurses’ association recently acknowledged, by increasing employment in nursing by more than 4,400 full-time nurses. This is evidence of the work we’ve been doing in addition to the 13,000 employees that we’ve mentioned have already been added.

I would want to say to the honourable member, and indeed to all members, that forthcoming shortly from Dr. Josh Tepper, our new assistant deputy minister for health human resources, will be a strategy that seeks to take Ontario even further. We know that we’ve made some good progress, but there is, of course, more to be done. We’re restless to get there, and we’ll be doing that alongside our—

**The Speaker:** Thank you. New question.

#### MINISTERIAL CONDUCT

**Mr. Tim Hudak (Erie–Lincoln):** A question to the Minister of Transportation: As a general rule, if a minister gives false statements in a sworn affidavit, should he or she resign from their cabinet post?

**Hon. Harinder S. Takhar (Minister of Transportation):** From my point of view, all the issues have been looked at by the Integrity Commissioner. I have made the statement that I made to the Integrity Commissioner, we discussed it with him and the case is over.

**Mr. Hudak:** It’s just a simple yes or no question to the minister. I simply asked the minister, if it was found that a minister had given false statements in a sworn affidavit, should that minister resign from cabinet? I find it interesting and disappointing that the minister chose not to respond to that question.

The reason I asked it, of course, is because the minister in a sworn affidavit said that he received a call on his cell phone at this infamous meeting at Chalmers. After seven months, we finally received the FOI on his cell phone bills, only to find out that no such call existed on the minister’s bills. Minister, how do you rectify your FOI saying one thing and your sworn affidavit saying the opposite?

**Hon. Mr. Takhar:** When I said I made a call from my cell phone, I didn’t say I made a call from the ministry cell phone. Our family has cell phones which we use—I use, my wife uses, my daughters use. So I borrowed a cell phone from my wife and made the cell phone call.

Let me just say this: I think that beliefs and the values are determined in how you are brought up. In our family, everything is not hers or mine; it’s ours. That’s what we believe in, okay? When I said “mine,” that was our family cell phone.

#### REPETITIVE STRAIN INJURY

**Mr. Peter Kormos (Niagara Centre):** To the Minister of Labour: Study after study tells us that applied ergonomics and early intervention can prevent repetitive strain injuries in the workplace if legislation is imple-



mented. When will Ontarians see real ergonomics regulations that will protect the workers of this province?

**Hon. Steve Peters (Minister of Labour):** I want to thank the member for raising the question today because this is Repetitive Strain Injury Awareness Day and it's an important day. We recognize the challenges that are out there.

I just want to say to the honourable member that if he thinks he has a monopoly on caring about injured workers in this province, he's very much wrong. We do care about injured workers in this province. You're the ones that sent us down this course, that put injured workers so far behind with that bill in 1994. Look at Hansard for December 6, 1994. Who started injured workers down this road?

We moved very actively in moving forward with a joint committee to make sure that we had a balanced approach of both employers and employees. I very much resent the comment that was made that I'm in the back pocket of the employers. As the Minister of Labour, I'm charged with the responsibility to ensure that we bring a balanced approach. We've asked for recommendations. There was not a consensus—

**The Speaker (Hon. Michael A. Brown):** Thank you. The member for Niagara Centre.

**Mr. Kormos:** All you've done to date is create a website, as if injured workers needed more information about the tragedy of being injured in the workplace. Look, raising awareness amongst the general public just isn't good enough. British Columbia and Saskatchewan have ergonomic regulations that work. When is your government going to implement ergonomic regulations that have been tested, that have been tried, that have been demonstrated to be effective? I tell you, Minister, that your efforts to achieve balance betray workers on a daily basis in this province.

**Hon. Mr. Peters:** I beg to differ with the member, because we have not demonstrated in any way that we've betrayed workers in this province. I thank those individuals who were here today. I thank my parliamentary assistant for meeting with them outside of my office today.

We took a balanced approach. One year ago today, the previous minister struck a joint committee to bring forward recommendations to the minister. Those recommendations were brought forward to me in September. Part of the reporting was for them to come back to see if there was a consensus that could be developed on the creation of a regulation. There was no consensus developed when they reported back to me a week ago. I've received the report, and I'll be meeting with the committee again in March to look at how we do move things forward. But for the honourable member to stand here in this House and claim that he is this advocate for injured workers—I just remind him again, and I remind the injured workers of the province, that it was the NDP that undermined—

**The Speaker:** Thank you. New question.

## FOREST INDUSTRY

**Mr. Bill Mauro (Thunder Bay–Atikokan):** My question is for the Minister of Natural Resources. We've heard a lot about the challenges that northern industries are facing: changing global markets, increasing competition, the high cost of fibre, energy and a dramatic shift in currency rates. All of these combined are taking their toll, most notably on the forestry sector. Forestry is a vital part of the economy in northern Ontario and in Ontario generally. The sector employs about 80,000 people and contributes about \$18 billion to the economy annually. In my riding, many people make a living from forestry and its spinoff industries. Minister, can you tell me more about what our government is doing to make sure that forestry continues to be a strong and competitive industry in Ontario?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I was very proud of the Premier's announcement last Wednesday of additional assistance to the forest industry of this province. As the member knows, from the spring and the fall, we had announcements totalling \$680 million in grants and guaranteed loans. As the Premier said, we knew we needed to do more in working with the industry, and the Premier announced an additional \$220 million. The very important part about that, I think, was the \$75 million a year that has basically uploaded the responsibility of building and maintaining primary and secondary forest access roads, primarily across northern Ontario—a very important contribution, as well as a surprise for the industry that we injected \$70 million of unexpected capital infusion into the companies to allow them to gain the confidence to make the investments needed to go forward to make sure we have a strong, sustainable industry in this province.

**Mr. Mauro:** My supplementary is for the Minister of Energy. Last week's announcement was very good news, as was illustrated by the remarks from the large industrials themselves. However, they still face other challenges, as we're all aware. Building access roads and reducing stumpage fees will help the sector deal with some of these challenges, but they still face others like energy costs. In terms of energy, I've been advocating for two years the need to have an electricity pricing policy that ensures the competitive position of northwestern Ontario's large industrials. This is one option that the government could look at to lessen those challenges. We need to provide the forest sector with stable energy costs. This is key to ensuring that they remain competitive. They need to know what the price of power will be, to better estimate their production costs. Minister, what are we doing to ensure that the forest sector has that stability?

1510

**Hon. Mr. Ramsay:** I'll refer that to the Minister of Energy.

**Hon. Donna H. Cansfield (Minister of Energy):** First, I would like to say to the member from Thunder

Bay–Atikokan that he has indeed been an extraordinary advocate on behalf of his community. He has not just come forward in terms of the challenges, but he has also come forward with solutions on how we can find different ways to do business in the north. The north is well served by that member.

We were fortunate enough to listen to our stakeholders. We made a change around the revenue limit. It was previously going to collapse on April 30, 2006. We've reduced it to 4.6, 4.7 and 4.8 and extended the revenue limit cap until 2009. This is an extension, as I indicated, that has support from the stakeholder groups themselves.

But in addition to that, part of our responsibility is to work with the community. The Premier did indicate that there is a study we will undertake around regionally-based pricing. We know that it's a very complex and difficult issue, but we are committed to do this—

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

#### WESTPORT POND

**Mr. Robert W. Runciman (Leeds–Grenville):** I have a question for the Minister of Natural Resources. I'm not sure you've ever visited the village of Westport, but the chap sitting in front of you has, on a number of occasions, and he can tell you about the Westport Pond. It's been designated as a sanctuary for approximately 50 years. Now, under this review of fishing regulations in Ontario undertaken by your ministry, you are indicating that you're going to remove the sanctuary designation. You've been contacted by the Westport and Rideau Lakes Chamber of Commerce, the village council and many others with respect to their concern. This is a major tourist attraction in this small, beautiful village. There's no cost associated with maintaining the sanctuary designation, which has been in place for half a century. Will you commit today to retaining that designation for the Westport Pond in that beautiful village?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** As the member knows, from time to time we revisit all our regulations in regard to the management of wildlife in Ontario. The member knows that right now we are revisiting our very complicated fishing regulations and reducing fishing zones from 37 across this province down to 20, at the same time basing those on ecological zones that are sensitive to weather, water temperature and fish species, so that we get a more accurate read and control of fishing, and doing that to enhance habitat. I think, in the end, when we get through this, we'll have better regulations, a better habitat for fish and a more flourishing fish life in this province.

**Mr. Runciman:** That kind of response is what disappoints people right across the province. I asked him a very specific question about the Westport Pond, and he got up and talked about nothing anywhere related to my question.

I'll go back to the minister. This is a significant concern in this small, beautiful community. This impacts across the whole Rideau Lakes area. I'm asking you, are you going to retain the sanctuary designation for Westport Pond? Also, in terms of regulations, will you commit to having a public meeting in the Rideau area before you finalize those regulations?

**Hon. Mr. Ramsay:** I would want to assure the member that no decision is final there. I obviously will take the member's advice on this. We have received some letters and phone calls on this particular issue. We obviously want to listen to that local input. I'm very pleased that the member has brought that up to me again today. I will work with the member and we will resolve this issue.

#### CANCER SCREENING

**Ms. Shelley Martel (Nickel Belt):** I have a question to the Minister of Health. On March 9, 2005, I wrote to encourage you to fund a province-wide screening program for colorectal cancer. In your reply of January 2006, you indicated you were waiting for a final report and recommendations from Cancer Care Ontario in this regard. Several weeks ago, Cancer Care Ontario released its 2005 progress report and in it recommended a population-based provincial colorectal screening program in Ontario. Minister, will you be funding this program?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I appreciate the question from the honourable member. I was very pleased to be there on the day when Cancer Care Ontario released its report, calling, as their number one priority, for the development of a colorectal screening program. It was the same day, coincidentally, that Cancer Care Ontario announced a 16% year-over-year reduction in wait times for radiation. So I think that does mark the terrific relationship we have with them in our desire to do a better job for people in Ontario.

No other province has so far implemented that. We think it's important that Ontario be a leader. We're working very hard with Cancer Care Ontario on what a program might look like. I'm not in a position today to make such an announcement, but I can assure the honourable member, as I did the media and others present that day, that we're working very hard and we do see it as an important priority, of course.

**Ms. Martel:** Minister, you know that support for the program is very high; it's very strong. In December 2002, the National Committee on Colorectal Cancer Screening recommended screening for adults age 50 to 74 every two years. The Canadian Cancer Society, Ontario division, said that colorectal cancer is the second leading cause of cancer in Ontario—over 3,000 Ontarians died of it in 2005—but it is 90% treatable if it's found early through screening. Cancer Care Ontario has submitted an application to your ministry which would involve a step-by-step implementation plan for a screening program, including wide mass media for both primary care physicians and adults.

Minister, during the 2003 election campaign your party promised a screening program for colorectal cancer. When can we expect you to deliver on this promise?

**Hon. Mr. Smitherman:** I want to say to the honourable member, and maybe just repeat a little bit of what I said in my first answer, that of course we're very committed to fulfilling that commitment because we support all of the messaging that was associated with the honourable member's question. We do recognize that we have the potential to save lives related to a colorectal screening program. We're working very closely with Cancer Care Ontario on what the details of such a program would look like, building on the information we've all gained as a result of the pilot.

Accordingly, like I said earlier, I'm not in a position today to make an announcement, but I would want to give indication to the honourable member, to all honourable members indeed, that we do see this as a priority. We're working very hard to the point where we can move forward and be able to offer those enhanced protections to all of our residents in Ontario.

#### SKILLED TRADES DEVELOPMENT

**Mr. Jeff Leal (Peterborough):** My question today is for the Minister of Training, Colleges and Universities. Recently, in the media there have been a number of articles discussing the impending shortage of skilled tradespeople in Canada and in Ontario.

Even today, my own hometown paper, the Peterborough Examiner, printed an article by a faculty member of Fleming college, highlighting the future need for workers who are training in the trades. It said that Skills Canada is identifying that "40% of new jobs in the next 20 years will be in skilled trades and technologies."

Our economy relies on skilled tradespeople such as plumbers, electricians, chefs and welders, who start out as apprentices in order for the province to compete in the global marketplace. Minister, what is your ministry doing to help encourage individuals pursue gold-collar trades in the trades?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I'd like to thank the member from Peterborough for the question and for his advocacy on this very important issue over the years. He has spoken to me about it a number of times.

There are several levels at which we're working. First of all, we need to excite young people about the opportunities that the trades present: a fabulous income, good benefits and job opportunities you can take anywhere in the world. We're working together with the Ministry of Education. They have the Learning to 18 initiative to excite young people about the opportunities, and specifically support it with the Ontario youth apprenticeship program, which gives high school students a taste of what the trade is like—this year alone, 20,000 opportunities for young people.

It doesn't end there. We have a scholarship and signing bonus for young people who have left school, decide

to come back, finish their high school and then get signed by an employer. It doesn't end there. We have some enhanced learning initiatives for young people who wish to go on and complete their high school so they can get into a trade. It's not commonly known, but you do need high school in order to complete a trade. And we have our apprenticeship action table—employers, business, educators—that ensures we will make a stronger system in the—

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

**Mr. Leal:** As larger numbers of workers reach retirement, it will be important for these new apprentices to receive their education, training and work experience to keep our skilled trades alive in the province. There are many fine community colleges across Ontario providing excellent apprenticeship training to individuals looking to become skilled trades workers. There's also a wide range of employers who help apprentices obtain the work experience and mentoring they need to excel in their chosen trade.

Minister, what is the government doing to assist colleges and employers develop and train our next generation of apprentices?

1520

**Hon. Mr. Bentley:** I just happened to be speaking yesterday to the president of one of those fine community colleges, Fleming college up in Peterborough, no less.

What are we doing? We're doing several things. First of all, we're supporting the infrastructure for trades training in the colleges with our apprenticeship enhancement fund, \$10 million this year, which we just announced. It doesn't end there.

After years of underfunding, we're improving the funding necessary to support apprenticeship and trades programs in colleges. Fleming College received \$2.9 million from the quality improvement fund this year alone. It doesn't end there.

In addition to that, Fleming also qualifies as a college in a predominantly rural area and they received, just recently, another \$2 million in additional funding. We also have co-op diploma apprenticeship programs—1,000 students across the province benefit from that—and we just recently announced 700 more spots for pre-apprenticeship program—

**The Speaker:** Thank you. New question.

#### PRIVATE TOLL BRIDGE

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a question for the Premier, to do with the border crossing at Fort Frances and International Falls, Minnesota. There's a private bridge there and it's currently owned by Boise Cascade and Abitibi Consolidated. They have put that bridge up for sale as they struggle under the economic reality of northern Ontario under the Dalton McGuinty government. My question is, will the province assist the municipalities financially in purchasing the bridge or, better still, will the province take over ownership of the

bridge, as this is a very important gateway to north-western Ontario with some 900,000 crossings annually?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Minister of Transportation.

**Hon. Harinder S. Takhar (Minister of Transportation):** We are very much aware of this issue. Actually, we met with the mayor of Fort Frances back in November, along with federal officials. I understand the bridge is now for sale. My officials talked to the mayor this afternoon. He has not made any formal request for assistance of any sort at this point of time, but I want to assure the member that we'll be more than pleased to work with the mayor and the local municipality, and even across the border, to sort out this issue.

**Mr. Miller:** I'm pleased to hear that the government is willing to work with the municipalities. As I say, it's a very important link in the northwest. The current situation with this bridge is that there's a toll going one way. There's a toll going into Canada, and it's a very expensive toll. In fact, the mayor of Fort Frances, Dan Onichuk describes the bridge as being one of the most expensive crossings in the country and states, in this recent article, "Cutting the fees could be a huge incentive for companies looking to relocate to the area."

My question is, will you not only assist, but will you ensure that the bridge, when it moves into public hands, will have no toll at that important crossing into Fort Frances?

**Hon. Mr. Takhar:** As I said, when we found out that the bridge might be put up for sale, we started having discussions with the local mayor and the federal officials. I just said that the mayor has not indicated what kind of assistance he needs. If he needs any assistance, we will be more than pleased to work with him.

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

**Mr. Howard Hampton (Kenora–Rainy River):** I have a question for the Minister of Transportation. I've been listening to your answers, Minister. The mayor of Fort Frances, though, tells a completely different version of the events. Just a couple of weeks ago, there was a meeting. The federal government of the United States was there, state of Minnesota representatives were there, people from the city of International Falls, Minnesota, were there, but no one from the McGuinty government was prepared to come to the meeting and talk about how this bridge, which is now privately owned and has exorbitant tolls, could become part of the public infrastructure. Minister, can you tell me how it is that the US federal government is there, the state of Minnesota is there, the city of International Falls is there and the town of Fort Frances is there, but the McGuinty government is nowhere to be found when it comes to this important piece of infrastructure?

**Hon. Mr. Takhar:** If I'm not wrong, this bridge has been private since 1979, and I'm sure the NDP government was in power after that. I just want to know, what did you do to bring this under public control?

Let me tell you what I did. As soon as we heard that this bridge was being put up for sale, we met with the mayor of Fort Frances. We met with federal officials. We called him today and said, "Do you need any kind of assistance? Can we be of any help?" At this point, he has not indicated that he needs any kind of assistance.

**Mr. Hampton:** The state of Minnesota wants to turn this into a public asset. The people in northwestern Ontario want to turn this into a public asset. It's important for the transportation of forest products. It's important for the 500,000 tourists who come from the United States into northwestern Ontario every year. What they can't figure out is why, when there was a meeting held to talk about how you turn a private bridge with exorbitant tolls into a piece of public transportation infrastructure, the McGuinty government wasn't interested enough to show up. Can we get a commitment today that the government of Ontario, the McGuinty government, will do everything that is necessary to ensure that this bridge becomes a public transportation asset and is not sold off to a company which is interested only in raising the tolls even higher?

**Hon. Mr. Takhar:** Let me say this: The leader of the third party started talking about this bridge when it was put up for sale the other day. We started meeting with the mayor back in November. Not only that, but we have asked him if he needed any assistance. I asked him again today. He said he has not formally asked for any assistance from the province. But let me assure you that we think this bridge is important, and we think if the municipality needs any assistance, we will work with them.

#### FREDERICK BANTING HOMESTEAD

**Mr. Phil McNeely (Ottawa–Orléans):** My question is for my neighbour, the member for Ottawa–Vanier, the Minister of Culture. In the wake of Heritage Week, during which we enjoyed celebrations of our heritage across the province, a matter concerning a property has come to my attention. In the riding of Simcoe–Grey it is being said that the Banting homestead, under the auspices of the Ontario Historical Society, is being neglected and that its roof has collapsed. It has also been said that the OHS and the town of New Tecumseth have not spoken for over a year. Minister, how can you claim to care for the province's heritage if an organization funded by your ministry leaves buildings and property under your care in disrepair?

**Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs):** I thank my colleague, the MPP for Ottawa–Orléans, for his long support of heritage property. I'm glad to have the opportunity to clarify some misunderstandings surrounding this case.

The Banting property was bequeathed to the Ontario Historical Society by the late Edward Knight Banting of Alliston. This is a property that is associated with the young Sir Frederick Banting, who, as you know, was the co-discoverer of insulin. In order to address the situation

involving this property, my ministry has asked the Provincial Development Facilitator to help develop an approach to preserve the Banting homestead. Negotiations between the town of New Tecumseth and the Ontario Historical Society Foundation are just beginning.

I'd like to remind this House that amendments made to the Ontario Heritage Act last year provide the town of Tecumseth with the tools to protect the Banting farm from alteration and even demolition. I wanted to say to this House that it was never the intention of the Ontario—

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

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon. Michael A. Brown):** Pursuant to standing order 37(a), the member for Renfrew–Nipissing–Pembroke has given notice of his dissatisfaction with the answer to his question given by the Minister of Energy concerning Portlands Energy Centre and conservation. This matter will be debated at 6 p.m.

#### PETITIONS

##### JUSTICE SYSTEM

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

“Whereas the Honourable Michael Bryant is minister responsible for democratic renewal;

“Whereas the Honourable Michael Bryant, Attorney General of Ontario, is elected to safeguard our justice system on behalf of the people of Ontario;

“Whereas the Ministry of our Attorney General may not be aware of the serious and important issues facing individuals involved in areas of the justice system even though the Attorney General’s ministry is continually monitoring;

“Therefore we, the undersigned, ask the Honourable Michael Bryant, Attorney General, for his in-depth investigation of the Ontario judicial system and [to] make the public aware of his findings immediately.”

I affix my name in full support.

1530

##### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Howard Hampton (Kenora–Rainy River):** I have a petition to the Legislative Assembly of Ontario, and it reads:

“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.”

This petition has been signed by several people from the town of Fort Frances, and I have affixed my signature as well.

##### REGULATED HEALTH PROFESSIONS

**Mr. Michael Gravelle (Thunder Bay–Superior North):** I have a petition to the Legislative Assembly of Ontario.

“We, the undersigned, are calling for the government of Ontario to modify an existing piece of legislation, the Regulated Health Professions Act, RHPA, which places restrictions on social workers’ and other disciplines’ use of the title ‘Dr.’ when providing or offering to provide health care to individuals in Ontario.

“This RHPA restriction allows use of the title ‘Dr.’ to the following five disciplines: chiropractors, dentists, optometrists, physicians and psychologists. This restriction is an anomaly and specific to Ontario. It violates the universally respected rights of universities to grant degrees with all the intended rights, privileges and obligations.

“Whereas we, the undersigned, support the review and amendment of the restriction of the title ‘Dr.’ under the Regulated Health Professions Act,

“Therefore we, the undersigned, petition the Parliament of Ontario to support this review as follows.”

This has been signed by hundreds of petitioners. It was sent to me by Dr. Julie Woit in Thunder Bay. I’m very pleased to sign in support of this petition.

##### WINDSOR CORRIDOR

**Mr. John O’Toole (Durham):** I have the pleasure to present, as the transportation critic, a petition to the Legislative Assembly of Ontario.

“Whereas we, the undersigned petitioners of Windsor and LaSalle, oppose changes to Huron Church, Talbot Road and Highway 3 because no short-term capacity will be added to the Windsor-Detroit gateway; and

“Whereas infrastructure changes along this corridor will only negatively impact residential neighbourhoods, tourism, retail and wholesale commerce, and therefore are unacceptable;

“Therefore we, the undersigned, call on the Legislative Assembly of Ontario” and the Ministry of Transportation “to recognize that this corridor is made up of an interconnected, continuous residential road that is

home to a number of successful businesses. We request that you act to protect Huron Church, Talbot Road and Highway 3.”

I’m pleased to support this, on behalf of the people of Windsor, in my duty as critic of the Ministry of Transportation.

#### REPETITIVE STRAIN INJURY

**Mr. Gilles Bisson (Timmins–James Bay):** I have a petition in regard to ergonomics regulations.

“Whereas repetitive strain injuries, back injuries and musculoskeletal injuries are of epidemic proportions and are on the rise at an alarming rate, affecting workers in all sectors; and

“Whereas the human cost and suffering to workers and loved ones is incalculable; and

“Whereas there have been many workplace ergonomic studies that have provided evidence that applied ergonomics and early intervention could prevent such injuries if regulations and standards for the workplace were established; and

“Whereas British Columbia and Saskatchewan have provincial ergonomic regulations;

“We, the undersigned, petition the Ministry of Labour, the provincial Legislative Assembly and Parliament as follows:

“That the Minister of Labour introduce ergonomics regulations similar to the British Columbia ergonomic regulation and draft code of practice, to protect the workers of this province and Canada.”

It’s signed by literally thousands of organized workers in Ontario.

#### CHILD CARE

**Mr. Khalil Ramal (London–Fanshawe):** “To the Legislative Assembly of Ontario:

“Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

“Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally inclusive and developmental;

“Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

“Whereas Ontario’s early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

“Whereas Ontario’s early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

“We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario’s early learning and child care agreement, for the sake of

the thousands of Ontario families who would benefit from it.”

I agree with this petition. I’m going to affix my signature to it and give it to page Anindita.

#### FREDERICK BANTING HOMESTEAD

**Mr. Jim Wilson (Simcoe–Grey):** “To the Legislative Assembly of Ontario:

“Whereas Sir Frederick Banting was the man who discovered insulin and was Canada’s first Nobel Prize recipient; and

“Whereas this great Canadian’s original homestead, located in the town of New Tecumseth, is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

“Whereas the town of New Tecumseth has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

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

“That the Minister of Culture endorse Simcoe–Grey MPP Jim Wilson’s private member’s bill entitled the Frederick Banting Homestead Preservation Act so that the homestead is kept in good repair and preserved for generations to come.”

#### REPETITIVE STRAIN INJURY

**Mr. Peter Kormos (Niagara Centre):** I have a petition with thousands upon thousands of signatures, stating:

“Whereas repetitive strain injuries, back injuries and musculoskeletal injuries are of epidemic proportions and are on the rise at an alarming rate affecting workers in all sectors; and

“Whereas the human cost and suffering to workers and loved ones is incalculable; and

“Whereas there have been many workplace ergonomic studies that have provided evidence that applied ergonomics and early intervention could prevent such injuries if regulations and standards for the workplace were established; and

“Whereas British Columbia and Saskatchewan have provincial ergonomic regulations;

“We, the undersigned, petition the Minister of Labour, the provincial Legislative Assembly and Parliament as follows:

“That the Minister of Labour introduce ergonomics regulations similar to the British Columbia ergonomic regulation and draft code of practice, to protect the workers of this province and Canada.”

#### CHILD CARE

**Mr. Jeff Leal (Peterborough):** I have a petition to the Legislative Assembly of Ontario.

“Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

“Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high quality, affordable, universally inclusive and developmental;

“Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

“Whereas Ontario’s early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

“Whereas Ontario’s early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

“We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario’s early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it.”

I’ll affix my signature to this petition.

1540

#### FISH STOCKING PROGRAM

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

“Whereas the Ministry of Natural Resources’ provincial fish hatchery program annually stocks over 10 million fish into over 1,200 water bodies within the province of Ontario; and

“Whereas provincial fish hatcheries contain unique genetic strains of indigenous fish species; and

“Whereas recreational fishing is a multi-billion dollar industry and a huge contributor to tourism and the economy throughout the province of Ontario; and

“Whereas the world-class Great Lakes salmon fishery, as well as many local fisheries throughout the province, are dependent on the Ministry of Natural Resources’ fish stocking program;

“Therefore be it resolved that we, the undersigned, respectfully petition the government of Ontario and the Minister of Natural Resources to refrain from any cutbacks or cancellations to this provincially significant program.”

I affix my name in full support.

#### LOCAL HEALTH INTEGRATION NETWORKS

**Ms. Shelley Martel (Nickel Belt):** I have a petition that has been sent to me by Avery Thurman, who lives in Oshawa, Ontario. It reads as follows:

“We, the undersigned, are concerned about Bill 36 and want changes before third reading of the bill takes place and it becomes law. Our concerns include:

“There is no protection against OHIP services being cut;

“Canada Health principles of comprehensiveness, universality, accessibility, portability and public administration are not included;

“This is not really local, as Durham region LHIN will be called the Central East LHIN, which will extend from Scarborough to Peterborough to Haliburton;

“Since services will be on a bidding process, like home care, it could be possible that the services we value in the Durham region, like hip and knee replacements, will be transferred out of the Durham region, making it more difficult for patients and their families if other area bids are lower;

“The potential for upheaval this bill will cause for health care workers may discourage people from entering the field in Ontario, thus further causing shortages, and there is already a shortage of nurses and other health care workers.”

I agree with the petitioners. I have affixed my signature to this.

#### CHILD CARE

**Mr. Kuldeep Kular (Bramalea–Gore–Malton–Springdale):** This petition is to the Legislative Assembly of Ontario.

“Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

“Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally inclusive and developmental;

“Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

“Whereas Ontario’s early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

“Whereas Ontario’s early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

“We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario’s early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it.”

I support this petition and affix my signature to it.

#### PROPERTY RIGHTS

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** This petition is titled “Support the Land Rights and

Responsibilities Act,” with signatures from the Oxford-Norfolk-Elgin landowners’ association, farmers from Langton, Courtland and Staffordville:

“To the Parliament of Ontario:

“Whereas the Canadian Charter of Rights and Freedoms is silent on property rights; and

“Whereas the Alberta Bill of Rights specifically protects the right to the enjoyment of property; and

“Whereas the Quebec Charter of Human Rights and Freedoms provides that ‘Every person has a right to the peaceful enjoyment and free disposition of his property, except to the extent provided by law’; and

“Whereas Ontario no longer has property or land rights;

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

“To pass Bill 57, the Land Rights and Responsibilities Act, 2006.”

I also add my signature to this petition.

#### LOCAL HEALTH INTEGRATION NETWORKS

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I have a petition that I have received from residents of Scarborough Southwest. It’s regarding Bill 36 and is addressed to the Legislative Assembly of Ontario. It’s a quite lengthy petition regarding the public consultation process regarding Bill 36, and I’d like to table it with the Clerk today.

#### CANCER TREATMENT

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** I have a petition that’s been sent to me, having to do with the Velcade issue. It reads as follows:

“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 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.”

#### ORDERS OF THE DAY

##### CHILD AND FAMILY SERVICES STATUTE LAW AMENDMENT ACT, 2006

##### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI CONCERNE LES SERVICES À L’ENFANCE ET À LA FAMILLE

Mrs. Chambers moved third reading of the following bill:

Bill 210, An Act to amend the Child and Family Services Act and make complementary amendments to other Acts / Projet de loi 210, Loi modifiant la Loi sur les services à l’enfance et à la famille et apportant des modifications complémentaires à d’autres lois.

**The Acting Speaker (Mr. Ted Arnott):** I recognize the minister for her leadoff remarks.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I’m pleased to rise today to talk about Bill 210, the government’s child protection legislation, which is before this House for third reading. The fundamental goal of this legislation is to build a child protection system that is better for children, a system that puts the interests of the children first in every instance, a system that is accountable to the community it serves. The very thoughtful and well-considered amendments that have been made as the bill has moved through first and second readings and through committee hearings will provide stronger protection for children and greater accountability to the children, their families and the broader community.

I want to take a moment to thank my colleagues in this House and those individuals who came to us through public hearings and committee meetings to make improvements to this bill. Thirty-five amendments have been made to Bill 210 since second reading, five of which came from the NDP. These improvements have made this bill even stronger and will help to make Ontario’s child protection system much more accountable. If passed, these changes will provide more hope, support and stability to vulnerable children in Ontario. It will do this by making children’s aid societies more accountable to the children and families they serve and more accountable to their communities through a stronger complaints and appeals process. It will do this by helping more children who are crown wards find a loving, adoptive family by making adoption more flexible for children and less complicated for prospective parents. It will do this by providing more options so more children who need protection, even those who are not adopted, can grow up in a safe, caring, permanent home. And it will do this by helping to resolve cases outside the courtroom more quickly, through collaborative solutions such as mediation.

The children and youth who come into the care of children’s aid societies come from incredibly challenging circumstances. We need to know that children in need of protection are indeed better off because a children’s aid



society was there to help. It is our collective responsibility, and it is a responsibility that this government believes is of the utmost importance. That's why we're strengthening the system so that our children's aid societies are more accountable to the children and families they serve.

Currently, there is no province-wide standard as to how complaints against children's aid societies are handled. We are proposing a consistent process for the review of children's aid society decisions that would include strict timelines. Timelines are crucial, because when we're looking at who will care for a child or where that child will live, we must act with careful consideration as well as speed and efficiency.

**1550**

Since this bill has been before the House, we have heard a number of proposals for a new approach to handling complaints about children's aid societies. We have taken all those proposals into consideration, and from those proposals we're putting forward what we believe is a complaints system that will be effective, unbiased, expeditious and binding. The complaints processes that exist now do not sufficiently meet those criteria. We need a process that responds to the urgent and sensitive nature of child protection. We need a process that is timely and results in binding decisions.

We are proposing the involvement of a neutral third party to help resolve complaints, the Child and Family Services Review Board. If passed, this option will give families, be they birth parents, adoptive parents or other caregivers in the community, an unbiased, impartial place to turn to if they feel their complaints are not being dealt with fairly. The Child and Family Services Review Board is that place.

The Ombudsman will play a key role in this new process, because in Ontario the Ombudsman has jurisdiction over the Child and Family Services Review Board. This means that the oversight of the office of the Ombudsman is one of the critical checks and balances that will, if this legislation is passed, be in place.

Let me say also that we want children and families to benefit fully from these more stringent accountability measures. Our proposal also includes a plan to let families know how they can access the complaints process if their concerns are not being met. This new, stronger complaints process would be in addition to regulations we have in place to keep children's aid societies accountable to the children and families they serve and to the broader public.

The family courts, the auditor, the police and the coroner also have important roles to play. In fact, my ministry has been working with the coroner to further strengthen the child death review process and to hold children's aid societies accountable for implementing recommendations that result from these reviews.

I believe that with scrutiny comes strength, and I believe we're building that strength into this bill. From families to children's aid societies to the courts and community watchdogs, I know we share the same goal: a

child protection system that works exceedingly well for children.

It is a goal that we share with Ontario's aboriginal community. Since this legislation was introduced, I have dedicated a lot of time to meeting with and listening to representatives of Ontario's aboriginal community. My ministry staff have also participated in those and several other meetings. They also joined aboriginal community leaders as part of a four-day meeting in Sault Ste. Marie. Together they produced tangible solutions to address the aboriginal community's concerns with the original legislation.

I mention the aboriginal community specifically because aboriginal children and youth are disproportionately represented in our child protection system. I'm determined to do whatever I can to address the needs of this community. I have had several meetings with aboriginal chiefs, leaders and service providers. We have discussed on-reserve and off-reserve challenges and solutions. I asked them to work with my ministry to make Bill 210 better for aboriginal children and youth. Twenty amendments have been made to this bill as a result of these discussions.

Under the current system, aboriginal children who come into the care of a children's aid society are often placed in non-aboriginal foster care. This bill places a strong emphasis on placing children with extended family and community. For aboriginal children, this may occur through customary care, so that aboriginal children and youth can stay in their communities and maintain important cultural and family ties.

This is a stronger bill because of the commitment and the diligent work that our aboriginal partners have put into it. But while much progress has been made, our discussions with the aboriginal community will not end with the passage of Bill 210. We will continue to work together to address the needs of their community.

The substantial amendments that have been made to this legislation strengthen the bill. That has always represented an important step forward for our child protection system. Bill 210 is about helping vulnerable children grow up in homes that are safe and secure, homes that help these children succeed in school, homes that give them the tools they need to succeed in life.

There is no question that this is a challenging task. Currently, Ontario's children's aid societies receive almost 160,000 calls each year reporting child abuse and neglect. In many of these situations, child protection staff can support parents so they're better able to care for their children. However, there are still about 9,000 children in the permanent care of Ontario's children's aid societies. These children are known as crown wards. They live in foster homes or in group homes. On average, they change homes every 22 months, and they change schools. They need to make new friends in their new neighbourhoods, and a new foster family or group home may mean new rules and new expectations. That kind of instability can affect every aspect of a child's life.

Of the 9,000 children who are crown wards, we're seeing just over 900 adoptions a year, or about 10%. I

think we can do better than that. I know we must do better than that. We need to help more children find a permanent, caring home by making adoption more flexible for individual children and parents.

Our government's reforms would allow a child to maintain ties to his or her birth family after being adopted. Right now, 75% of children in permanent care cannot be adopted because their birth family has a court-ordered right to contact them. When judges make an order that a child become a ward of the crown, they may be hesitant to seal off all contact with the family except in those cases where there is an issue of safety. So the birth family might have the opportunity to visit the child, say, twice a year. That often makes sense so that the child doesn't completely lose touch with their birth family, but it should not automatically make the child ineligible to become a member of a permanent family. These proposed changes would mean that, where appropriate, a child could keep those important ties to their family, community and culture and still be adopted or placed in a permanent home.

We know that adoption will help a number of children find a secure, stable family, but we also know it is not the answer for every child. The proposed changes would give children's aid societies more flexibility to meet the unique needs of each child. For some children, it would mean being placed with extended family, people they already know and trust. Under the current system, most children who are removed from their homes are placed in foster care or in a group home. This would result in less disruption for a child who has already been through too much.

The safety and well-being of all children who come in contact with the child protection system continues to be our top priority. Let me be clear: Before placing a child in any home, the process must always start with a rigorous safety and risk assessment. The completion of an appropriate assessment, including background checks on all adults who live in the home, is a critical safeguard for all placements. Some believe that the ability of a children's aid society to place a child with an extended family member might make the society's job easier. This is not necessarily the case. In fact, the need for stringent safeguards is just as important in such circumstances. That is why children's aid societies must conduct a mandatory background check and home assessment before placing a child, including placement with extended family members.

We know that not all children have a family member who is an appropriate caregiver. In such cases, there may be other adults willing and able to provide a loving, stable home. It could be the child's long-time foster parent or another important person in that child's life. If passed, this bill will provide greater opportunity for these children to grow up in a permanent, loving home.

The proposed changes I have mentioned are part of our government's plan to help more children and youth in the care of children's aid societies thrive in a safe, stable and supportive home.

We're also removing some of the barriers that often discourage people from adopting children in Ontario. Parents who have tried to adopt a child from a children's aid society will tell you that it's a cumbersome, inconsistent process. We're improving the application process so there is a standard, consistent application for both public and private adoptions. This will make the process simpler for those parents who are looking to adopt a child in Ontario, either through a children's aid society or through a private adoption agency.

**1600**

We're working with the Adoption Council of Ontario and with our children's aid societies to provide a province-wide, web-based system that will bring together children who are available for adoption with families who want to adopt.

To provide appropriate protection and supports for our children, there will be post-adoption support so that families who adopt a child from a children's aid society aren't left on their own if they are in need of support.

We know that we can improve children's prospects for a productive, healthy and overall successful adulthood by helping to provide them with a loving, stable home in their childhood.

In order for these changes to be effective, we need to also make some changes to the way our 53 children's aid societies work. We have introduced a new funding model that places a greater emphasis on the specific results we want to see for children, like more adoptions and the use of other forms of dispute resolution. We want children's aid societies to better match their level of response to the individual needs of the child. We want children's aid societies to support and strengthen families as they face challenges so that they can take better care of their kids themselves.

If passed, Bill 210 should result in the use of more collaborative solutions to resolve child protection matters rather than resorting to lengthy court proceedings. A number of provinces and states already look beyond the courtroom to settle some child protection disputes. They use mediation, family conferences and talking circles. Evaluations consistently show positive results, including more timely resolutions, higher rates of settlements, more satisfied families and better communication between the parties involved. This is consistent with our goal of a system that works better for children.

It is with that in mind that we are working with our children's aid societies to develop a comprehensive information system. Many children's aid societies regularly share information, but currently there is not a consistent, uniform practice for sharing what can be critical information. We are working closely with the Ontario Association of Children's Aid Societies and the Ministry of Finance to make that province-wide system a reality.

To conclude, as I said earlier, the legislative changes we are proposing are part of a broad reform of Ontario's child protection system. The bill before the House today, together with the regulations that will follow and the policy changes that have already been implemented, is

designed to make the child protection system work better for Ontario's vulnerable children and youth.

If passed, Ontarians will see children's aid societies that are more accountable to the children and families they serve, with a stronger, more accessible and more responsive complaints process; more children who are crown wards being adopted into loving families, with rules that make adoption more flexible for children and less complicated for prospective parents; more children growing up in safe, caring, permanent homes and familiar supportive communities rather than moving from one place to another, again and again; and more child protection cases being resolved outside the courtroom through collaborative solutions such as mediation.

I ask my colleagues in this House to join me in supporting this bill so that we can improve the lives of Ontario's most vulnerable children and youth.

**The Acting Speaker:** Questions and comments?

**Mr. Norm Miller (Parry Sound–Muskoka):** I'm pleased to respond to the comments from the Minister of Children and Youth Services. I'd like to ask the minister how her dumpling making went this morning, because I happened to be watching Breakfast Television first thing morning—although it was pancake day, so I'm not quite sure why you were making dumplings.

**Hon. Mrs. Chambers:** It's a multicultural pancake.

**Mr. Miller:** Multicultural pancakes, okay.

I'm very pleased to comment on Bill 210, the Child and Family Services Statute Law Amendment Act. The minister, at the beginning of her speech, said that they're putting children first, and certainly no one would argue with that goal. How you do this and how you arrive at that goal might be debated, but the goal certainly would not be.

I'm pleased that the government has pledged to work with First Nations, with the aboriginal community. I note that John Beaucage, the Anishinabek grand council chief, who is from Parry Sound–Muskoka, from the Wasauksing First Nation, was one of the presenters at committee. I know there were many aboriginal groups that made presentations, so I hope the government continues to work with those First Nations in the implementation of this bill.

I also note that our critic, Julia Munro, has worked tirelessly on this file many days at committee. We'll be hearing from her shortly when she has her hour-long presentation, the leadoff on third reading.

I was disappointed that the government did not respond or did not listen to the Ontario Ombudsman, André Marin, who was quite critical of this bill; he asked for oversight of the children's aid society. I note from my own personal experience at the constituency level that it can be very frustrating trying to assist constituents who are having problems with the CAS, and it seemed like a reasonable request that the Ombudsman might play a role in overseeing and dealing with problems with the children's aid society.

**Ms. Shelley Martel (Nickel Belt):** I spoke on this bill in second reading, and I'm pleased to join in the debate

this afternoon just to focus on some concerns that I don't think were appropriately dealt with during the course of the public hearings.

Let me deal with First Nations first. If you look at the list of both people who made actual presentations before the committee and groups and organizations that provided written submissions, there were many, many individual First Nation communities and also political organizations that appeared or made written submissions because they were not adequately or appropriately consulted about the development of this bill. That also happened with respect to Bill 36, the LHIN legislation, and we heard very clearly from First Nations during the course of that process as well.

I gather that some of the recommendations that came forward during the course of the public hearings were adopted by the government. Others were put forward by our critic, Ms. Horwath. But the fact remains that for a government that claims they've got a new relationship with aboriginal people, that new relationship sure has gotten off to a very rocky start. We heard criticisms from political organizations and individual First Nations on both this bill and Bill 36, and the government would be very wise, if they are going to give any meaning at all to their statement about having a new political relationship, to actually start to involve and consult and have input from First Nations before introducing legislation.

Secondly, I'm very concerned that the government didn't accept the amendment to have the Ombudsman have oversight with respect to children's aid societies. I think that's a very appropriate role and responsibility for the Ombudsman of Ontario to have and I regret that the government would not accept that amendment as put forward by us.

I just want to say that I'm very concerned about financial resources. I know they don't appear in the bill, but I can tell you that our own children's aid society has enough of a time and dedication of human and financial resources just dealing with protection issues. If we are going to have adoptions work in the province of Ontario, there's going to have to be a significant investment on the adoption side in many of these agencies, because they just don't have the funds right now to make that happen. I'll be interested to see what kind of funding is going to be provided.

**The Acting Speaker:** Thank you. Questions and comments?

**Mr. Khalil Ramal (London–Fanshawe):** Thank you for giving me this opportunity to stand up and speak in support of Bill 210. I had a chance to serve on the social policy committee and I listened to many people from across the province of Ontario submit their presentations and talk about this bill.

I want to congratulate the minister for bringing this beautiful and incredible transformation of child care services in this province, because, as you know, our children are our future. If we don't look after them at the present time, we're not going to have a bright and strong future.

This bill will make adoption very flexible, to find a home for those children who are looking for peace and

tranquillity and finding a family that can look after them and help them to grow and become stronger and become the future of this province.

**1610**

I think this bill is very important, and makes it easier to include the grandparents and family members to be a part of the adoption system in this province.

I had the chance to have lunch today with a friend of mine who has been trying for a long time to adopt her nephew. But due to the old bill, the issue is very complicated. It's not easy. It's very complex. That's why this bill will make all the adoption system easier, especially for a member of the family to be taking charge of loved ones in their family.

Also, we listened to many aboriginal people from across the province, and I met with them in my office. I think the ministry and the minister met with them on a regular basis and also looked after their needs. Hopefully, this bill will look after the needs of everyone in Ontario, whether aboriginal or a person who lives in the north or the west or the east or Toronto. This bill is very important, not just for one particular group but for every child in this province. It's about time. I want to congratulate the minister again for her hard work in bringing this bill forward.

**Mr. Robert W. Runciman (Leeds–Grenville):** Mr. Speaker, I appreciate the opportunity to participate. I concur with my friend from—what's the riding, Norm?

**Mr. Miller:** Parry Sound–Muskoka.

**Mr. Runciman:** —Parry Sound–Muskoka, a very knowledgeable member who participates in virtually every matter of business before the Legislature. We compliment him on that.

Referencing some of the discussion that has occurred related to this issue and the legislation itself, but the issue generally with respect to adoption, I know that my colleague Mr. Jackson from Burlington, who has been a strong advocate in terms of protection of children in this province, has raised a number of issues surrounding the legislation, a number of issues and questions surrounding the intent here. I know that he has raised the issue of the legislation being essentially a cost-containment strategy and not a child welfare outcomes issue.

I think there is an indication that when it comes to a vote the Progressive Conservative opposition will be supporting the bill, but I think we have a significant number of concerns that the critic will be putting on the record, which hopefully the minister and her colleagues will pay heed to and at some point perhaps consider changes. Our member Ms. Munro has talked about a sunset review, which I'm not sure has been accepted by the government. It's difficult to comprehend the rationale behind a refusal to accept that kind of comprehensive review and indeed to see just what impact this legislation is having.

**The Acting Speaker:** That concludes the time available for questions and comments. I'll return to the Minister of Children and Youth Services. You have two minutes to reply.

**Hon. Mrs. Chambers:** I'm pleased to comment on what has been said by my four colleagues here in the House. I certainly appreciate and want to emphasize the importance of their contributions.

On the matter of financial resources for children's aid societies, I guess I'm not really all that good at marketing what we do. So I should say at this point that while children's aid societies have basically experienced something in the order of about a 200% increase over the last eight years, we recognize that they do require more financial resources. To that extent, we did commit an additional \$34.7 million to them a few months ago, which they appreciated. We recognize that even as we reform the system we need to provide financial support to stabilize the system.

On the subject of the aboriginal community, there is no question that we take the needs of our aboriginal families, aboriginal leaders, people on the ground, off reserve and on reserve, very seriously. I think if you were to ask them about my commitment, they would have to share with you very positively my firm commitment to addressing their needs.

In terms of the Ombudsman, when Bill 210 came forward for second reading, the Ombudsman did not have a role. The Ombudsman will have a role with the proposed amendments that have come forward, and it's a very important role.

I also want to recognize that the amendment that was brought forward by Ms. Munro for a sunset was a very valid and thoughtful amendment, and this bill will be—

**The Acting Speaker:** Thank you very much. Further debate.

**Mrs. Julia Munro (York North):** I'm pleased to be able to join the third reading debate on Bill 210, the Child and Family Services Statute Law Amendment Act. I think everyone agrees that protecting our children is the number one priority for any government or party.

We read in the papers and see on television so many cases of children abused or neglected. The children's aid societies and other child welfare agencies need all the support, funding and powers necessary to protect children. In a public survey, the Ontario Association of Children's Aid Societies found that while 85% of the public would report child abuse, only 46% would report suspected child abuse. Ontarians need to know that they have an ethical duty and, in many cases, a legal obligation to report suspected child abuse. Child protection is not just a job for social workers or police; it is a duty for everyone, every individual. We all know of horrendous cases of abuse that have taken place in our province. Though I know that no system of protection is foolproof, we must learn from the mistakes made in individual cases to make sure it never happens again.

The standard refrain we hear when talking about child protection is "the best interests of the child." We all know that this includes protecting children from emotional, sexual or physical abuse. In 2000 we expanded the legislation to include neglect. We must also ensure that, in any legislation, we protect a child's need for stability

and certainty. The right of any child to a share of happiness and safety is paramount.

I want to take a moment to look at the aims that these reforms would have. They fall into three key areas. The first one is permanency planning for children, which simply means that the sooner a child can benefit from a permanent, stable family life and relationship, obviously the better. The second is the question of openness in adoption. The third is alternative dispute resolution, which I'll refer to later.

The aim of these reforms is, again, to expand the range of permanent, family-based care options for children in Ontario. It's also to enable more children to move on to adoption, and to reduce the court delay and divert cases where appropriate. One of the things we're all very much aware of is the kind of lengthy time that is taken up with the court process, and, obviously, looking at specific parts of this legislation designed to reduce that court delay.

The proposed changes would mean that a child could maintain ties to his or her family, community and culture and still be adopted or placed in a permanent home. The new funding framework is intended to place a greater emphasis on specific results for individual children and allow children's aid societies more options when they respond to new cases, matching their level of response to the need of the child. The legislation also proposes more extensive use of mediation instead of courts in child protection matters.

#### 1620

Every one of these aims is one that I think everyone in this House could and should support. The only questions we need to ask ourselves are, does the bill meet the test of effectiveness, and will it fulfill the aims that the government intends to meet?

I'd like to take a moment just to look back over the last 10 years, certainly in the time that I've served in this House, to give some background about the child welfare system. Between 1991 and 1996, six inquests studied the deaths of 10 children. The inquests highlighted for the government that improvements to the child protection system were desperately needed. In 1997, the Ontario Child Mortality Task Force also made detailed suggestions concerning the tools and resources available to front-line workers, their training and the legislative base for child protection.

Following this, our government appointed an expert panel headed by Judge Mary Jane Hatton. The panel told us there should be a better balance in the legislation between the interests of families and children. The panel recommended we make it clear that the paramount purpose of the act is to promote the best interests, protection and well-being of children.

The former PC government considered their input and their recommendations very carefully and developed legislation to better protect children. These amendments addressed those changes most urgently needed to ensure the safety of children. Introduced in 1999, our significant changes to the Child and Family Services Act were

proclaimed on March 31, 2000. Our changes made it clear that the paramount purpose of the Child and Family Services Act was to promote the best interests, protection and well-being of children. Our changes expanded the reasons for finding a child in need of protection. For instance, the word "neglect" was specifically included and the threshold for risk of physical and emotional harm to children was lowered. This has encouraged earlier action to protect children at risk.

These changes also allowed evidence of a parent's past conduct towards children to be used in child protection court proceedings. Our changes clarified the duty of professionals and the public to report that a child is or may be in need of protection, to encourage more reporting of suspected abuse and neglect. Our changes made it easier for children's aid societies to get the information they need to protect children. Our changes promoted earlier and more decisive planning for children's futures so that permanent arrangements for children could be achieved as soon as possible. They also ensured that access by relatives or other individuals to children who have been made crown wards is granted only if it is beneficial to the child. We also provided for a mandatory review of the Child and Family Services Act at least every five years.

Our government also committed the funds necessary to better protect children. Changing the law is not enough; we must always ensure that the funds and staff are available to protect children. Between 1995 and 2003, we increased funding to children's aid societies to over \$1 billion, an increase of 185% since 1995. Between 1995 and 2003, we hired 1,800 more child protection workers, almost a 69% increase. As of December 31, 2002, approximately 7,700 children's aid society staff had been trained under the Ontario child protection training program. I'm very proud of the changes and improvements that our government made. We made a difference when it came to protecting our children.

Our legal and funding changes received widespread support among child welfare experts and the media. Mary McConville, executive director of the Ontario Association of Children's Aid Societies, said, about our legislative changes, "These amendments represent a profound change in child protection legislation, and they are strongly supported by every children's aid society we represent."

Dr. James Cairns, deputy chief coroner, said, "With these changes, Ontario will take a huge step forward in its fight against child abuse and neglect."

A February 16, 2001, thumbs-up editorial in the London Free Press lauded the PC government's reforms: "Queen's Park's overhaul of child protection laws and its commitment of money to keep kids out of harm's way is winning kudos in surprising areas, such as social services circles: The greater emphasis on protecting children in risky arrangements has meant rising caseloads for children's aid societies. The money is following up—spending in this area has jumped by over 100% over the last five years."

Bob Penney, the executive director of the Kawartha-Haliburton Children's Aid Society, said, in the *Lindsay Daily Post* on February 16, 2001, "The province made a commitment to the child welfare system, and I have to give them credit in responding to it. The government's response to child welfare has been incredible. This government has done more than any other government."

This view of our PC government changes has been sustained over the last five years. A report published by the Ontario Association of Children's Aid Societies just this year strongly supported the 2000 changes: "Amendments to the Child and Family Services Act in March 2000 represented a significant contribution to the enhanced protection of children. The legislative amendments, in combination with the implementation of the Ontario risk assessment model, initiated changes that were broadly welcomed by the child welfare sector. The new provisions lowered the threshold of intervention in terms of neglect and sought to ensure earlier resolutions, particularly for younger children."

I think it's important to do that bit of history, because certainly there is some concern over the kinds of promises that this government has made with regard to children's issues. The one that comes to mind is the campaign promise of the Premier in offering full treatment for autistic children, and of course this promise was broken. Dalton McGuinty promised full autism treatment. He promised "the support and treatment they need. That includes children over the age of six." In March of last year, the promise was broken by the children's minister of the day. Now the courts have ruled against the McGuinty government for violating the Education Act by not providing autism treatment beyond age six. Ending the clawback of the child tax credit was another McGuinty promise, and this was broken.

I point out these Liberal broken promises as a warning to members of the House, to child welfare agencies and to children in need. They need to know that the Liberals have not always lived up to the promises they've made in this category, and under the McGuinty Liberals, children's aid societies face combined deficits of about \$70 million, with no plan by the government to deal with this issue.

#### 1630

I'd like to turn now to some of the key elements and provisions of this bill, and in particular to offer some of the words of the presenters to the committee, what they had to say about some of these issues. I'm going to deal with the issue around places of safety, the issue around kinship and community care, the alternative dispute resolution mechanism, native issues, the appeal process, openness agreements and adoption itself.

First, then, a presentation that was provided to us by the Ontario Association of Residences Treating Youth. This presentation, I think, outlines very clearly the high standards that are needed to define a place of safety for children or youth coming into care. I quote:

"Being on the front lines, our members understand that situations often arise which require the immediate

placement of a child in a 'place of safety.' We have always worked hand in hand with the local children's aid societies to find safe homes for children in need of protection on an urgent basis.

"The act, which will now explicitly contemplate using a relative, extended family or 'local community' on a more regular basis, brings with it different challenges than using, for example, a foster home which has already passed the reviews for being a safe place for the child to be."

Mr. Moore goes on: "This could now mean that for many children, they will not necessarily be in the direct care of a CAS, but will be placed in an alternative place of safety with a relative, neighbour etc.

"The proposed changes to the act mention the use of 'prescribed procedures' in determining a place of safety. In our view, a place of safety must be determined with care and scrutiny.

"Our experience leads us to recommend that at a minimum, this should be the same as the requirements for a foster home. However, based on our conversations with the ministry, we understand the practical application of this section of the act and accompanying regulations is to enable it to be used quickly, in situations where immediate intervention is required, the child is required to be removed from an unsafe situation, and to provide a place of safety in the period prior to the first court hearing.

"It is critical to recognize that CASs already have access to numerous existing and approved places of safety provided by existing licensed foster care and group home beds. Foster care and group home agencies have always and will continue to have short-term emergency placements that meet CAS needs—we partner with them regularly to meet those emergency needs, and we provide a high standard of care in safe environments.

"The government's policy goal of 'kinship' care is leading down a road for this type of care to be used on a much broader basis than in the past. It may appear on the surface to be cheaper to follow this path, but the reality is that many of the children taken into protection have problems that need a higher level of care and treatment and require a more sophisticated form of foster care or group treatment. The ultimate goal must be giving these children and youth the best chance at being productive members of our society.

"While using relatives or a 'community' is a laudable goal, in many cases the solution is much more complex than simply placing a child with a relative for care. The expansion in the use of kinship care may be used for a short period of time, or may become the longer-term home of the child. We understand the proposed regulations will be used to develop a standard of care for ensuring the child is going to a place of safety in the interim period if, for example, the place of safety is one which has not been used in the past.

"It is important for the committee to recognize the balance required in weighing the child's safety and security against the perceived benefits of kinship care. There-

fore, a realistic assessment of the guardian's ability to keep the child safe and meet their treatment needs is required along with a realistic appraisal of the child's treatment needs, a plan to access appropriate services and the resources available to do so."

Mr. Moore continues, "The committee and the ministry should also consider a further definition of what and who 'community' means. We ask that the committee and the ministry ensure that this proposed change does not become a measure of convenient, less regulated placements that save dollars at the expense of the children in need of comprehensive care.

"In addition, ongoing children's aid society involvement and the legislated requirement of the ministry to monitor compliance of these places of safety is critical to protecting these children. The ministry must review all children's aid society placements, especially for those children who do not end up coming into care.

"All of us who participate in the child welfare system strive to achieve the same goals: a fair and just balance between the provision of high-quality care and treatment to the children and youth who need it and the need to contain escalating costs. There are many paths we can follow to arrive at our objectives, but we must ensure that none of these avenues leads to an imbalance favouring cost reductions over the needs of children and youth.

"The children's aid societies, as well as some other community agencies, are responsible for determining where a child is placed. One factor in doing this is the cost of the service the child needs. The budgets that children's aid societies and other placing agencies have to manage can constrain their decisions. While perhaps not a direct intention, this can compromise what the child needs and receives in treatment. For example, the child ends up being placed in a regular foster home when the professionals who have evaluated the child recommend placement in a treatment foster care program or for treatment in a residential group home. In this regard, particularly in light of the proposed expansion of the definition of 'places of safety,' it is critical to have a system for monitoring outcomes and the ability to review the appropriateness of where the child is being placed in order to meet their treatment goals."

**1640**

I think this submission certainly sums up the position that we recognize as being paramount, that while there are arguments we would agree with in terms of children being in a home where there is a relationship, the question, then, of whether it's the best home in terms of long-term or in terms of treatment is obviously a very significant one.

Kinship and community care is, again, very evident in this bill and I think a positive goal. We know that in many cases, if a father or a mother is unable to care for a child, the fact that the child could then go to a grandparent or an aunt or a cousin may certainly be best for the child. If we have a parent who has a drug addiction, giving custody to a family member may allow that child to experience the least possible upheaval. We must also

recognize that extended families already play a great part in raising a child, and it only makes sense, where appropriate, that we turn to them first in case of need.

Nevertheless, kinship care from a loving grandparent or relative can provide a healthy and familiar environment for a child. Reliance on the courts may also be reduced if we're looking at a system where the child is going to be put within the family circle. I think we all recognize the role of extended families, which play a part in the raising of every child, and so it seems to me that it only makes sense that we turn to them first in the case of need. But obviously the question of kinship care must be guarded very carefully because many abusive and neglectful parents in fact come from families in which these traits have been carried from one generation to another.

What we need to hear about and be comforted by, then, are the kinds of safeguards that would ensure that those kinds of processes will take place. I think an important contribution in the consultation process includes the words of Carolyn Buck of the Children's Aid Society of Toronto. She makes reference to the experience that the Toronto children's aid has had on kinship. She says:

"Our own kinship program, implemented in 2004, has taught us the precious value of extended families and how supportive and engaged they can become in the lives of their relative children and youth. We have placed about 100 children who have been in our care through our kinship program and believe they have enjoyed greater security, greater stability and predictability than they may have experienced in a foster care system."

Kristina Reitmeier of the Ontario Association of Children's Aid Societies told us an important fact in her submission:

"Currently, the only mechanisms available for placing a child with extended family are, first, to make the child a CAS ward and the family or community member a provisional foster home. This option has the attendant intrusion by the worker and the lack of autonomy by the family, as there are regulations for foster homes, and workers need to visit and to document things frequently. A second option is to place the child with family under a supervision order, but this can be for a maximum period of 12 months at a time, requiring returning to court prior to expiry for a status review. The third available option currently requires that the family members bring a second, separate court application for custody against the parent under a different statute."

I think you can see from this that there are some initiatives that speak to the benefits of the way in which this bill moves this issue forward, but obviously, as well, some considerations that the government must consider.

The next part of the bill that I'd like to refer to is again one on which a great deal of discussion has developed—much of the process of this will be done in regulation—and that, of course, is the alternative dispute resolution. I think it's probably—I don't know whether the minister would agree—one of the signature pieces of this legis-

lation. It certainly comes as a response to the many, many people, certainly whom I have met and talked to, who have experienced such frustration with the court process, and was certainly identified by those in the field in terms of being a very costly part of the whole children's aid services.

Alternative dispute resolution is used for areas as diverse as disputes between the forest industry and resource-based tourism, for the WSIB, and of course such issues as divorce. We all know that court time is very expensive for all parties concerned, and so we have to be assured that dispute resolution is in fact going to mean that it is more efficient and certainly less time-consuming than going to court. If it's seen as a precursor to going to court, then obviously it may not be quite as successful as we would want.

To again go to the words of Carolyn Buck of the children's aid society, "We are also very heartened to see that Bill 210, if passed, will promote the use of alternative dispute resolution mechanisms for problem resolution. Our own agency has approached many situations, including client complaint resolution, through employing such strategies. This is likely to be less adversarial for all parties, and more likely to result in better outcomes for children much sooner than we experience through litigation processes that are often protracted for several years through the courts."

Patricia Fenton of the Adoption Council of Ontario echoed some of the same sentiment when she said, "We also support the use of alternative dispute resolution methods as proposed, as we see this provides an opportunity to move the process out of an adversarial kind of arena and helps to avoid the lengthy disputes that may hold the child back from moving into a permanent family as quickly as possible. The proposed act acknowledges that this method of resolution can be used at various times throughout the child's life to vary openness orders as needs shift and change."

#### 1650

John Dunn of the Foster Care Council of Canada outlined his concerns with dispute resolution in the way that follows:

"One thing I've learned about dispute resolution is that everything in dispute resolution is to be confidential and cannot be used in court. I don't know if that's the same with this proposed legislation or if this child welfare mediation process will be a little different, if it could somehow be customized, but as a former crown ward myself, one of the largest issues I have is confidentiality—not the fact that there's not enough confidentiality, but that there's too much. I've been trying for about five years, personally, to obtain copies of my own records from the children's aid society, the Catholic CAS in Toronto, and they've been refusing me from the start. They won't give me dentists' names, doctors' names, any of my medical records. So this is something that I think needs to be opened up."

Again, you can see from the variety of comments that have been made that there is certainly a recognition by all

of the presenters of the potential that alternative dispute resolution has as a mechanism. The important thing here is that much of what is surrounding this mechanism will, of course, be done through regulations, so it's very important that those considerations that have been outlined are addressed. It's certainly possible that it will do what it's supposed to do: be more effective and be more timely. That is one of the biggest issues, certainly, when we're looking at this process, as we should, from the point of view of the child.

We heard a lot about native concerns. Certainly, the keys there appeared to be summed up by two presentations. I will just quote Chief Arnold Gardner of the Grand Council Treaty No. 3 Nation: "Bill 210 will have significant impact on First Nation citizens and communities who are not part of the native child welfare agency." The second is by Deputy Grand Chief McCormick of the Association of Iroquois and Allied Indians, who told the committee, "There was only a short period of time in which the ministry invited comments, from January 21 to 31.... That's not considered consultation, as far as I know. We did have a Chiefs of Ontario resolution in 2004, which was passed on to the minister, requesting a separate consultation process." I would simply make reference to the minister's own comments today when she made reference to the fact that, as a result of much of the input in the committee process, there was, of course, more consultation that was done at this point.

The next issue I would like to deal with is the question of the appeal process. I don't think there's likely an MPP in the House who has not been approached by constituents who have found themselves to be in a position with a CAS of a complaint, some kind of frustration. I think it's partly because of the fact that when we're dealing with children, obviously emotions run high. The stakes are very high. These are children we're talking about. So I think the question of an appeal process is extremely important.

I'm very happy to see that in this bill as we are debating it today, the government has restored an appeal process for complaints about the children's aid services, and that extends outside the actual societies. It is certainly an important principle of appeals that there should be in almost all cases an avenue of appeal beyond the level of the allegedly offending agency, and so I think it's very important that this be done.

John Dunn of the Foster Care Council of Canada and a former crown ward of the Catholic Children's Aid Society had this to say: "The concerns I have are that with the original, the people had an opportunity to have their complaint heard by the independent board of directors of a children's aid society. Actually, I'd like to back up and speak to the fact that it says 'which shall be approved by a director.'"

This was, of course, before the government introduced its amendments, and as it is now, there is the Child and Family Services Review Board. But I think his comments are important to recognize that there was frustration with



the complaints procedure. I think it's important that the government has made this amendment. The amendments provide that the complaint review procedures to be followed by the societies upon the receipt of a complaint will be established by regulation, and if the complaint relates to certain specified matters, the decision of the society, made in accordance with the prescribed complaint review procedure, may be reviewed by the Child and Family Services Review Board.

The new section 68.1 provides that for other specified matters, the complaint may be made directly to the board or transferred to the board before the completion of the society's complaint review procedure. The amendments provide that a review by the board under section 68 or 68.1 be conducted in accordance with the specified requirements. I am happy to have this amendment. I had, in fact, prepared an amendment myself along the same lines, that a board have the kind of jurisdiction, and obviously on the basis of the government's amendment, I withdrew this.

The next area I would like to refer to in this bill that I think is, again, new ground is the question of openness agreements. I think these are going to be the source of a great deal of interest as the government puts this bill, if passed, into process, because the minister herself has made it very clear that this particular part of the legislation is seen as something that will encourage adoption. When you look at the statistic that there are 9,000 children who are part of the children's aid society and only 900 adoptions, it's a very startling figure to be given, so we need to be sure that the process by which any openness agreement can be done is one that in fact is going to encourage adoptions.

We're all aware that there are avenues in this province and in this country for people to choose alternative routes to adoption, so in one sense there is sort of a competition for those adoptive homes. The last thing we would want is to have it seen as a way that might impede, as opposed to encourage and increase, the adoptions.

Once again going to our presenters, their comments and experience are important as we look at the process.

Carolyn Buck of the Children's Aid Society of Toronto had this to say: "Our experience in the adoption department is that many adoptive parents are interested in being able to provide information about and sometimes contact with their adopted children's birth parents when they see that it is important for the child. Currently, the agency grapples with how to facilitate such information-sharing or contact after adoption without creating a legal problem for the parties. Legislation that creates a structure for openness orders or agreements will make it easier to do what is best for those children and adoptive families who want both a degree of openness and some legal certainty."

**1700**

Patricia Fenton of the Adoption Council of Ontario had this to say about the proposed changes. She supports Bill 210's proposed changes with respect to openness in adoption: "Too many children in Ontario are prevented

from moving on to adoption because of the access orders. Openness agreements or orders, when in the best interests of the child, contribute in a positive way to healthy development. They give the child the security of an adoptive family while at the same time respecting the importance of those established relationships and connections. I've certainly learned about the importance of that through my own daughter, who from as early an age as four had lots and lots of questions and even concerns about what was happening with her birth family. Particularly, she wanted to know about her birth mother."

Dr. Brenda Nutter of the Ontario Association of Children's Aid Societies told the committee that her organization "is not under the illusion that fully open adoption is possible for all children. We do believe that, somewhere along a continuum of openness options, there will be a place for many children to have some sort of contact with their birth relatives, but not for all. That is why it is so significant that, under this legislation, a crown wardship order must be obtained before an openness order can be made. Openness has not been conceived as a bargaining tool to entice parents into consenting to crown wardship. Openness cannot be guaranteed. That said, we do heartily support the development of a practice that allows the greatest amount of openness appropriate to the circumstances, and we applaud the fact that the nature of the contact can be defined through either an order or an agreement. In addition, we strongly support the fact that, under the provisions of Bill 210, the failure to implement openness provisions does not make an adoption order invalid."

Dr. Nutter goes on to say: "This legislation will require a substantial commitment by the government to the education of the public and of those in the field who will be charged with the implementation of Bill 210. It changes the face of public adoption. It is true that more children will receive better service through permanency initiatives. In addition, in-care costs will be reduced. But as this process moves ahead, it is important that the needs of adoptive families be recognized and fully supported as they manage the ever-changing needs of their older and special-needs children. In the public sector, we believe that the expansion of post-adoption services is a critical part of the infrastructure that will allow the openness provisions of Bill 210 to be successfully implemented."

James Dubray of the Durham Children's Aid Society told the committee about that children's aid society's experience with openness as follows: "In the past year, we have been piloting open adoption. Our experiences generally have not been positive. We have learned that in the making of and having agreements in place for adoption placement, the natural family sometimes have changed their minds with regard to the adoption placement and have sought to have it overturned by using the provisions of the Children's Law Reform Act. The Superior Court justice has agreed to hear the matter in September and is currently deliberating and deferring her decision on which act has primacy.

"If the justice rules that the application has merit and can proceed, there is a good chance that the adoption

placement can be overturned using the provisions of the Children's Law Reform Act. Needless to say, other counsel are watching this process very carefully, and if a door is opened to allow provisions of the Child and Family Services Act to be assailed by another piece of provincial legislation, we may find ourselves in a bit of a legal quagmire with respect to child protection and adoption proceedings."

Dubray tells us that "there needs to be a strong signal in the legislation that child protection and adoption matters are not subject to review by the Children's Law Reform Act."

Looking at the spectrum of conversation and deputants we heard in the committee, I think, sends a very strong signal to the government with regard to those regulations and with regard to the sensitivities around embarking on the openness order.

I want to take a few minutes to look at the question of issues around adoption. A moment ago I mentioned 900 adoptions, 9,000 children in care and the importance of looking at these mechanisms with the goal in mind of increasing the number of children who will benefit from a permanency they currently don't have.

Carolyn Buck of the Children's Aid Society of Toronto made reference to the issues around adoption. She said, "Our agency in Toronto serves over 33,000 children a year. Given that our agency alone provides daily care for about 1,000 crown wards, we are optimistic that Bill 210 will promote permanency options which have been heretofore unavailable for the vast majority of those children and youth. This has been in large measure due to approximately 75% of crown wardship orders being accompanied by an access order. Current adoption legislation prohibits crown wards with access orders being placed for adoption. Simply put, this group of children and youth have had the option for adoption eliminated from their future. Bill 210 will create much greater opportunity for those children and youth and will move us legally toward what most of society has already accepted through the formation of blended or reconstituted families, shared parenting and joint custody."

The important thing here in terms of the process is the attempt to increase the rate of adoptions of crown wards. The government and many agencies have said that allowing openness agreements will increase the rate of adoptions. I want to make sure that openness agreements will not have the opposite effect. If we look at the range of comments and advice that has been provided, there's an opportunity to step very carefully and make sure that children's aid societies and the government are able to ensure that openness agreements in fact do not discourage adoption.

In committee, in clause by clause, I offered an amendment that would have required the government and the societies to be accountable for increasing the rate of adoption. My amendment would have required a three-year review of the effectiveness of openness agreements and whether or not the rates of adoption have increased. Unfortunately, the government members chose to vote

down my amendment. Obviously, I wish they had accepted it, as it would have mandated this specific area of accountability for increasing the adoption of crown wards. As we know, there is a process for a five-year review, but when you're looking at stepping into what in many ways are uncharted waters, I think it's important that the government look at specifically how effective this process has been.

**1710**

Let me just conclude by saying that obviously protecting children and giving them the certainty and the stability of permanency is the most important priority, certainly for our caucus and, I know, for all members of the House. Bill 210 contains a number of positive measures that, if they work, will protect more children and help them get care and get into safer situations.

Greater involvement for extended families through kinship care is really a good step. Community involvement can be very helpful, but it mustn't get in the way of giving kids permanency.

Alternative dispute resolution will be positive, but we must review it constantly to ensure that cost savings do not outweigh child protection.

Openness agreements are projected to assist in increasing the rates of adoption, but the government must ensure that the policy meets the expectation and is not a legal quagmire, as I spoke about earlier.

Adoptive families need the security of knowing an adoption is absolute. If they don't have this sense of security, they won't adopt.

I think that while, obviously, there are certain limitations and certain things that we're not going to know about until the regulations come out, the importance here is that we can never lose sight of the fact that it is the needs of children that are paramount and that we must always be looking at ways to develop that legal and physical framework that ensures that our children are taken care of in the absolutely best way possible.

**The Acting Speaker:** Questions and comments?

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to make a few comments on the debate, particularly the issues brought forward by the member from York North. I have to say that a lot of what the member had to say reminds me of an old term that we used to use at the municipal level of government: WIP, which was a work in progress. I think that's pretty much what can be used to describe the cautions and the concerns that were raised by the member from York North.

I think it was appropriate that she made some of her initial remarks around the history of this legislation and the history of the whole system of child protection, but also made some really important comments around resources for children's aid societies to be able to undertake some of the new systems that are being put in place; the monitoring and checks and balances as we move forward in the implementation of the changes that the minister has brought forward in this bill; the paramount concern always of the well-being of children in Ontario; and also particularly the way that perhaps kinship care is

one of the issues that we would all agree will help in terms of making sure that those children are being cared for appropriately, but also we may need to keep the checks and balances in place. Also, alternative dispute resolution was raised.

I wanted to make a point about some of the concerns that were raised by one of the presenters, OAITH, the Ontario Association of Interval and Transition Houses. One of the things they want to see is domestic violence screening to be incorporated in the process because of the power imbalances and the manipulations that can occur in families where there is a history of family violence.

Nonetheless, I think the caution around policy meeting expectation is a good one, and I look forward to what the future brings in terms of changes to the child welfare system.

**Mrs. Linda Jeffrey (Brampton Centre):** I am pleased to rise to talk about Bill 210, our government's child protection legislation, which is before us today for third reading. Bill 210 will make adoption more flexible, create more legal options beyond adoption and make the process consistent for adoptive parents by simplifying the application process.

Minister Chambers has worked very closely with the aboriginal community to develop legislation that would allow more aboriginal children and youth to stay in their communities. The minister followed through on a commitment to address their concerns and has held many meetings with members of our First Nations communities from across Ontario on Bill 210. In fact, when I became the PA back in November, one of my first meetings was with a group of chiefs, and I was impressed with how eloquent, how thoughtful and how practical their solutions were to amending the bill. I think we have included many of their suggestions. I think it's a much stronger bill.

We learned that aboriginal children are disproportionately represented in our child protection system. This is a trend that clearly should not continue. Under the current system, aboriginal children who come into the care of a children's aid society are often placed in non-aboriginal foster care placements. With an emphasis on customary care, we're going to work with aboriginal leaders to build capacity so children can stay in their communities and maintain important cultural and family ties as well as incorporate First Nations traditions into their upbringing.

As well, we've broadened the definition of "extended family" to include any members of a child's band or native community. This new definition of community would encompass any person with an ethnic or cultural tie with a child or parent or sibling of that child.

I'm very pleased to rise to talk about Bill 210. I think this is a good bill. We've made some important changes, and I think it's going to be much better for all the children in Ontario.

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm certainly pleased to join the debate and comment on the remarks made by the member from York North. It's

certainly an area that doesn't go by every day in terms of dealing with the protection of children. This is a file that obviously was handed off to the current minister from the previous one, who did a lot of work on it.

I will say this from a legal perspective: When the member from Hamilton East says that this is a work in progress, let's be honest. We're dealing with life and the day to day, in terms of trying to bring in measures, checks and balances, trying to bring in protection. Quite frankly, when we say that it's a work in progress, it's something where all we can try to do is the best we can, one step at a time. Things change, but the solution to this is something that has to evolve as society changes. This bill, even when it is brought forth, may be out of date by the time we're dealing with the situations we have to deal with: the changes that are necessary under the Criminal Code and the changes that are necessary under the children's aid society.

I have, as an MPP over the last 10 and a half years, dealt with a number of situations that are very troubling. The inadequacy of the children's aid society, in terms of dealing with it from a practical point of view—with no blame on their part, but from a resources point of view, in terms of whether they can even deal with the situation—is troubling. Certainly, the breakup of a family, the protection of a child, is something that concerns all of us here in the Legislature. Our party, as the member from Leeds-Grenville has indicated, is supportive, but certainly there's more work that needs to be done.

**Ms. Martel:** I want to thank the member from York North for the comments she made. She did talk about financial resources and the implications with respect to this bill. I want to focus on this again. I'm going to harp on this one more time because I've had some discussions with our own children's aid society about their obligations and responsibilities and the concern they have expressed to me about their ability to undertake the additional responsibilities, as legitimate as they are, that come from this bill with the budget they have in place. We had this discussion even before this government introduced this legislation.

**1720**

I have a good working relationship with our children's aid society. We meet on a regular basis to discuss concerns they have, and long before this bill came forward, the executive director had expressed to me his concern that overwhelmingly the financial and human resources of this children's aid society in our community were focused on child protection. That was as a result of legislation that had been passed by the previous Conservative government, but he felt very strongly that that left quite a gap with respect to their ability to undertake adoptions and that very few of their staff were actually doing work around adoptions because so much of their work, responsibility and reporting ended up ensuring that so much of their human resources, in particular, were focused on trying to deal with legislation that the Conservatives had brought in.

We all want this legislation to work, but we really need to get a handle on what the fairly significant

financial implications are. Is the government going to be in a position and prepared to ensure that children's aid societies have those resources to make sure that this bill can be dealt with at the local level in the way the government and, I think, all of us want it to be dealt with? Yes, I want to see more of those children who are in care actually be adopted. The question is, are children's aid societies going to have the financial resources to allow the staff to make that happen?

**The Acting Speaker:** That concludes the time available for questions and comments. I'll return to the member for York North. You have two minutes to respond.

**Mrs. Munro:** I certainly want to thank the members for Hamilton East, Barrie-Simcoe-Bradford, Brampton Centre and Nickel Belt. I think that the notion of a work in progress is a really good one, because I did make reference to the regulatory responsibilities that flow out of this piece of legislation.

The member for Barrie-Simcoe-Bradford also talked about the importance of the fact that child protection and societal changes are ongoing. So as we look to provide—this is like a snapshot of a point in time—you have to be ready for the fact that circumstances, the kinds of issues that come to the fore, demand our attention. That's an ongoing issue change.

Along with that issue, the member for Nickel Belt raised the importance of funding and the need for protection, the need for training and even for the technology to be able to implement this bill. Those are all things that, I think rightly, the member for Nickel Belt has identified as issues around funding that are extremely important.

We certainly would look forward to this bill moving along and, as people are working with it, it will be everyone's hope that it will meet its goals.

**The Acting Speaker:** Further debate?

**Ms. Horwath:** It's my pleasure to have an opportunity to talk to Bill 210, the Child and Family Services Statute Law Amendment Act. We've already heard from previous speakers this afternoon that this is a bill that tries to change the way the child protection system in Ontario operates currently. Some people tuning in, not having perhaps had a chance to listen to any of the previous discussion, will wonder, "Why the heck do we need to do this in the first place? What's the issue?"

I know the minister did some of that in her opening remarks, appropriately, but I wanted to reiterate, for those people who may have just joined us, why it's important that we continuously look at the child protection system and try to make sure we are doing the right thing by children in Ontario.

According to some of the figures that the government provided in its documentation in the preparation of this bill, Ontario has about 9,000 crown wards. Those are children who are wards of the state, or crown wards. In other jurisdictions they're called wards of the state; in our jurisdiction they're called crown wards. These are children who have been taken into protection or into care by

government. In the case of Ontario, fewer than 10% of these children are successfully adopted each year. Only 900 children were adopted in 2004, and 882 crown wards the year before that. Fewer than 10% of the total are adopted.

Why is that, people wonder, particularly when you juxtapose that against stats from the Adoption Council of Ontario that say the number of international adoptions has climbed to about 600 a year, while private agencies in Ontario have placed a mere 170 children with families?

Currently, the rules that exist—prior to this bill being brought forward—prevent children in the care of children's aid societies, whose birth families have a court-ordered right to visit or contact them, from being adopted. So there's a barrier in place as part of the system, as part of the rules. If there's anything on record where the birth parents or families have a right to contact in any way—and that could be anything as minor as a Christmas card or a birthday card—this is the barrier that prevents those children from being adopted. So the existing system definitely has been in need of overhaul as it does in fact prevent about three quarters of Ontario's estimated 9,000 crown wards from even being considered for adoption. That's the kind of system that was being looked at that needed the overhaul and that led to this legislation coming forward.

Studies have shown that crown wards also move from foster care and group homes every 22 months on average and suffer many changes in social workers. This causes destabilization for those children. There are also other jurisdictions in Canada that I believe the government has looked to to review openness in adoption, which again has been raised by other speakers in this debate. These are some of the issues that Bill 210 was brought forward to try to address.

I think it's important to note that, although today we're in third reading of this bill, we didn't get here by an easy process. In fact, when we look at what happened at the very beginning, after first reading and then leading up to second reading of the bill, it became very clear that the government was in a process of consultation that was leaving out a number of key stakeholders. As we began to prepare for second reading and then for the process of committee hearings, it became very clear to us that the government had not done its homework in terms of assuring all stakeholders a voice in the process.

When I say that, I specifically speak to the lack of consultation with First Nations communities, with the governance of our aboriginal communities across the province. I don't say that lightly, and I don't say that with any malice except that I was shocked, because one of the things we do is try to get hold of people who will be affected by various pieces of legislation coming forward from the government and just touch base. "Do you know there's this legislation coming down the pike? Do you know that it's likely getting close to the public hearings stage? Have you been participating in the discussion?" I can recall the second reading debate. The minister was

quite clear that she felt she had extensively consulted. Well, we found out that in fact that hadn't been the case. As a result, we spent some time talking to First Nations communities about how they felt about the process of consultation up to that point, and there were a number of things. One of the issues they raised broadly was the consultation process. The others were a number of actual substantive pieces to the bill that they thought needed to be changed to address some of their concerns.

**1730**

I was surprised that when the government was going to set up the actual committee hearings for this bill, they were going to turn it over in a matter of a week, set up two days for hearings without barely any notice for communities, and expect people from far-reaching, remote communes to come and speak to the bill. So I immediately, in the subcommittee meetings, began to advocate for a bit of a slowdown and a way to ensure that we could at least find out whether particularly First Nations communities were having an opportunity to participate in the public hearings. Of course, we were surprised that they weren't. In fact, if you look at the list of First Nations communities that actually did eventually, in one way or another, comment on this bill, it is extensive.

There are something like 134 First Nations in Ontario, and you will see that a large number of them eventually did participate. But I can tell you it wasn't because there was a keen interest initially in terms of the government making sure that that voice was being heard and that those government-to-government discussions were taking place between the governance of First Nations and the government of Ontario; in fact, it wasn't. But we were able to convince subcommittee members—government and opposition—that they needed to take a step back and make sure that the process was open and accessible to First Nations communities. Interestingly enough, we ended up in a situation where my understanding is that First Nations did eventually feel at least that they had some opportunity to voice some of their concerns in the process.

I wanted to quote from a document that was submitted by Chief Shining Turtle, Sturgeon clan, Whitefish River First Nation. A very similar passage is continued in many of the initial flags that were raised, if you will, or concerns that were brought forward by First Nations communities in regard to the initial raising of Bill 210 in this Legislature. It says, "As the bill affects First Nation rights and interests, the government of Ontario is under a legal obligation to consult First Nations and attempt to accommodate those rights and interests. This legal duty flows, in part, from section 35 of the Constitution Act, 1982. Further, section 2.2 of the 1965 welfare agreement, to which Ontario is signatory, requires First Nation consent before any significant alteration to a welfare program, including child welfare. The effect of section 2.2 was confirmed by the courts in the Mushkegowuk decision dealing with Ontario Works."

This letter was dated December 1, so it was prior to the hearings being put in place but after they had learned

that the government was not intending initially to provide an opportunity for them to speak to the bill. It's interesting, because initially the committee set two dates in the first week of December—I think it was December 5 and 6—and we found out afterwards, after the fact, that there was a major conference going on that First Nations communities were involved with in the province, and even had they wanted to make it, with a week's notice, down to Toronto to participate, they weren't able to because many of them were otherwise engaged in this other commitment. I think it's important to note that we did successfully get the government to agree to two more days of committee hearings, and they were very positive because, as I'm sure the minister stated in her remarks and will continue to indicate as she moves into implementation phases, a number of the amendments that First Nations communities were looking for were accommodated in some way or another; not in their fullness, because New Democrats brought a number of amendments to try to reflect First Nations concerns, and some of them were implemented by the government, but not all.

In terms of the committee's schedule again, this is from another First Nation piece of correspondence. It's from M'Chigeeng First Nation and it says: "The consultation problem with Bill 210 has been made worse by the committee hearing schedule. Only two days of hearing have been scheduled next week, for December 5 and 6. This does not give First Nations enough time to prepare presentations. To make matters worse, most First Nation leaders will be in Ottawa all of that week attending an important Assembly of First Nations conference dealing with the implications of the recent first ministers' meeting."

It goes on: "In the circumstances, we hereby urge the committee to reschedule the hearings to December 12 and 13." As we know, in fact there were two sets of committee hearings as a result of the large and extensive outcry from First Nations about the lack of consultation and their lack of ability to participate in a meaningful way in the development of the bill and in the public hearings process.

Having said that, this is not to say that there had been no consultation at all from those quarters. In fact, my understanding is that to some extent, the institutions, if you will, the First Nations service providers, were in some ways consulted by the government. Having said that, there is a specific requirement—and I've read it already—that government needs to talk to government when it comes to First Nations issues, and that's what this government forgot to do. In fact, they forgot to do it again with LHINs. I think my colleague from Nickel Belt has already raised in questions and comments that in fact LHINs is another piece of legislation where the government has done the wrong thing in terms of consultation with First Nations. Interestingly enough, I think perhaps the Minister of Health should consult with the Minister of Children and Youth Services, because it seems to me that she has at least been able to repair some of the damage

that was initially done by having ongoing discussions and making commitments to continuing the dialogue and the discussion with First Nations. I would advise the Minister of Health to take a page out of that book, because it seems to be one that's been received well in many ways by First Nations communities.

One of the things, although raised, that I'm not sure has actually been addressed in the bill, only because the scope of the bill doesn't allow it to be addressed, was an issue that First Nations service providers were raising back in August, and that was the designation process for premandated agencies. Again, this is something that comes from Betty Kennedy, executive director of the Association of Native and Child Family Services Agencies of Ontario, and I thought it was important. I raised it in second reading debate and thought I should raise it again, because it's still an outstanding issue and I think it's important to put it on the record. What she says is, "We would like this process"—this is the process related to the designation of premandated agencies—"to be clearly identified and would welcome receipt of all criteria for each stage in the designation process as well as the specified timelines in order to assist our member agencies more effectively. A number of them have identified significant delays in moving through this process and have requested our assistance in determining why these delays are occurring."

I raise this in the context of some of the previous discussion around resources that are going to be necessary to make this bill effective and to make the transformation, if you will, of child protection more effective in the province of Ontario, and in this case for First Nations communities. I know this issue has been raised by the member for Timmins—James Bay. He has raised a couple of times that there is frustration around the designation process and that if you can't get the agencies designated, then you can't get the services provided in some of the remote communities. That's certainly one of the things that we need to look at in terms of moving the agenda forward.

There are another couple of issues around some of the substantive things that were raised by First Nations communities. A lot of their concerns were around resourcing and how the systems currently are not effective in the way that they're being implemented in First Nations communities. Also, there is concern around the extent to which, because of lack of resources and because of lack of support for the efforts that are occurring in some more remote communities, there's a great deal of staff turnover. There's a great deal of difficulty in keeping staff in the agencies who are up to speed, skilled and can provide some continuity in terms of the child protection system. Likewise, there were some issues raised around the extent to which other types of professional resources can be utilized appropriately in those communities. One of the examples that I was given on a one-on-one basis after some of the hearings was the situation where you couldn't get a lawyer to advocate on behalf of children or you couldn't get a children's lawyer to participate in the process because they were not pre-

pared to attend in remote communities as was required. I don't think the issue was so much any kind of change to the system that would make it not necessary for there to be a children's lawyer, but rather that the resources need to be put into the system to ensure that there is fair access to the services that the rest of the children of Ontario can expect and would want to see in this legislation. I thought it was important to put those issues on the table, because until we start acknowledging that there's a lot more work to do, we're certainly not going to be in a position to say that we've taken the appropriate steps and we've listened well to the concerns of First Nations communities.

#### 1740

Last but not least, the First Nations did come up with a specific resolution in regard to this bill. I'm just trying to find it in my notes, because I thought it was important to read it into the record. What this resolution does is basically say that notwithstanding some of the concerns that they've had with the bill—I'm going to read it to you. It was a resolution that was approved back about two weeks ago. It's "First Nation Child Welfare—Resolution 06/17." It says:

"Whereas the inherent right to self-government includes jurisdiction in relation to the protection of First Nations children;

"Whereas Bill 210, An Act to amend the Child and Family Services Act, abrogates the responsibilities of both the federal and provincial governments;

"Whereas the chiefs in assembly, through AOCC resolutions 05/22 and 05/27, opposed and rejected Bill 210 in its entirety, and in particular, a provision that would permit the Ontario government to arbitrarily redefine First Nation customary care practices in the vital area of child welfare;

"Whereas AOCC resolution 05/22 mandated the creation of a Chiefs Committee on Child Welfare to address and advance First Nations authority and jurisdiction in child welfare;

"Whereas AOCC resolution 05/27 directed the development of a separate consultation process to review and provide recommendations on the proposed legislative amendments to the Child and Family Services Act;

"Therefore be it resolved that we, the chiefs in assembly, acknowledge the progress made to date by the Chiefs Committee on Child Welfare, the social services coordination unit and the Association of Native Child and Family Services Agencies (mandated and premandated) regarding amendments to Bill 210;

"Further be it resolved that we acknowledge the minimal amendments to Bill 210 as an interim measure, while supporting a comprehensive review of the CFSA in its entirety towards the development of a First Nation child welfare law;

"Further be it resolved that we direct the Chiefs Committee on Child Welfare to continue to advocate for our inherent right to care for and to provide culturally appropriate protection services for our children and families;

"Finally be it resolved that we, the chiefs in assembly, direct the Chiefs Committee on Child Welfare to

advocate for the designation of more native child welfare agencies across the province.”

That was moved by Chief Randall Phillips, Oneida Nation of the Thames, and seconded by Barney Anderson, by proxy, Wabauskang First Nation.

This resolution indicates a number of things: first of all, the extreme disappointment that the First Nations communities had with the initial process of Bill 210; the acknowledgment that the government took some time, the minister took some time, to try to incorporate some of their concerns and to kind of backpedal a little bit and get some of those concerns incorporated into the bill; but also the assertion that this is just a beginning, the assertion that they're going to continue in their struggle to ensure a First Nation child welfare law is put in place to take care of their particular needs and, as well, the continued struggle they're having.

I raised this issue already, but I'll raise it again because they've indicated right in their resolution to advocate for the designation of more native child welfare agencies across the province. Again, that goes to the issue of whether or not the government is prepared to put the resources necessary into making Bill 210 do what it needs to do to protect the children of Ontario and to make sure that adoptions and placements in customary care and in kinship care and all the other changes are effective and successful.

There are many other issues raised by First Nations communities. If people are interested in reviewing some of the committee transcripts from those presentations, I would certainly advise you to do so, because they had a lot to bring to the table. They had some really quite interesting and appropriate discussions around how their communities, their families and their care systems are different from ours, how the ways that they resolve issues, problems, concerns and tensions are so unique and appropriate to their own culture, and how important it is that the government acknowledge those realities in the legislation.

It's important to note that we put together a couple of dozen amendments in the process that would bring voice to or that would in some way put on the table the concerns of First Nations communities around having culturally appropriate processes built in, acknowledging that First Nations communities have a very culturally different way of dealing with child protection issues. They wanted those issues to be acknowledged in the legislation, and we attempted to do that. No, not all of our resolutions were adopted by the government and not all of our motions were approved, but some of them were, and I feel positive about that. In fact, I believe the government actually put some forward that were very similar to ours as well. I think that's extremely important, and I'm proud of that. I think we should all be proud that some of these changes were made. It's a small step to improving the relationships that government has with First Nations overall.

I have to say, though, that there were pieces that weren't approved by the government in terms of amend-

ments that we put forward. One of the biggies was the amendment around requiring the Ombudsman to have oversight of children's aid societies. I wasn't sure whether I should start that off now, considering the time, but I think I'm going to.

I put forward an amendment on having the Ombudsman have oversight of children's aid societies. People will know that the Ombudsman was, notwithstanding the minister's attempt to address the oversight issues or address the concerns that people raised—individuals came to the committee and spoke to the committee. They spoke in the public hearings about their frustration with the lack of accountability in the children's aid societies and in that system. A lot of their presentations were very powerful, and a lot of their presentations were very painful. It was disappointing that the minister didn't take hold of the opportunity to put in place a program whereby a completely separate, completely unattached, completely unbiased oversight body would be charged with the responsibility of overseeing children's aid societies and of being there for the complaints process.

I wanted to read into the record a couple of issues that were raised by the Ombudsman in a backgrounder that he put together in regard to Bill 210 specifically. It says, “The Ombudsman received 436 submissions and complaints from January 1, 2005, to February 13, 2006, regarding the need for greater oversight and accountability of children's aid societies.” The types of complaints range from concern about the care of children by the CAS to concerns about dealings with the CAS, denial of access to grandchildren, threat of removal of a child, sexual abuse by CAS staff, concerns about CAS allegations, concerns about child abuse register administration, refusal to disclose information, concerns about CAS removal of children and concerns about access and custody.

What the Ombudsman said is, “Bill 210 provides an opportunity to enhance the independent oversight of children's aid societies by extending the Ombudsman's jurisdiction to complaints about children's aid societies.

“The Ombudsman investigative process provides a credible accountability mechanism for the child protection system. Administrative conduct of children's aid societies has the potential for seriously and dramatically impacting the lives of Ontarians and it should be subject to independent investigation and systemic review of administrative practices.”

I don't think that's a lot to ask. I really don't think it's a lot to ask for the children of our province and their families, quite frankly, in the milieu of child protection, to have this independent oversight mechanism. In fact, I think anything less is doing them an injustice.

#### 1750

“The cost of implementing expanded jurisdiction of the Ombudsman in this area would be minimal, given that the infrastructure and experience already exists” within the office.

“Five other provinces (Alberta, British Columbia, Manitoba, New Brunswick and Nova Scotia) have

Ombudsman oversight of child welfare issues including child protection.

“In Alberta, the Ombudsman has jurisdiction to review the conduct of government officials who administer the child protection system in that province with the exception of First Nations child protection services.”

Needless to say, the background material is extensive.

People may recall that when the Ombudsman found out that this bill was coming forward—we actually called the Ombudsman’s office to let them know that we couldn’t see any government amendment that would address Ombudsman oversight and that the government decided to put a different accountability system in place. We let the Ombudsman know. People will perhaps be aware that, on February 14, the Ombudsman issued a press release and held a small press conference. In this press release, he said: “The Ministry of Children and Youth Services’ proposed amendments to Bill 210 ... fall far short of what is needed to ensure independent, third-party, investigative oversight of children’s aid societies....”

“‘It’s a stopgap measure, which does not go far enough,’ said Mr. Marin. ‘All it does is add another layer of bureaucracy to internal processes.’”

Why is that? What the minister decided to do instead of simply—and it’s not a difficult thing to do. In fact, the NDP actually put the amendment forward. It’s not a complicated, complex amendment; it’s a fairly basic amendment. It’s only a couple of lines long. I have it in front of me here in our package of amendments. It says:

“16.1 Despite the definition of ‘governmental organization’ in section 1 of the Ombudsman Act, every society is deemed to be a governmental institution for the purposes of that act.”

That’s it; it’s a one-liner. That would have resolved the issue of independent oversight for children’s aid societies. It would have been done a lot in terms of the community input that we got in the hearings process. In fact, do you know what? Letters continue to arrive. Even within the last week, people were writing through the clerk of the committee, Anne Stokes, and it was a result of the Ombudsman coming forward. People in Ontario were saying, “We have real concerns about a lack of independent oversight of children’s aid societies.”

What the minister decided to do instead—and I take this from some notes that the minister kindly provided when we met with her prior to the clause-by-clause session so that she could give us the opportunity to have a heads-up about what was coming in the government changes and what were some of the reasons behind them. What she’s decided to do instead is provide for a review process through a current body called the Child and Family Services Review Board. In the process previously, there had to be a director’s review; there’s no longer that requirement. Reviews now get done by, or complaints get processed through, this other body, the Child and Family Services Review Board. The minister indicates that the amendments would include additional requirements that “where a society or licensee makes a

decision respecting an aboriginal child, the society must provide notice of the decisions to the child’s band or native community” etc. But it says, “Where there is a request made for a hearing before the Child and Family Services Review Board, the child’s band or native community must first be given notice of the hearing” etc.

On the one hand, the minister is acknowledging that there’s a problem with the process, acknowledging that any appeal mechanism or any oversight mechanism must build in some real language around First Nations communities—again, that’s a good thing—but failing on the main grade, which is to ensure that that review process is done by the Ombudsman of Ontario, as is done in most jurisdictions across the nation. Many other provinces have this kind of oversight, so there’s really no excuse not to have it.

There was some concern raised around the fact that the Child and Family Services Review Board is an organization that, at this point in time, is minimally staffed, if you want to call it that. It has an opportunity for a number of appointments; I think something like 30. There are only about 10 members on it. There’s a lot of getting up to speed that needs to be done. There’s the building of a bureaucracy, but guess what? It’s called the Child and Family Services Review Board, so it’s part of the very system we were hoping we would be able to get an independent look at. Unfortunately, the government decided not to agree with the Ombudsman’s analysis and has gone ahead and put this other mechanism in place.

We were pretty disappointed, and I guess that’s a light way of putting it, at the lack of acknowledgement by the government that the children and the families of Ontario are worth it. They’re worth the effort, they’re worth the small one-liner it would have taken to make the Ombudsman’s office have oversight of the system. If you were in any of those hearings, you would have heard the real pain that some people brought to the table around their frustration and the difficulties they had in having accountability of children’s aid societies.

People might recall that the coroner actually weighed in on the issue as well. One of the things the coroner was clear about was that it wasn’t just a matter of having oversight or having an ability to review where there has been a death of a child. I think there was a point where members of the government were saying, “Well, the coroner agrees. The Ombudsman shouldn’t have oversight over child protection,” but the coroner was very specific. He said, “You will note I am making no comment about reviews of children’s aid societies where a death does not occur because it is not within our mandate.”

So although the coroner had something to say about having oversight where there has been a death of a child in Ontario, he was very clear to indicate that that does not let the government off the hook in terms of all the other complaints that may arise with children’s aid societies where there was no death of a child. I think it’s important to put that on the record, because I recall that people were waving around the coroner’s comments and making



it seem as if the coroner was in agreement with the government about not needing oversight by the Ombudsman. In fact, it was a very narrow review in terms of the coroner's comments and it had only to do with the responsibility of the coroner's office, which we all know they have where there's been the death of a child in the province.

I have a number of other issues that I need to raise, and I look forward to doing so the next time this bill comes up for debate, because I've only gotten through about half of my leadoff speech.

Just to reiterate, First Nations issues and consultation around First Nations concerns was nil initially. The government made some attempts to resolve that, and I got an opportunity to read in the resolution that First Nations communities brought forward. I think it's extremely important that we continue that relationship. The government needs to do a lot more, not only in the context of child welfare but in a much broader context across the province, particularly the one that was raised by the member for Nickel Belt, which is the issue of LHINs.

The Ombudsman issue was the second thing I was able to discuss, and I think it's an important one. Next time around, hopefully I'll be able to get some concerns on the record around the government not taking into consideration problems that children have when they age out of the system, the lack of the government's preparedness to recognize extended care and maintenance for children, not only as they age but also as they go into different types of care, as well as the necessity for an independent child advocate. I'll get to those next time.

**The Acting Speaker:** I wish to inform the House that, pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made.

## ADJOURNMENT DEBATE

### ELECTRICITY SUPPLY

**The Acting Speaker (Mr. Ted Arnott):** The member for Renfrew–Nipissing–Pembroke has given notice of his dissatisfaction with the answer to a question given yesterday on the government's electricity policy by the Minister of Energy. The member has up to five minutes to debate the matter and then the minister or the minister's parliamentary assistant may reply for up to five minutes. I'm pleased to recognize the member for Renfrew–Nipissing–Pembroke.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Yesterday, as many will recall, I asked the Minister of Energy a very specific question on a specific project, energy-related, here in the city of Toronto: the Portlands Energy Centre project. The answer I received was simply so deficient that I felt I had no choice but to ask for further clarification and information on that question in the hope that perhaps the minister herself or the PA himself would answer that question tonight.

### 1800

The awarding of the Portlands contract has raised tremendous questions among people in the energy sector, people living in the city of Toronto, and those who are in the governance of the city of Toronto as well.

The question I asked yesterday was also about the approvals and whether the minister could assure us that all of the approvals necessary to ensure that this project could proceed have in fact been granted and received. There was no answer to those kinds of questions. Those issues are very, very important to the energy future of the province of Ontario, and more specifically to the energy situation in the city of Toronto.

Everybody is well aware—there is nobody out there in this House or in the general population who has not heard about the energy situation and the very, very critical situation with regard to the energy supply issue in the city of Toronto. That, we're well aware of. The minister went on to read from a letter reiterating that situation. That's not something we needed to hear. We need to know a lot about, for example, the process that was used in the awarding of this contract.

On February 4, the Ontario Ministry of Energy asked Toronto Hydro and Constellation Energy to submit a bid for a Toronto generation station. They were originally given a deadline of February 8, 2006. They were granted an extension to February 15 for that same bid. But on February 10, the Ontario energy minister, Mrs. Cansfield, announced that they had decided to move forward with Portlands Energy Centre, a partnership between Ontario Power Generation and TransCanada Pipeline. The question here is the process.

We have heard the Premier up and down in his seat a hundred times in the last couple of weeks, particularly dealing with the issues surrounding Bill 206, asking people to respect the process. Well, that is what is sorely lacking from this government: a respect for the process. There is a process here that was not carried through, was denied, and the people have a right to know whether or not the project that's being selected is in fact the best project or the most suitable project.

I do not stand here and pretend to have the ability to make a decision as to whether one project should be favoured over another, because I don't have that expertise and I don't have the information. We're not suggesting for a moment that we're trying to do that. What we're asking the minister to do is to respect that process that they initiated. In fact, they initiated the process by asking for bids for an energy power plant in the city of Toronto. They have failed to do that. There are so many inside issues that we could talk about, but we're not going to have time for that.

The crux of the problem is that there are many energy projects on the books, if you want to call it that, by this government. We have no information on almost any of them. For the most part, we have no information. There have been no public disclosures as to what kinds of guaranteed price contracts they are arriving at on any of these projects. The people of Ontario have a right to

know what kinds of deals are being made and how they are going to affect them as we roll forward. The people have a right to know: Is this government making deals with people that are going to ensure that the price of power in this province is going to escalate beyond the reach of the average homeowner and family? If they are doing these kinds of deals because they have their backs to the wall on energy, this is when you make mistakes. When you're working under too much pressure and under duress, you sometimes make mistakes, because you're not taking the time to clearly think out what your plan is. They are making mistakes in energy, and the people of the province of Ontario are going to pay for those mistakes.

**The Acting Speaker:** I'm pleased to recognize the member for Peterborough, who has five minutes to reply.

**Mr. Jeff Leal (Peterborough):** I certainly welcome the opportunity to address at greater length the issues raised by my colleague the member from Renfrew–Nipissing–Pembroke regarding the Portlands Energy Centre and to address some of the myths around this project.

Amidst all the opposition rhetoric, the crucial issue is obscured: that as a government we must make responsible choices in order to ensure that the people and businesses of Toronto have a reliable supply of electricity. Did you know that Toronto is one of the few large cities that has no generation facilities in its downtown? Toronto is totally reliant on power that comes in from other communities, whereas a city like New York can supply as much as 75% of its own power needs. Did you know that in the 1960s, Toronto had half the population and 1,200 megawatts of supply in the downtown? Today, with twice as many people here, there is no supply.

The Independent Electricity System Operator, Toronto Hydro, Hydro One and the Ontario Power Authority have all warned that if new generation is not built soon, the city will face rolling blackouts by the year 2008. So there is common agreement that we need to build at least 500 megawatts of new supply, and have half of it running by 2008 and the remainder operational by 2010.

The issue, then, is how best to meet that need, and in our view the solution must include a combination of conservation and generation. OPA agreed that, based on the requirements, including timing, the PEC project would best meet that need. In fact, when we reviewed the letter from Constellation to Jan Carr of the OPA, entitled "Non-binding, Preliminary, Indicative Proposal," it occurred to us that it's actually an idea or a concept rather than a plan to build a multi-million-dollar generating station. The only word missing was "draft," which may have been just an oversight on their part. Moreover, the letter acknowledged the timeline/schedule risks inherent in their "Non-binding, Preliminary, Indicative Proposal."

In answer to his questions on what approvals the Portlands site has, I'd like the member to know that Portlands has the following approvals.

Approvals completed by the Ministry of the Environment:

(1) TransCanada energy and Ontario Power Generation completed the environmental screening process for the Portlands Energy Centre under Ontario regulation 116/01, which sets out the environmental assessment requirements for electricity projects.

(2) A certificate of approval for an industrial sewage works under the Ontario Water Resources Act was approved on July 4, 2005.

(3) A permit for water taking under the Ontario Water Resources Act for taking water from Lake Ontario for non-contact cooling was issued on November 28, 2005.

Regarding the cleanup of the property, a site-specific risk assessment, SSRA, was completed for this site and submitted in 2003-04. The SSRA was reviewed and a record of site condition, RSC, was acknowledged in 2004-05. The RSC is required for the city to issue building permits.

The Ontario Power Authority tells us that, over the life of the plant, expected emissions per unit generated are the lowest for the Portlands project. If we include the cost of expensive temporary generation, the environmental impact and cost difference gets much worse. In fact, according to the OPA, the fuel cost per unit of energy generated, the largest cost of a gas-fired station, is higher, and potentially much higher, for the Constellation project.

The environmental process on the Portlands project took nearly two years to complete. The Toronto Hydro project has not even started an EA process, so right from the start there are timing issues. Toronto Hydro and Constellation Energy have not explained to our satisfaction how they plan to complete the environmental process, refurbish the Hearn building and install new generation in two years. We believe that their proposal will result in the installation of 250 megawatts of temporary generation, which would cost about \$100 million and result in significantly higher emissions.

While I have the chance, I'd like to address some of the environmental additions to the Portlands project. The Portlands group will provide \$400,000 for local air quality improvements activities by community groups. This money will be paid directly to Toronto Public Health and administered by the Toronto Atmospheric Fund. PEC will work with the Toronto and Region Conservation Authority to ensure that their concerns about migratory birds are addressed. The PEC will also install continuous emissions monitoring equipment and provide the medical officer of health with these data.

We believe that the Portlands Energy Centre, combined with an aggressive 300-megawatt conservation program, is the best way to provide downtown Toronto with a clean, reliable source of electricity. Having said that, that addresses the concerns of my good friend from Renfrew–Nipissing–Pembroke.

**The Acting Speaker:** There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until later on this evening, at 6:45 p.m.

*The House adjourned at 1810.*

*Evening meeting reported in volume B.*

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