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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 25 April 2007**

**Mercredi 25 avril 2007**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 25 April 2007

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 25 avril 2007

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ORGAN AND TISSUE DONATION

**Mr. Frank Klees (Oak Ridges):** On behalf of John Tory, the leader of the official opposition, and the Ontario PC caucus, I'm pleased to acknowledge National Organ and Tissue Donation Awareness Week.

Ontario is a world leader in successful transplants, but this year alone there are over 1,750 Ontario patients who are on the waiting list for life-saving transplants, and one person dies every three days waiting for a transplant in this province. We have reason to be encouraged, however, as Ontarians are becoming increasingly aware of the importance of organ donation thanks in large part to organizations such as the London Transplant Gift of Life Association, who join us in the Legislature today.

I also want to acknowledge the work of the Citizens Panel on Increasing Organ Donations, under the leadership of Dr. Ted Boadway, which released its report last week containing 26 specific recommendations that, when implemented, will increase organ donations and save lives.

I call on the Premier and the Minister of Health to make it a priority of the government to implement those recommendations without delay. A good start would be to pass into law Bill 67, which is before the Legislature and is entirely consistent with the panel's recommendations. That will be a clear signal that the Ontario government has heard and is responding to the call for action on this important issue.

#### STRATFORD FESTIVAL

**Mr. John Wilkinson (Perth–Middlesex):** I'd like to invite all members and all Ontarians to come and experience world-class live theatre in my hometown of Stratford.

The Stratford Festival's 2007 season, running until November, is well under way and includes four plays by Shakespeare, two musicals, one revival, and seven works new to the festival. I'm delighted that Premier McGuinty visited Stratford just last weekend to enjoy a preview of the musical *Oklahoma*.

Drawing audiences of more than 600,000 people each year, the festival season includes a wonderful array of 14 productions offered at our four theatres.

If that were not enough, the season also includes a full program of festival fringe activities, including concert recitals, discussion sessions and readings by celebrated authors.

I want to thank the government for its continued investment in both tourism and arts and culture initiatives in the province of Ontario, including the \$41 million of proposed new spending outlined in our most recent provincial budget.

I want to entreat all members to visit Stratford.

Finally, I want to recognize the amazing tenure of artistic director Richard Monette. After an unprecedented 14 seasons as the artistic director, preceded by 20 seasons on the stage, he will be genuinely missed after his retirement at the end of this season. Richard has given so much of his heart, soul and talent to the Stratford Festival that no amount of applause could pay him adequate tribute.

All the plays of Shakespeare are referred to as his canon of work. To quote Richard Monette, please come and celebrate his "last kick at the canon."

#### MINISTRY OF CITIZENSHIP AND IMMIGRATION GRANTS

**Mr. Garfield Dunlop (Simcoe North):** This year, we are celebrating the 25th anniversary of the Ontario Trillium Foundation. I was pleased to attend the recent reception hosted by CEO Robin Cardozo.

Thousands of organizations across Ontario, representing a cross-section of the diversity of our province, spend countless hours filling out complex applications in their quest for funding.

Hard-working and dedicated OTF staff work closely with the organizations, helping them with applications and making sure the process is transparent. The dedicated OTF grant review team scrutinize the applications and choose those that are successful.

The program awards assistance to groups representing the following: the environment, recreation, social programs, public safety, and the arts.

The money is well spent and appreciated and, above all, transparent and a wise use of public funds.

But we now have a new program, a program that is partisan, a disgraceful, Guité-style misuse of taxpayers' dollars, chaired by the election campaign chair of the

Ontario Liberal Party and part-time Minister of Finance, Greg Sorbara. The program is called slush-fund-gate, and it's a cousin of the scandalous federal Liberal program called sponsorship-gate. The money is funnelled to the son of Guité and has to be rolled out before the end of the fiscal year—a true slush fund.

Ontario taxpayers should be reminded that on top of a string of broken promises, scandal now is the norm for this McGuinty government: one scandal after another and one broken promise after another.

The hard-working taxpayers of Ontario are paying for grants to Liberal-friendly organizations—

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

#### ORGAN AND TISSUE DONATION

**Ms. Deborah Matthews (London North Centre):** It's a real honour for me to stand before this House today, during National Organ and Tissue Donation Awareness Week, to recognize the London Transplant Gift of Life Association for the wonderful work they do. This terrific group, made up of recipients, pre-transplant patients, donor families as well as community partners, strives to ensure that everyone who needs a transplant has the opportunity to get one.

The partnership between the London Health Sciences Centre's multi-organ transplant program, their director, Dr. William Wall, and the London Transplant Gift of Life Association has created a leading transplant program in Canada. Over 200 transplants are performed annually at LHSC, and the rate of organ donations in London continues to be one of the highest in Canada, due in large part to the efforts of this passionate group of volunteers.

I'm delighted to welcome to the House today Jane Tucker, founder and president of the London Transplant Gift of Life Association, as well as several of the association's directors, donor families and recipients. Carl and Lorraine Laing are here, Shirley and Ross Rowe are here, and I believe others are here as well. Welcome. I ask you to join me in thanking them for their tireless efforts to save and enhance more lives through the gift of organ and tissue donation in Ontario.

#### MINISTRY OF CITIZENSHIP AND IMMIGRATION GRANTS

**Mr. Ted Arnott (Waterloo-Wellington):** When I first learned that the Minister of Citizenship was going to give a minister's statement on the grants scandal on Monday, I thought for a moment that he was going to do the right thing and apologize.

Not only did he not apologize, he broke his promise to release the specific criteria upon which the previous grants had been determined.

Clearly, there were no objective and defensible criteria, and as such, this was an egregious waste of taxpayers' money. How else could you characterize the expenditure of \$20 million of the taxpayers' money with

absolutely no due diligence, no financial background information requested of the grant recipients and no fundamental evaluation as to whether or not a need actually existed?

**1340**

This is surely a question which the Auditor General of Ontario must address, and he must do so and report his findings before October 10 to ensure that the McGuinty Liberal government is held to account for what has happened. It appears on the surface that with about five months to go before a provincial election, a desperate Minister of Finance, who also acts as chairman of the Ontario Liberal election campaign, allocated this money to the Minister of Citizenship. He then assigned him the task of shovelling the money out the door without any normal accountability provisions, in a blatant effort to generate support for the Liberal Party in that election.

The people of Waterloo-Wellington and Halton Hills will be outraged by this abuse of the public trust and the taxpayers' money. Instead of generating support for the Ontario Liberal Party, as the finance minister/campaign chair had planned, this scandal will only expedite the government's demise.

#### ARTS AND CULTURAL FUNDING

**Ms. Cheri DiNovo (Parkdale-High Park):** I read a letter from Wayne Samuelson, who is the president of the Ontario Federation of Labour, representing thousands and thousands of cultural workers, to the Minister of Culture:

"Introduced as part of the 2007 budget measures, the proposed act provides no meaningful change to the material status of artists and cultural industry workers...." They "have been calling on the Ontario government to implement meaningful legislation that will improve artists' capacity to improve their wages and working conditions.

"We note with regret that your government has ignored the recommendations of its own advisory council. Despite a lengthy consultation undertaken by your Advisory Council for Arts and Culture, virtually all substantive recommendations contained in its report were left out of the proposed Status of Ontario's Artists Act...."

"Your government has designated the first full weekend in June to be an annual Celebrate the Artist weekend. We urge your government to celebrate the artist by making amendments to this legislation that will genuinely improve the status of all of Ontario's artists and cultural industry workers."

It's signed by Wayne Samuelson on behalf of literally thousands—tens of thousands—of cultural workers in this province.

#### KOREAN CANADIAN WOMEN'S ASSOCIATION

**Mr. David Zimmer (Willowdale):** I rise to talk about the great work of an important, hard-working organiza-

tion in Toronto. Two weeks ago, the McGuinty government announced a \$50,000 grant to support the Korean Canadian Women's Association Family and Social Services.

I want to highlight how indispensable the KCWA's work has been to many new Korean Canadians and the community at large. This not-for-profit organization was started in 1985 by a group of Korean women concerned with women's and family issues. The association offers a variety of information and referral services, from ESL classes to skills training and employment workshops. It provides social support for at-risk women, children and youth. Last year, it served more than 772 clients on a one-on-one basis.

KCWA has a proven track record of serving its community with integrity, care and professionalism. Its mandate to "empower Korean-Canadian families and other vulnerable members of the community at large to live free from violence, poverty and inequality" is an admirable objective.

I want to echo what Minister Colle said last week: "Supporting an organization like KCWA Family and Social Services helps us facilitate the economic and social richness that builds diversity in Ontario."

The grant will be used for important health and safety renovations and to fund the construction of a new ramp to improve the accessibility of the building. This government understands that diversity is important, and funding organizations like KCWA will have a direct impact on the quality of life—

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

#### RED HAT SOCIETY

**Mr. Ernie Parsons (Prince Edward–Hastings):** I'm sure everyone will want to join with me in welcoming representatives from the Red Hat Society who are with us today. They're from the communities of Belleville and Carrying Place and Stirling and Picton—a wonderful part of Ontario.

For those of you who have not heard of the Red Hat Society—and there may be some, but they have literally hundreds of thousands of members across the world—they are an organization that has two guiding principles. One is, they have no rules; the second is, they do nothing.

For those of you who joined me in mid-sentence, I'm not talking about the opposition; I'm talking about the Red Hat Society. While I say that they do nothing, they consist of individuals who have contributed heavily to their community over the years and have decided to join together and do an activity that is fun—just straight fun. You know, we need more of that in this world. These are women who have been role models and continue to be role models in my community. They help to enrich and make the great society we have. I'm absolutely delighted to have them with us today.

Interestingly, when I say that their principle is that they do nothing, their first questions to me today were about the organ donation program and how much they support it and how much it is of interest to them. So even on the side, they continue to do good things.

Thank you for coming today. I'm sure you'll enjoy yourself. It's a pleasure to have you with us.

#### PUBLIC HEALTH

**Mr. Jeff Leal (Peterborough):** I want to talk about the great progress that the McGuinty government is making in the area of public health care and our commitment to the delivery of effective services to the people of Ontario.

The leader of the official opposition has repeatedly made it clear that his first priority is to take \$2.5 billion out of the health care budget. What does this mean? It means that all the progress this government has made to bring wait times down and to improve the quality of health care services would be reversed.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. Member for Peterborough.

**Mr. Leal:** Do Ontarians want that? The answer is no.

The second thing the member opposite discussed was wanting to privatize our health care system. Do Ontarians want that? The answer is no.

The McGuinty government has been dedicated to repairing the health care system that we inherited from the previous government, which was subject to years of neglect and damage. With the recent budget, funding for our public health care system is up by \$8.5 billion, or 29%, since we took office.

While we're continuing to invest for the future of all Ontarians' health care needs, the members opposite would prefer to make health care a privilege and not an inherent right.

#### DEPUTY CLERK

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that, effective yesterday, Mr. Todd Decker will assume responsibilities as Deputy Clerk and executive director of legislative services.

#### VISITORS

**Mr. Paul Ferreira (York South–Weston):** On a point of order, Mr. Speaker: I just want to acknowledge the presence in the House this afternoon of members of the Humber River Health Coalition, who are here to witness the presentation of their petition later this afternoon. I want to thank the following—Rennie Terbogt, Garry Green, Rosanna Vidale, Lorraine Schulz, Franca Guadanolo, Giuseppe Astrella and Walter Poremski—for their tremendous sense of community activism.

## INTRODUCTION OF BILLS

ELECTION STATUTE LAW  
AMENDMENT ACT, 2007LOI DE 2007 MODIFIANT DES LOIS  
EN CE QUI CONCERNE LES ÉLECTIONS

Mrs. Bountrogianni moved first reading of the following bill:

Bill 218, An Act to amend the Election Act and the Election Finances Act and make related amendments to other Acts / Projet de loi 218, Loi modifiant la Loi électorale et la Loi sur le financement des élections et apportant des modifications connexes à d'autres lois.

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

The minister may wish to make a brief statement.

**Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal):** I will, during ministers' statements.

PUBLIC SECTOR SALARY DISCLOSURE  
AMENDMENT ACT, 2007LOI DE 2007 MODIFIANT LA LOI  
SUR LA DIVULGATION  
DES TRAITEMENTS  
DANS LE SECTEUR PUBLIC

Mr. Sterling moved first reading of the following bill:

Bill 219, An Act to amend the Public Sector Salary Disclosure Act, 1996 / Projet de loi 219, Loi modifiant la Loi de 1996 sur la divulgation des traitements dans le secteur public.

**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. Norman W. Sterling (Lanark–Carleton):** This act is an extension of the sunshine list that was introduced by the Harris government in 1995 and embodied in the statute of 1996. This list publishes the the names of people in the public service, in Ontario Power Generation, in Hydro One and in many other institutions of government earning over \$100,000 a year.

Unfortunately, this provision doesn't extend to municipal hydro or public utility corporations. My bill would extend it to those particular corporations. My feeling—and, I think, the feeling of all people, particularly the citizens of Ottawa—is that they should know how much the people who are working for their taxpayers' dollars are earning if, in fact, they earn over \$100,000.

I urge all members of this Legislature to support my bill and the wishes of Ottawa Mayor Larry O'Brien, who has called for this change.

## MOTIONS

## HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, notwithstanding any other order of the House, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, April 25, 2007, 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 those in favour will say "aye."

All those 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 1352 to 1357.*

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

## Ayes

Arthurs, Wayne	Dombrowsky, Leona	Parsons, Ernie
Balkissoon, Bas	Duguid, Brad	Peters, Steve
Bartolucci, Rick	Duncan, Dwight	Phillips, Gerry
Bentley, Christopher	Fonseca, Peter	Qaadri, Shafiq
Berardinetti, Lorenzo	Hoy, Pat	Ramal, Khalil
Bountrogianni, Marie	Kwinter, Monte	Ruprecht, Tony
Bradley, James J.	Lalonde, Jean-Marc	Sandals, Liz
Brotten, Laurel C.	Leal, Jeff	Smith, Monique
Bryant, Michael	Matthews, Deborah	Takhar, Harinder S.
Chambers, Mary Anne V.	Mauro, Bill	Van Bommel, Maria
Chan, Michael	McMeekin, Ted	Wilkinson, John
Craitor, Kim	McNeely, Phil	Wynne, Kathleen O.
Crozier, Bruce	Mitchell, Carol	Zimmer, David
Delaney, Bob	Mossop, Jennifer F.	
Di Cocco, Caroline	Oraziotti, David	

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

## Nays

Arnott, Ted	Klees, Frank	Murdoch, Bill
Bisson, Gilles	Kormos, Peter	Prue, Michael
Chudleigh, Ted	MacLeod, Lisa	Savoline, Joyce
DiNovo, Cheri	Marchese, Rosario	Scott, Laurie
Elliott, Christine	Martel, Shelley	Sterling, Norman W.
Ferreira, Paul	Martiniuk, Gerry	Tabuns, Peter
Horwath, Andrea	Miller, Norm	Witmer, Elizabeth
Hudak, Tim	Munro, Julia	Yakubski, John

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 43; the nays are 24.

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

## VISITORS

**Mr. Kim Craitor (Niagara Falls):** On a point of order, Mr. Speaker: I'd like to welcome a number of students in master studies from the School of Restoration Arts at Willowbank in Queenston, Niagara-on-the-Lake, who are touring the Legislative Assembly to learn about Queen's Park restorative practices on our fine historic

buildings. I also want to indicate that they're joined by the acting president, Carol Beckman Nixon, and its school director, Shelley Huson. I'd like all members to welcome the students and the class from Queenston.

**The Speaker (Hon. Michael A. Brown):** We have with us, in the Speaker's gallery, members of the Consular Spouses Association of Toronto and their president, Putti Mehta of India. Welcome.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### PEDIATRIC FORENSIC PATHOLOGY INQUIRY

### ENQUÊTE SUR LE SYSTÈME DE MÉDECINE LÉGALE PÉDIATRIQUE

**Hon. Michael Bryant (Attorney General):** I rise in the House today to announce details of a public inquiry under the Public Inquiries Act into the oversight of Ontario's pediatric forensic pathology system in the wake of the chief coroner's review involving Dr. Charles Smith.

I'm pleased to inform the House that the Ontario government has appointed the Honourable Stephen Goudge of the Court of Appeal for Ontario as commissioner of the public inquiry. The commissioner's job is to get to the bottom of what happened and to make recommendations to prevent it from ever happening again.

Justice Goudge will spend the next year reviewing and assessing the systemic policies, procedures, practices, accountability and oversight mechanisms, quality control measures and institutional arrangements related to the practice of pediatric forensic pathology and its future use in investigations and criminal proceedings. Under the Public Inquiries Act, this commission of inquiry will have the power to issue a summons for testimony and for documents. Justice Goudge will deliver a report with recommendations within a year from today, the goal of which is to enhance public confidence in pediatric forensic pathology.

We need to improve the system and prevent this from recurring. These pediatric pathology reports may be only one element of the justice system, but one significant mistake in one report is unacceptable.

La confiance du public a été ébranlée. Nous devons savoir exactement ce qui s'est passé. Nous devons empêcher que cela ne se reproduise à l'avenir.

There can be nothing more tragic than the death of a child. Many families have already been through so much more than many of us could imagine. So, too, are miscarriages of justice tragedies for our justice system and for the individuals affected.

If there has been any miscarriage of justice amongst the 13 convictions in which the chief coroner's review has identified problems with Dr. Smith's findings, as

chief law officer of the crown I will and crown attorneys will do everything in our power to set it right. More on the work that we are doing in the Ministry of the Attorney General in a moment.

I believe Justice Goudge is the right person to lead this inquiry. He is a respected jurist who was appointed to the Ontario Court of Appeal in 1996. Prior to that, he had a long and distinguished career as one of Canada's premier litigators, based in Toronto. He appeared before the courts at all levels in Ontario, before the Supreme Court of Canada and before many administrative tribunals. He was appointed a Queen's Counsel in 1982. He was active in the Ontario Bar Association and the Canadian Civil Liberties Association.

Ian Scott, our late, great Attorney General, was a partner of the Honourable Stephen Goudge's, and he referred to Justice Goudge in his autobiography as having a razor-like mind, an ability to get to the truth and to manage issues in an office effectively, and I know he will do that in this public inquiry.

Justice Goudge will be supported by an expert panel of scientists and medical professionals. This panel will be chaired by Senator Larry Campbell. Mr. Campbell is a former chief coroner of British Columbia, a former mayor of Vancouver. He spent 12 years in the RCMP and helped establish Vancouver's first district coroner's office. He has the experience and the expertise to offer Justice Goudge assistance, knowledge and information to help fulfill his mandate.

As the inquiry is set up and begins its work, my ministry's criminal law division is already taking swift action to respond to the coroner's review. Crown attorneys have been assigned to individual cases—the 13 convictions that I referred to. They have shared and they will continue to quickly share information as we receive it from the chief coroner's office, and provide it to defence.

We are ready, willing and able to respond to any next steps by defence. Under the Criminal Code, it is only the defence that can take the next legal step in this important process. Depending on the circumstance and the status of the case, defence can pursue applications for bail, and that has been done. We have co-operated in one bail application already and one to come before the courts.

Defence can pursue avenues of appeal, and that has already happened and there are appeals before the courts. Or, if the appeals have been exhausted, the defence can apply to the federal justice minister under section 696 of the code for a review of the conviction, and in one case that has happened already. These processes are under way in some cases and they must continue. In all cases, the crowns will be fully co-operating with the defence. We will do all we can to expedite these matters.

Already, less than a week after the chief coroner released his report, we have consented to bail in one case, will be consenting to bail in a second matter that's before the courts, have indicated consent in an appeal application in a third case, as set out in a letter by the chief prosecutor, and, within a week of the chief coroner's report, have called a full public inquiry, named the com-

missioner and established the terms of reference. We are moving ahead as quickly and deliberately as possible.

Within the Ministry of the Attorney General, work is already under way to ensure that crown policies and practices are responsive to the coroner's review and that crowns are provided with as much guidance as possible in assessing expert evidence. That work is done by the ministry's criminal convictions review committee. It's a committee of crown attorneys that has recently welcomed the Honourable Patrick LeSage, former Chief Justice of the Superior Court of Ontario. His Honour and the committee will be providing advice to crowns on trends emerging from these cases, from the chief coroner's reports and other cases. The ministry's criminal law division is also working closely with the chief coroner's office to prioritize for review Dr. Smith's cases from 1981 to 1991.

On compensation: As with the Walkerton inquiry, as with the Arar inquiry and as with the Moran inquiry, issues of compensation will be addressed separately from the public inquiry. That's what happened with those inquiries and that's what will happen in this instance as well.

Ontario's justice system is the envy of much of the world. It's the cornerstone of a safe, just and civil society. We must be certain that it is beyond reproach. That is why we are calling a full public inquiry; that is why we are calling for that report to be delivered within a year's time. It is the best way to restore and enhance public confidence in pediatric forensic pathology in this province and in our justice system.

I thank Justice Goudge and former chief coroner Campbell for taking on this important task, pledge cooperation on behalf of the Ontario government and call on all members to support Justice Goudge in his inquiry.

1410

## ELECTORAL REFORM RÉFORME ÉLECTORALE

**Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal):** I'm sure that everyone in this House, myself included, treasures our democratic freedoms and the right to vote. But sometimes people fail to exercise their right to vote because our election laws have not kept pace with the realities of people's lives.

The McGuinty government's democratic renewal initiatives are designed to ensure that our electoral processes keep pace with the needs of Ontarians. The legislation I am introducing today would do just that. It would encourage more people to vote and it would make it easier for Ontarians to get to the polls.

The amendments to the Election Act would modernize elections by making it easier than ever for Ontarians to vote. This legislation, if passed, would extend polling hours by one hour at the end of polling day. Polls would now close at 9 p.m. Due to the time difference, polls in

northwestern Ontario would close at 8 p.m., but the polls would close at the same moment in time. The number of advance polling days would increase from six to 13 at returning offices and to 10 days at other locations.

This legislation would also require Elections Ontario to undertake new targeted registration to update the permanent register of electors, thereby improving the voters' list. The chief electoral officer would now also be allowed to pilot new voting technologies in future by-elections.

If this legislation is passed, party names would appear on ballots in the next election. Candidates' names on ballots would be followed by their political affiliation where the candidate has been endorsed by the party. Independent candidates' names would be identified as independents if requested by the candidate.

Cette loi inciterait davantage de personnes à aller voter. Elle conférerait au directeur général des élections le pouvoir de communiquer avec la population et de lui faire mieux connaître le processus électoral. Le directeur général des élections aurait l'obligation de fournir aux conseils scolaires des trousseaux de renseignements pour les jeunes qui votent pour la première fois. Ces trousseaux permettraient aux élèves et à leurs parents de mieux comprendre notre système électoral.

This proposed legislation would also protect election integrity by requiring all voters to provide proof of identity and, in some cases, proof of residence. This would enhance the integrity of the electoral process. The chief electoral officer has the authority to determine the acceptable types of identification.

La période d'interdiction de publicité initiale a été établie pour s'assurer qu'un gouvernement ne jouisse pas d'un avantage indu pour préparer une élection par rapport aux autres partis. En raison de la décision de prévoir les élections à date fixe, ce motif n'est plus de rigueur et nous proposons l'élimination de la période d'interdiction qui s'appliquait à toutes les élections normalement prévues. Toutefois, cette période continuerait de s'appliquer aux élections partielles ou non prévues.

This legislation would do more than just modernize Ontario's election processes. As this Legislature knows, the Citizens' Assembly on Electoral Reform has been working diligently since last September to assess the current electoral system and other systems in order to recommend whether Ontario should keep its current system or adopt a new one. Never before in Ontario's history has a government delegated so much power to the people of this province to make a decision about an issue of fundamental importance.

We did so because we believe that ordinary people working together can accomplish extraordinary things. One Ontarian from every riding in the province was given the time and the resources to learn about, talk about and think about the issue of how we in this chamber should be elected. We await their final report on May 15 for the details of their proposed model.

But as we are all aware, the citizens' assembly voted on April 15 in favour of recommending a different elec-



toral system to the people of Ontario. We are therefore also introducing an amendment to the Election Act that would require the chief electoral officer to conduct a neutral public education campaign to provide electors across Ontario with the following information: the date of the referendum, the content of the choices in the referendum, the referendum process, and the question electors will be asked to vote on.

It is crucial that this information be neutral and non-partisan to allow Ontarians to make up their own minds on this important issue. That's why we're proposing to direct the chief electoral officer, an independent officer of the Legislative Assembly, to undertake this campaign. The chief electoral officer would provide to the voters of Ontario clear, impartial information about the current electoral system and the recommended alternative electoral system. This neutral and independent public education campaign would give Ontarians the tools they need to make an informed decision when going to the polls this fall. During the election and referendum debate, we want to ensure that all election advertising activities are transparent. That is why this legislation proposes transparency and reporting rules for third party advertising.

This legislation would enhance participation, integrity and security in a non-disruptive way. We believe that citizens should be able to exercise their democratic right to vote. We believe that it shouldn't be a chore to get on the voters' list. We believe that busy people should be able to more easily vote in advance polls or at the end of a hard working day. We believe that people should have to show identification in order to improve the integrity of the electoral process.

We believe that Ontarians should be provided with a neutral, non-partisan public education campaign to prepare them to participate in the electoral reform referendum.

Les citoyens sont les maîtres des élections; pas le gouvernement. En tant que gouvernement, il nous incombe de veiller à ce que le processus électoral se conforme aux réalités du monde actuel et de permettre à la population de l'Ontario de participer pleinement et de manière informée au débat sur la réforme électorale.

That's what this legislation would do. It would also set the groundwork for more changes once we know the outcome of the electoral reform referendum.

As minister responsible for democratic renewal, I am proud to stand in support of this bill. It is our responsibility as a government to ensure that people can exercise their right to vote. I urge all members of this House to join me in supporting this bill.

## CLIMATE CHANGE

### CHANGEMENT DE CLIMAT

**Hon. Laurel C. Broten (Minister of the Environment):** This is Earth Week in Ontario. It's time to celebrate the wonderful gift that we have been given. It's also time to take action.

All over the world, people are recognizing an important truth: We share a moral responsibility to care for this planet. People everywhere are coming forward with simple, effective ideas to reduce our environmental footprint to help fight climate change. But, as all the members here know, an idea is just an idea until it becomes an action. We need to back up good thinking with good actions.

One person who is proving that actions speak louder than words is Sir Richard Branson, founder of the Virgin group of companies. Sir Richard Branson is a global leader on many levels. Today, though, first and foremost, he is a champion of climate change awareness.

This morning, I had the honour of joining him, along with Dr. Rick Smith, executive director of Environmental Defence, and other founding partners of an unprecedented national coalition to launch Flick Off, a campaign like no other. Flick Off is a global warming activism campaign, a cross-country initiative designed to educate and engage Canadians about climate change and motivate them to take action. What is so encouraging is to see progressive business leaders like Sir Richard and other members of our coalition step up, speak out and take action.

I'm proud that our government is part of this national coalition that empowers Ontarians to take action. We aim to empower Ontarians across this great province to conserve energy, to tell their friends and families to conserve energy, to exchange old habits for new ones—to flick off.

In launching this campaign today, I also challenge my provincial counterparts across Canada to join us. The need to act is now. The planet cannot wait.

Je profite du lancement de cette campagne aujourd'hui pour lancer un défi à mes homologues provinciaux : joignez-vous à nous. C'est aujourd'hui qu'il faut agir. La planète n'attendra pas.

This government is serious about our environmental stewardship. We recognize that fighting climate change is going to take a comprehensive approach that involves many different actions on a variety of fronts. I have heard those voices that have gone from denying the very existence of climate change to fear-mongering with dire predictions about the cost of cutting our greenhouse gas emissions. But our government has seen the costs of inaction, and we see the reason for hope. We hear the voices of Ontarians who want to see progress. Ontarians can and will do their part to fight climate change.

We've seen it in the past. This is where grassroots actions grew into powerful and effective environmental initiatives. We're the home of the highly successful blue box program, which has become an international symbol of recycling; we removed lead from gasoline and banned DDT; we phased out CFCs, which were destroying the ozone layer; and we cut emissions to save our lakes and forests from acid rain.

Climate change will take the same kind of dedication and innovation. This battle is about what we do and what we don't do; what we buy and what we don't buy; how we choose to live and where we choose to live. It's about choice, not sacrifice.

1420

We only stand to benefit from our immediate actions. Every government on earth is recognizing that it needs to take serious action to address the threat of global warming. In Ontario, we are not waiting. Together we have the knowledge, the ability and the will to do our part to halt the effects of climate change. There are a lot of things each and every one of us can do to help make a difference, and that's what's really going to matter.

Our government is working hard on many fronts in the efforts to reduce climate change and greenhouse gases. Our recent Bill 198, the proposed Safeguarding and Sustaining Ontario's Water Act, is now in second reading before this House. It recognizes we need to take strong, decisive action to protect our Great Lakes basin, today and for years to come.

I just recently joined my cabinet colleague Minister Duncan in announcing our government's plan to ban inefficient light bulbs by 2012, a step forward that is the equivalent of taking 250,000 cars off the road.

Our \$2-million budget will see 1.8 million trees planted in the greenbelt in partnership with Trees Ontario.

Climate change is the most critical issue of our time. It's going to affect everyone, no matter where you live, rich or poor. At the same time, climate change is bringing environmental awareness to the forefront. We're seeing great ideas. We're seeing inspiring commitments from the grassroots—people like Sir Richard Branson, who is offering a stunning \$25 million to advance the fight against climate change. It is this kind of activism, this dedication, the spirit of creativity today, tomorrow and for generations to come—

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

#### PEDIATRIC FORENSIC PATHOLOGY INQUIRY

**Mrs. Christine Elliott (Whitby–Ajax):** I'm happy to rise on behalf of the Progressive Conservative caucus in response to the Attorney General's announcement of some details of the public inquiry into the oversight of Ontario's pediatric forensic pathology system, an announcement that I would suggest is well overdue.

The fact of the matter is that in June 2005, aspersions were cast publicly on the credibility of Dr. Charles Smith over at least four autopsies he had conducted, covered in approximately five news stories, including one on the front page of the Toronto Star.

Among the allegations against Dr. Smith was the concern that he had mishandled evidence, in one case by keeping pertinent evidence in a desk drawer that was never submitted and was later seized by police, and in another by losing tissue samples that were sealed in an envelope and later discovered on his desk only as a result of a thorough search of his office.

In April 2005, the Ontario Court of Appeal, when ruling on a stay of charges against a Toronto couple accused of murdering their three-month old baby, said,

"It is inescapable that the trial of this matter was delayed for the better part of two years because of the failings of the chief crown witness, Dr. Charles Smith."

I find these allegations and the delay in responding extremely troubling, and apparently I'm not the only one. It was reported in today's Kingston Whig-Standard that at least one of the Attorney General's colleagues brought this matter to his attention some time ago. When asked why the Attorney General has waited until now to act, the Minister of Municipal Affairs answered, "Why not earlier? I don't know."

Perhaps I can help Mr. Gerretsen answer this question, as I would suggest it is no coincidence that the Attorney General has come forward and announced this inquiry only after details were made public of a woman's plea for an appeal on her charge of murdering her child whose case was handled by Dr. Smith.

This is just another example of a McGuinty minister taking action only after having been caught asleep at the switch.

#### ELECTORAL REFORM

**Mr. Norman W. Sterling (Lanark–Carleton):** I want to respond to the Minister of Intergovernmental Affairs and democratic renewal with regard to the bill on election reform laws.

This particular bill has some attractive expansions of what voters can do and will do and how voters will come to the polls in an educated manner. However, there are some troubling sections with regard to this bill, and of course, we will be looking at those in greater detail as we go forward, but one of them is this—and I want to congratulate Mr. Patten, the member for Ottawa Centre, with regard to putting party affiliation on the ballot; it's a fight that he has undertaken for a long period of time.

Notwithstanding that, that, coupled with Bill 162, which is buried as schedule 11 of the budget bill, does leave one to think that great mischief could occur in the next provincial election, and it will be very easy to undertake that mischief given that two people could basically form a party now. With the ability to put a name on the ballot, confusion can result. Sometimes that confusion may be intended. With regard to what happens in the future, as well, there is latitude given to the Chief Election Officer without the approval of the political parties, which he now has to get under our present legislation before he ventures out into new experiments with regard to the voting process. I believe that political parties here in the Legislature should be part of the consultation and should in fact have the power to direct the election commissioner as to what experiments he may or may not undertake.

#### CLIMATE CHANGE

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I rise today in response to the Minister of the Environment's statement and to congratulate private industry

for taking up the climate change challenge and putting their money where their mouth is. I want to also congratulate the Minister of the Environment for finding someone else's successful parade to try and jump in front of, and pretend to take the lead.

Four years have passed since Dalton McGuinty was elected—no climate change plans; no targets; no vision. The people of Ontario are still waiting. This McGuinty government has shown no leadership. They have a sorry record on the environment: four years of broken promises and what the Environment Commissioner calls *Neglecting Our Obligations*. After so many broken promises, what we know is that Dalton McGuinty's only action on the environment is to make a play on words and have many photo ops. It's just more rhetoric from a leaderless Liberal Party.

**Mr. Peter Tabuns (Toronto–Danforth):** As my colleague just had to say this morning, there was a press conference introducing a new campaign called *Flick Off*: a novel campaign, an interesting campaign about climate change awareness.

But yesterday the Environmental Commissioner of Ontario reported that in Ontario environmental laws are not properly enforced, and that when you actually look at environmental requirements in this province, 90% to 100% of firms that are supposed to be in compliance with environmental regulations are not.

**Ms. Andrea Horwath (Hamilton East):** That's 90% to 100%?

**Mr. Tabuns:** That's 90% to 100%. That, I have to say, speaks volumes to the reality of the environmental commitment on the part of the McGuinty government.

Today—this morning; I was there—the minister spoke of her support for Kyoto, although she has opposed the NDP's climate change act, which would bring Ontario into the Kyoto framework, and has proposed nothing, and all that we have heard is talking about 2020. That's what I call “someone who has a sense of urgency about the issue.”

Yesterday, the Environmental Commissioner of Ontario reported that 40% of all facilities in the province are operating without the necessary environmental approvals. My goodness. I have to say that there is a burning sense of need on the part of the minister to really make sure environmental laws are enforced—urgent, urgent.

So the minister today talks about climate change. Yesterday, the Environmental Commissioner of Ontario made it very clear that actually ensuring that the laws we have on the books are enforced is not on her books, not on her radar, not on her horizon. This government will pass laws that it will not enforce. This government will speak grandly.

Last fall, the Environmental Commissioner's report, *Neglecting Our Obligations*—good title—said, “Funding essential ministries”—like the environment—“at such low levels that they are bound to fail is a fundamental neglect of our obligations to the natural environment, to the people of Ontario and to the generations yet to be born.”

Tomorrow—the day after tomorrow—when this government finally opens the package to show us what they are going to say they will promise to do about the environment sometime, keep in mind that they aren't even enforcing the laws they have on the books today.

## ELECTORAL REFORM

**Mr. Michael Prue (Beaches–East York):** In response to the minister of democratic renewal: The lofty promises of three and a half years ago have all come to naught. If you look at the Liberal promises three and a half years ago, on pages 11 and 12 of your great work *Government That Works for You*, you promised to set up citizens' juries. You promised that, in your own words: “Limits on raising and spending money should not be limited to the brief few weeks of an election campaign. In modern politics, much of the ‘campaign’ spending occurs before the election is even called.” And what have you done on this? Absolutely nothing.

1430

Then you go on, and you went on in those lofty goals of three and a half years ago to talk about the Liberal promise: “Exercising your right to vote should be as easy as possible. The permanent voters' list, used for the first time in the last provincial election, created serious problems that led to poor turnouts in low-income and high-rental-density areas, as well as among young Ontarians. We will counter these effects with supplementary, targeted voter enumeration to ensure that these groups are not overlooked.” And what have you done? Absolutely nothing. In fact, you have made it nearly impossible for people who live in tenanted buildings to vote. We know exactly what happened in York South–Weston. We know that in those buildings that had 100 or more people in the building, where there was a registered place to vote somewhere in the building, the turnout was 39%. We know that when there was not a place within the building for them to vote, the turnout was 16%. What you are doing by amending section 13 is making it literally impossible for tenants to vote. You are making it so impossible—they will find it very difficult. We know why you're doing that. We know you're doing that because the tenants are damn angry with you because of your lack of tenant legislation policy. You have allowed them to live in horrible places, and when they want to come out to vote for you, you will make it impossible for them to do it. You should be ashamed of that.

You have come out with some other stuff, too. It's really hard to believe that you think this is a democratic reform when you are going to deny people, when you are going to make it more difficult for them to vote rather than easier. You should be ashamed of what is in this bill. You should have done the right thing; you should have lived up to your promises of three and a half years ago.

## VISITORS

**Hon. Mike Colle (Minister of Citizenship and Immigration):** On a point of order, Mr. Speaker: I would

like to acknowledge 10 exceptional guests we have in our gallery today. These are incredible people who are Holocaust survivors and who were honoured today by the Premier, Minister Kwinter, MPPs Frank Klees and Ted Chudleigh, and the leader of the opposition at a ceremony by the Canadian Society for Yad Vashem to honour the victims of the Holocaust so we will never forget.

They are with us. These 10 unsung heroes are Jack Buchman, Sidia Cowen, Sala Goldhar, Joseph Gottdenker, Faigie Libman, Harold Rotman, Sam Simchovitch, Sigmund Soudack, Goldi Steiner and Henry Leonard Waks. On behalf of all members of the House and the people of Ontario, I'd like to pause to acknowledge these extraordinary survivors, extraordinary Ontarians.

*Applause.*

#### ARCHIE CAMPBELL

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I believe we have unanimous consent for all parties to speak for up to five minutes to recognize the passing of former justice Archie Campbell.

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

**Hon. Michael Bryant (Attorney General):** I rise today to mark the life and career of Justice Archie Campbell.

Tout au long de son éminente carrière, le juge Campbell a servi le public de l'Ontario de bien des façons.

Over the course of his distinguished career, Judge Campbell served the public of Ontario in many ways, but describing him simply as a lawyer, teacher and judge does not begin to describe the breadth of Justice Campbell's contribution to this province.

His first exposure to the law came during high school when he worked summers under the tutelage of one Roy McMurtry at Benson, McMurtry, Chief Justice McMurtry's former firm. The Chief Justice took the young student under his wing, and the two remained friends for more than 50 years.

Following law school, he returned to article at Benson, McMurtry and Percival under Arthur Martin, one of our greatest criminal lawyers—maybe our greatest—and later a member of the Ontario Court of Appeal.

With mentors like McMurtry and Martin, Justice Campbell was destined for greatness, and greatness did he achieve.

After passing the bar, Justice Campbell immediately joined the Ministry of the Attorney General, specializing in criminal appeals and prosecutions. His great legal mind quickly propelled him through the ranks as he rose to become Deputy Attorney General under our two greatest Attorneys General, McMurtry and Scott.

Along the way, he took a year off to work as director of the Parkdale Community Legal Services clinic and to teach at Osgoode Hall Law School. He showed that pub-

lic service was where you found it, and Justice Campbell found it in many places.

As deputy to Attorneys General McMurtry and Scott, Justice Campbell was inspiring and innovative and always brought an infectious spirit of fun to the workplace. He was a consensus builder who, no matter how complex an issue, was always able to see the big picture.

News of his passing left many at the McMurtry-Scott Building and many of the thousands of people who work in the Ministry of the Attorney General across this province, past and present, sad but reflective on his immense contribution to our province and its legal system. He's fondly remembered for his devotion, sharp intellect and compassion in service to citizens of Ontario.

Justice Campbell was appointed to the then Supreme Court of Ontario, High Court division, in 1986. At the time, Premier David Peterson—he didn't appoint him; the federal government appointed him—said that Justice Campbell's appointment “will be universally heralded as a brilliant one.” He was right.

Then-Attorney General Ian Scott called him “a truly great public servant, of whom this province, whoever was entrusted with the government of the day, may be proud.”

As his career moved to the bench, Justice Campbell, of course, proved both Peterson and Scott quite right. In a short time, he was admired as a highly respected jurist who embodied the best characteristics of the bench: a deep knowledge and respect of the law and the wisdom to apply it fairly.

Counsel appearing before him appreciated not only his sense of fairness and justice but also his kindness and his sense of humour. That was my personal experience as well.

Quite rightly, Chief Justice McMurtry remembered Archie Campbell last week as “one of the giants of the legal world” and “one of the most able judges in the country.”

His legal expertise and wisdom was called upon in 1995 when he was asked to head a review of the police investigation into the murders of Ontario teenagers Kristen French and Leslie Mahaffy. His recommendations resulted in numerous changes to major case management techniques and policies in police headquarters across the country. Those changes remain today.

In 2003, Justice Campbell was called on to investigate the response to the SARS outbreak. Once again, his two reports pulled no punches and delivered well-thought-out proposals. Overall, his thorough work and thoughtful recommendations have made this province a better and safer place, but a more compassionate one as well.

He became a champion for Ontario's front-line nursing staff by reminding the public of their heroic efforts to save lives during the SARS crisis. And, of course, he was right.

Benjamin Disraeli once remarked that “justice is truth in action.” Archie Campbell was the embodiment of this sentiment. By his life and deeds, Archie Campbell was

justice in action, he was truth in action, and all of us are richer by his actions on our behalf.

On behalf of the Premier and the government of Ontario, I offer my most sincere condolences to friends and family of Justice Campbell, and the thanks of a grateful province.

**Mr. Norman W. Sterling (Lanark–Carleton):** I'd like to associate our party with the comments of the Attorney General in regard to the unbelievable career of Justice Campbell, a man whom I got to know as "Archie" back in 1978, when I first served as the parliamentary assistant to then-Attorney General Roy McMurtry.

I talked with Chief Justice McMurtry this morning and we went over some of his remembrances of Archie, and I talked to Judge Thomson as well about some of his memories with regard to Mr. Campbell.

1440

The first time I ever saw Archie Campbell was in a committee; we were then in a minority Parliament in 1978. We were in the thrust between 1975 and 1985, 10 years of tremendous law reform in this province. Something like 59 different pieces of legislation were passed over that period of time, and at the head of it was Archie Campbell. He was a tremendous person, a tremendous scholar and had tremendous wisdom, but he had this common touch. He had a common touch. I'll never forget when Archie walked into this particular committee room—I was told that he was coming over. I had never met him; I had just been appointed parliamentary assistant.

Right in the middle of the hearings on the new Family Law Reform Act, the first Family Law Reform Act that this province had ever passed, in walks this fellow with Kodiak boots half open, a pair of red suspenders and sort of an open-collar shirt and a sport coat on. That was Archie Campbell. Archie Campbell didn't look the part, but of all the Deputy Attorneys General, he was probably the most genuine this province has ever seen, because he cared so much about the justice system. He was a fierce advocate of the independence of the justice system, and he carried that through to his days on the bench. He was unbelievably bright. One of the greatest parts about Archie Campbell was that, whether you sat on the government side or the opposition side of the floor, he respected members of this Legislature to an unbelievable extent.

He would listen, and then he would make his position. He was always ready, quite frankly, to listen to good argument one way or the other. But I'll tell you this too: If he held a particular view, particularly with regard to the independence of the justice system, the independence of the judiciary of our province, it was very hard to knock him off that kind of belief.

Notwithstanding his great work with regard to the police activity around the Bernardo conviction and trial, he remained and was always considered a friend by the police. He was able to bring forward great, great recommendations with regard to how they could improve their performance into the future. The police have taken his

recommendations and embraced them, and we have better police services in our province because of Justice Archie Campbell.

Of course, he did wonderful work on the SARS report too, with regard to a very, very difficult situation that our province found itself in.

Archie Campbell was also just a great guy to go out to lunch or dinner with. To be around Archie Campbell was to know that you were going to go out and have a good time. Archie was humorous and he loved life. He had a great appetite for life. He loved fishing. He loved to talk about going up north and going camping. He was very much a historian, particularly with regard to the US Civil War, and loved to talk about issues like that. He loved poetry and could quote many of our famous poets off the top of his head and do it with great charm, entertaining everybody around him.

In the last eight months, Archie had some very significant health problems, and Chief Justice McMurtry said to me that he couldn't believe the strength and determination of Mr. Campbell. I guess it was best summed up by Judge Thompson, whom I was talking to today. He said, "Archie Campbell worked hard and played hard." When he said he "worked hard," this gentleman would put in, for our justice system over his life—it wouldn't be anything for him to think about 14- or 16-hour days in terms of doing what had to be done, whatever endeavour he was involved in.

Archie Campbell, after eight months of sickness—and some of it was very, very difficult sickness. Notwithstanding that, only three or four weeks ago, he was in a courtroom. He went into the courtroom with his wheelchair and with an oxygen bottle and apparatus so that he could function, because he had a very serious chronic lung disease that was attacking him, as well as cancer. He was so happy to be back in court three or four weeks ago, in spite of the circumstances, because he just loved the justice system and he loved working with the law and he loved working with all of the people involved in the justice system.

We have lost a lawyer of all lawyers, and we have lost a judge of all judges.

Our condolences go out to his wife, Julie Poole, his son, James, his daughter, Sarah, who's also a lawyer, his stepchildren, his grandchildren and all.

We've lost a truly great Ontarian, and I have lost a great friend.

**Mr. Howard Hampton (Kenora–Rainy River):** We acknowledge today that Ontario has lost a great citizen, a leading jurist, an inspiring teacher, a thoughtful scholar, an able administrator, a leader in the public service and truly a great citizen.

At the same time, however, we have to celebrate a life that was full, that was happy, and that was lived in the spirit of service to the community.

Archie Campbell did many things. He pursued a career in government as a public prosecutor and as an appeal counsel. He was an able administrator, and became the deputy minister of two government ministries.

He was a very successful and leading jurist. He inspired anyone who sat with him on the bench, and he was an innovator on the bench. People respected his work so much that he was named to not one public inquiry but two public inquiries: the handling of the Paul Bernardo and Karla Homolka case, which he handled with incredible expertise; and, most recently, he led the inquiry into the government's handling of the SARS outbreak.

Over the course of his busy career, he even found time to work as an educator, teaching literacy and English as a second language in logging camps, hydro camps and railway camps across northern Ontario. He taught law at Osgoode Hall, and he spent a year establishing a legal aid clinic to help people who didn't have the financial means to be able to afford access to justice.

Archie Campbell was a tireless and dedicated individual, committing to his work in the SARS inquiry and finishing his work in the SARS inquiry even as his own health worsened, completing the report in January, three months before his untimely death. That dedication was vintage Archie Campbell. He never left work unfinished, and he was always willing to commit time and energy to do the work to make Ontario a better place.

The first time I met Archie Campbell was under some rather intimidating circumstances. It was right after the Askov decision, which threatened to literally remove tens of thousands of criminal charges from our criminal courts in Ontario. We had to very quickly find a way to get the judges—federally appointed judges, provincially appointed judges—to consider some very quick changes in how we conducted our courts. Archie Campbell was the regional senior judge for the Toronto region, so I had to meet with him. I remember walking into the meeting and saying to myself, "This is going to be a very tough meeting." I no more than got in the door when he looked at me and said, "You're from Fort Frances." I was very puzzled that he would know what small town I came from. He said, "When I was a university student, I worked three summers as a Canada Customs officer in Fort Frances." He then proceeded to ask me if I had ever visited the Shamrock Bar in International Falls, Minnesota. It's a rather disreputable place. I admitted that I had. He said, "I have visited it many times." He then asked me if I knew of the Busy Bee, an even more disreputable bar in International Falls, Minnesota. I quietly said that I had. He said, "I have been there many times."

He then proceeded to regale me with stories of being a customs officer and having American tourists pull up at the border when it was 90 degrees Fahrenheit in the middle of July and ask him, as the customs officer, "Where's the snow?" He also told me of one particular case where a car full of tourists pulled up and he said to them, "Do you have any handguns in the car? You know that handguns are illegal in Canada." There was a bit of silence, and then one of the fellows said, "Yes, there's a handgun in the glove compartment." He said, "Well, you have to hand it over. Are there any other handguns in the car?" Someone else said, "Yes, there's one in the trunk." "You'll have to hand that over."

#### 1450

Archie had an amazing sense of humour. He was someone who never lost the common touch, who could talk with anyone about almost any subject and make people feel perfectly comfortable in that conversation. To put it bluntly, he was someone who could walk with philosopher kings but never, ever lost the common touch.

We have lost truly a great Ontarian, and we all need to acknowledge that. But we also need to recognize that, like so many great Ontarians, what Archie Campbell accomplished is going to live on for some time. We extend our condolences to his family and friends, but we say to his family and friends, this is truly a life well-lived.

**The Speaker:** On behalf of the Legislature, I will see that the Hansard of the Attorney General, the member for Lanark–Carleton and the leader of the third party is transmitted to the family.

## ORAL QUESTIONS

### MINISTRY OF CITIZENSHIP AND IMMIGRATION GRANTS

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Citizenship and Immigration, and it concerns the political slush fund. What we're looking for from you are some answers about the process you followed with this money that you blew out the door at the end of the fiscal year. You said on April 18 that you had written criteria that were followed. When asked about it, you said you actually had those. You said, "I've got those." You promised to make those criteria public, as did your press spokesperson, but since then we've seen nothing. You've refused to bring that documentation forward.

I wonder if you'd agree to make a copy of that document available to us, the written criteria that you used in determining which of the groups got money and which did not, in allocating this year-end slush fund money. Will you make it available?

**Hon. Mike Colle (Minister of Citizenship and Immigration):** The mandate of my ministry and the principles that we're based on is to invest in our diverse communities, our newcomer communities, to ensure that volunteerism is enhanced, to ensure that communities are built not only with roads and bridges but with community centres and community participation. We invest in that kind of enhancement and growth.

**Mr. Tory:** We can read about the mandate of the ministry on the website, although what we're after here is what is not on the website, contrary to the impression created by the Premier in his comments in the last couple of days. All we're trying to get is something that you said existed. You said it yourself on April 18. Your press spokesperson said it would be made available, and we're asking for the written criteria that were applied. We're

not asking about the mandate of your ministry; we're asking for the written criteria that were applied to these distributions of hundreds of thousands of dollars of the taxpayers' money. It's a very reasonable thing to think exists. You said it did, and now we're asking for a copy. We simply want to see it.

If you won't produce it here, will you at least agree that the Liberal members of the public accounts committee, when it meets tomorrow, will vote in favour of asking the auditor to collect this material from you so that we can have an open look at this? Will you do that?

**Hon. Mr. Colle:** When my ministry makes investments, the investments are guided to meet the needs that have not been met for decades by previous governments. Those are needs in ensuring there's inclusivity. They're a celebration and investment in our heritage, whether it be the Underground Railroad, whether it be victims of the Irish famine who made Ontario their home, or whether it be newcomer communities. Those are the principles our investments are based on.

**Mr. Tory:** I think the minister is deliberately missing the point, which is that there were—you said the other day in the House that there were hundreds of groups that had approached you looking for money. You picked 31 and gave them the different amounts of money we've discussed here. We're simply looking for the basis upon which you made the choice of the few that got the money out of the hundreds that approached you.

When we asked about the auditor the other day, you said to us, "The office of the auditor has within his or her mandate that independent authority to do what they want." That's what you said here on Monday. I got a letter back from the auditor today in which he says, "Our act specifies that I may only undertake special assignments requested by the assembly, the standing committee on public accounts, or a minister of the crown."

Tomorrow morning, there will be a motion put to the public accounts committee asking that they look into this. Will you put your money where your mouth is, if you're not trying to hide anything, and simply indicate that the Liberal members will support, or that you yourself will request that the auditor look into this so we'll all know—

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

**Hon. Mr. Colle:** I think what is missing here is the fact that for years, thousands and thousands of newcomers especially have never been listened to. They continually ask me for more investments in language—

*Interjection.*

**The Speaker:** I won't warn the member for Nepean-Carleton again.

Minister?

**Hon. Mr. Colle:** They continually point out to me the need to make more investments in newcomer programs for second-language training. They continue to say that the plight of foreign-trained professionals needs to be invested in. They continue to say that too many newcomers who come to Ontario live below the poverty line. These are the constant reminders that I get as I go across

cities like London, Hamilton, Toronto or Sudbury. It's the same thing.

**The Speaker:** New question?

**Mr. Tory:** My question is for the Minister of Citizenship and Immigration again. We'll try to go at this a different way.

The minister is refusing—because I asked him three times to put out the written criteria that he says exists. Today he's quoted in the Toronto Star as saying that the track records of organizations are what he relies on to make sure he's spending the money wisely, and yet we've seen that one of the groups has been registered early on as an animal welfare organization and another one is embroiled in a court case regarding its financial management. He said that he helps groups, big and small, some of which are just starting out.

If you won't produce the criteria, will you tell us specifically—maybe you could go through the list and tell us what you did to check on the backgrounds of these groups that you gave the money to, the 31 you picked out of the hundreds that came to see you needing money for these purposes that you describe. What did you do to check their backgrounds? Will you tell us what you did?

**Hon. Mr. Colle:** As I said earlier—

*Interjection.*

**The Speaker:** I will not warn the member for Renfrew-Nipissing-Pembroke again.

Minister?

**Hon. Mr. Colle:** When you go throughout communities across Ontario, there are incredible numbers of hard-working volunteer organizations, settlement organizations, that are trying to ensure that newcomers are integrated with proper language skills and language training skills. We constantly get notification that we need to do more. Whether it's the little community group AWIC—do you know what their credentials are? I've seen their centre up in the Peanut area of Don Mills, where they're in a small basement room about the size of these two chairs and another side room with five volunteer staff. Those are the criteria I base it on, and their hard work.

1500

**Mr. Tory:** With the greatest of respect, many of us have been to many of these places. But if you're expecting us to accept the fact that that is an adequate way to safeguard the allocation of taxpayers' money, I think you're sadly mistaken as to the standard that is expected of you by the taxpayers. I think they have reason to expect that you would have asked for some kind of application form; that you would have done some kind of background check; that you might have had somebody at arm's length from yourself, as an elected politician, participate in the assessment of these groups; and that you might have had some kind of audit as to what they did with the money once they received it. You've chosen to do absolutely none of that, and it falls well short of what the taxpayers expect.

My question is, will you confirm that the reason you didn't ask for a value-for-money audit after the fact to

make sure you got good value for this money that you allocated is because you couldn't then have treated it as March madness year-end spending and you wouldn't have been able to allocate it to last year? Is that why you didn't ask for an audit of on what was done with this money?

**Hon. Mr. Colle:** If our government invests \$500,000 in an organization like SISO, which is an immigrant aid organization in Hamilton that has an impeccable track record and has been trying to partner with the private sector—in fact, the Bank of Nova Scotia is partnering with them, and the city of Hamilton is going to partner with them to build a new settlement house and refugee centre just down the road. Here's what he calls fly-by-night organizations. These are organizations that my ministry has been working with. Organizations like SISO, organizations like CultureLink, organizations like the Catholic Immigration Centre in Ottawa have been working on the ground with newcomers for 20 years. They have a track record of achievement that is exemplary.

**Mr. Tory:** I assume that what you want us to accept, then, is that, of the hundreds of groups you see, your personal assessment of what these people do—the fact that there is no application form, no criteria, no judging panel, nobody who looks at it independently, no value-for-money audit—is adequate.

Justice Gomery said this about Adscam: “Good intentions are not an excuse for maladministration of this magnitude.” He was right, and that is exactly what you're doing here: expecting us to accept the fact that you can do all of this all by yourself as one politician. That's why we need the Auditor General to look into this.

I'm asking you one more time. Tomorrow, that committee will have a motion before it asking the Auditor General to look into this. If you believe so strongly that what you've done here is absolutely right and meets the standard, if you have nothing to hide, then will you agree that the Liberal members will support that investigation to allow the auditor to get on with it, or will you ask him to do it yourself?

**Hon. Mr. Colle:** Again, the expenditure of taxpayer dollars is a very, very serious matter. These organizations that we've invested in, like the London Cross Cultural Learner Centre, their exemplary track record; the Newcomer Women's Services in Toronto; the North York Community House—all of these organizations—Skills for Change, an organization that has been working with newcomers, developing new programs year after year after year. We are proud to invest in those organizations, or organizations like the Greek Hellenic centre, which has been getting money from the past federal government and provincial governments of either stripe. They are building the first-ever Greek Hellenic centre right in the heart of Toronto with a partnership of their fundraising, the province of Ontario and the federal government that is going to help to integrate a lot of people.

**The Speaker:** New question. The leader of the third party.

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Citizenship. New Can-

adians face many challenges when they come to Ontario: learning a new language, finding a home, finding a job and overcoming financial hardship. We recognize that we have a responsibility to help them, and you have a responsibility as minister to ensure that the funds that are prescribed to help new Canadians are distributed properly and fairly, and used for the purposes for which they were intended. Over the last week, it's become clear that you have failed to do that. So the question is this: Will you bring in the Auditor General to examine what went wrong and how money that should have gone to new Canadian organizations went to a baseball museum? That's all we're asking. Will you bring in the Auditor General to examine what went wrong?

**Hon. Mr. Colle:** The leader of the third party still has not apologized to Angela Connors, who is the president of one of these excellent organizations that provide these services. She says that she's a card-carrying NDPer. The leader of the third party claimed that she belonged to a fly-by-night organization. He should stand up and apologize.

**Mr. Hampton:** Minister, what are you trying to hide? New Canadians—

*Interjections.*

**The Speaker:** Order. Stop the clock. We really need to behave at a level of maturity in here that is reflective of the institution.

The leader of the third party.

**Mr. Hampton:** New Canadians have an interest in this too. They want to know that if funds are designated to help their community organizations, those funds go to their community organizations and are used appropriately. But instead, this is what we've seen: \$200,000 handed to an organization that registers itself as an animal protection charity, which is closely linked to the local Liberal riding association; half a million dollars to a baseball museum that has nothing to do with new Canadians but is in a riding where the Liberal incumbent is facing a tough challenge; and a Liberal MP who says that if volunteers from a community organization work for a candidate from another party, they shouldn't get government funding.

Minister, why wouldn't you bring in the Provincial Auditor to look at how the money got distributed to these kinds of organizations when it should have gone to—

**The Speaker:** The question has been asked. Minister?

**Hon. Mr. Colle:** The leader of the third party has been around here long enough, I hope, to understand that the mandate of my ministry also deals with enhancing citizenship and volunteer participation. Right now, as we speak, there are over 9,000 citizens being recognized by our government with volunteer service awards. We also invest in heritage recognition, whereby it could be, again, the Underground Railroad, where we're recognizing and investing in the bicentenary of the slave trade and slavery. These are the kinds of things my ministry does. We're proud of what we do for new Canadians, because we've done more for new Canadians in those investments than any other government in this province.



**Mr. Hampton:** And if you're proud, Minister, of how some of these grants were distributed, what are you afraid of? Why wouldn't you bring in the Auditor General to look at what is happening?

Joining us today is Mustaq Ahmed, who's with Bangladeshi-Canadian Community Services. His organization receives funding from the city of Toronto and from the United Way, but his organization did not receive any funding from your year-end distribution of funds. That's because they didn't know that the funding existed, just like hundreds of other good, reputable organizations didn't know this year-end funding existed, because you didn't tell them. Instead, you flowed a grant to a Liberal-connected group, with no track record and no history in the community, and you can't even produce a scrap of paper to justify it.

My question again: Why won't you bring in the Auditor General to look at how this program was administered and how organizations that were connected—

**The Speaker:** The question has been asked. Minister?

**Hon. Mr. Colle:** Again, my ministry has been working with newcomer settlement programs and their agencies. Last year, for the first time, we gave the opportunity to all of these agencies to apply for the sectoral improvement grants, capital grants, to fix up their facilities. Almost all the agencies received this upgrade—a one-time upgrade that they got. They had never received this in 15 years—all the agencies required.

There are many new agencies, there are many up-and-coming agencies and there are some that are on the margins. We are always trying to reach out to bring in more agencies and to provide more services. There are definitely more opportunities, and we continue to look for more agencies to be part of delivering these services, but it is not a static thing. It continues to grow and change.

1510

**The Speaker:** New question. The leader of the third party.

**Mr. Hampton:** My question is to the Minister of Citizenship. Minister, hard-working new Canadian families need services to help them establish themselves in Ontario. We all recognize that.

You handed the Bengali Cultural Society \$250,000 because Liberal MP Maria Minna asked you to, but we could find no criteria, no application form, and many people in the community say they don't even know about this organization. They don't even know how it got established.

That's all we're asking, Minister. These organizations that don't seem to have a clear connection to the community, that don't seem to have a history but seem to be connected to Liberal politicians: How did they get grants of a quarter of a million dollars, \$200,000, when so many reputable organizations got next to nothing?

**Hon. Mr. Colle:** The leader of the third party still has not apologized to one of these organizations that has been providing these services non-stop in Peel for the last 25 years. He still hasn't done that.

The other thing is that there are continuing emerging needs happening right across this province. For instance, Peel region, York region, the city of Hamilton—there are definite needs that are arising. We are trying to build more capacity by making investments in some of those emerging areas. Just as cities are not stagnant, neither are neighbourhoods, so at certain times we have to increase capacity to deliver a better service.

One of the areas that has been identified by the United Way of Greater Toronto—they said there are 13 at-risk neighbourhoods we need to invest more in because too many of our immigrants, too many of our working families don't get help. So we're building more capacity and reaching out in various neighbourhoods also.

**Mr. Hampton:** Minister, when government funding is prescribed to help hard-working new Canadians, that's what it should be spent on.

Joining Mr. Ahmed today are representatives from organizations representing Ontario Vietnamese, Tibetan and Somalian communities. They all need funding to help them build community services, but they didn't get any funding from your year-end distribution because they didn't know that funding existed, because you didn't tell them that funding existed. These are the people who are hurt most.

Explain to these people who are here today, people you deprived of a fair opportunity to access these year-end grants, why they were denied funding while a baseball museum received a half a million dollars. Explain that to them, and explain why you won't have the Provincial Auditor look at this program and how the money was—

**The Speaker:** Minister.

**Hon. Mr. Colle:** Again, the leader of the third party fails to recognize, as he has been told many times, that the ministry's mandate is also to encourage integration. That's why we partnered with the Canadian Museum of Hindu Civilization to build a wall of peace. That's also part of my mandate, because we want to ensure that all religious organizations, groups or religious beliefs feel a part of Ontario, and that all Ontarians can feel a part of visiting there.

Whether we invest in the Irish famine park down at the end of the street or whether we invest in the new centre honouring Miss Lou, the great Jamaican poet laureate, that's all part of the mandate of inclusion, of recognizing that people come from all over the world, that we want to make them feel integrated, welcome and that they are contributing to Ontario.

**Mr. Hampton:** Minister, I fail to see what a baseball museum in a Liberal incumbent riding has to do with any of those things you've just—

*Interjections.*

**The Speaker:** Order. I would again remind members that we need to show some respect for the institution in which we are presently working.

Leader of the third party.

**Mr. Hampton:** As I said, I fail to see what a baseball museum in a Liberal incumbent riding has to do with any

of the things you've just mentioned. Minister, it's your job to ensure that this government funding is fairly and properly distributed, that there's no playing of favourites, that everyone has a fair opportunity to apply, that every organization acts according to the rules. But here there was no application process, no criteria and no explanation as to how some of these organizations got a grant. All kinds of reputable organizations got nothing. Meanwhile, you have the Iranian-Canadian Community Centre, with no history, no expertise, except they're well connected to the Liberal Party.

Will you examine this? Will you have the Auditor General examine this so groups can find—

**The Speaker:** The question has been asked. Minister?

**Hon. Mr. Colle:** Again, the province of Ontario is made up of many people from all over the world. In this government, we have recognized the founding Loyalists who made a great contribution to Ontario—that's part of the mandate of my ministry—the francophone contributions. We spend a lot of time ensuring that new immigrants can link with the understanding of the continuity of the first immigrants. We make those investments in many ways, and whether he wishes to categorize the baseball museum, which is a national museum—and we've invested in that museum in order to make it accessible for children who would not have accessibility with their wheelchairs. We think that whether it's a museum that is part of our heritage, we should encourage people to visit, whether you're disabled or not. That's what our investment was about.

**The Speaker:** New question.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** My question is for the Minister of Citizenship and Immigration regarding your Liberal Party slush fund.

I want to go back to a question I asked you yesterday which you refused to answer. You're quoted in the Toronto Star on April 20, 2007, as saying that this money "has to go through [the] other ministers"—the Minister of Finance, who is the Liberal Party campaign chair, and the Minister of Public Infrastructure Renewal—"and ultimately, I guess, by cabinet." Those are your words, Minister.

Now, will you please tell us what direction you received from the Liberal Party campaign chair on who you should give this money to?

**Hon. Mr. Colle:** Again, over the last few years, because of the fact that we've been out in the communities, we've heard loud and clear that what we should do in Ontario is stand up and fight for fair investment in newcomer programs in this province. That's who we listen to. We listen to all the newcomers who are living below the poverty line who said, "Why should a newcomer who goes to Montreal get \$3,800 of federal funding, and if a newcomer comes to Ontario they only get \$800?" That's who we listen to. We fought hard, and now those investment dollars are being made directly to the groups and the programs in Ontario. They never were before. Those investments are because we stood up and fought

for fairness for our newcomers in Ontario. You never did that.

**Mr. Yakabuski:** Minister, you have to answer this question if you have any interest in transparency and accountability. Remember your Premier's throne speech. This process stinks like Adscam. Minister, you said that this had to go through the Liberal Party campaign chair before it was approved. We just want to know how it worked, especially when it appears that one of those people connected to one of these groups has made donations to the Vaughan–King–Aurora riding association.

So we want to know—clear it up for us, Minister—how, precisely, did it work? Did the Minister of Finance or his staff contact you and decide which groups were going to get the money? We'd like an answer. The people of Ontario would like one.

1520

**Hon. Mr. Colle:** The member from Pembroke as usual is making things up. What we are saying and what we've done is that we've ensured that all of these organizations, like Frontier College, have said very clearly that they want to partner with the government of Ontario in ensuring that our First Nations youth all across Ontario get these literacy camps. I know that the member opposite doesn't want to talk about that, but that's also part of our mandate: to ensure that our first founding people, the First Nations people of this country, also participate with the Ministry of Citizenship and Immigration. We have done that, and we're proud of that investment in our First Nations people.

**The Speaker:** New question?

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Citizenship and Immigration. A page has just delivered to you a document—

*Interjections.*

**The Speaker:** You seem to have a short memory. We need to respect the place. We need to remember to act as mature, mature members in this place.

Member for Beaches–East York.

**Mr. Prue:** Minister, a page has just delivered to you a document for your review about an organization that you spoke of yesterday and again today in this Legislature and for which you have given a grant of nearly \$24,000. Will you please read the highlighted notes from that to this Legislature to explain to the Legislature exactly what your grant is all about?

**Hon. Mr. Colle:** Again, I still haven't heard the member from that party and his leader, who claimed that there was a Liberal connection in this agency in Peel region, when the president of the Peel neighbourhood community services agency is a card-carrying NDPer. How could they say that, when that organization has been getting funding from the NDP government, the Tory government and our government for the last 25 years?

**Mr. Prue:** Let me help the minister, who is singularly incapable of reading bad news. According to the Canadian Internet Registration Authority, the owner of the Inter-Cultural Neighbourhood Social Services website is the Mississauga West provincial Liberal riding

association. The administrative contact who pays the bill for this website is Ms. Heather McKee, treasurer of the Mississauga West provincial Liberal association, and the technical contact for the website is a Mr. Bob Delaney, who I think is known to all the people in this Legislature. Minister, you have to admit that this stinks to high heaven. I am asking you: Isn't it time that you apologize or resign and call in the auditor?

*Interjection.*

**The Speaker:** Member for Erie-Lincoln Minister.

**Hon. Mr. Colle:** In many of these community-based organizations providing newcomer services, there are people of all walks of life who volunteer or work there. Some of them belong to different parties, but they've been working in that field, delivering language training, the Job Connect program, some in-schools programs. They've been doing that, like this organization has, for over 20, 25, 30 years.

These organizations, again, for the last year—and the one that he's got such a problem with is one of about 80 agencies to which we, for the first time, gave a sectoral improvement grant so they could fix up their basic structure. They applied, like everyone else. They got the sectoral improvement grant because they met the criteria, which were basically on fixing the accessibility, new computers. They got help for the first time in 25 years. They were ignored for too long.

#### ENVIRONMENTAL PROTECTION

**Mrs. Carol Mitchell (Huron-Bruce):** My question is for the Minister of the Environment. Minister, in the beautiful riding of Huron-Bruce, many of my constituents have been asking about environmental issues. My riding touches the shores of Lake Huron, and with a very large agricultural sector, environmental issues are always of top importance.

However, it is worth noting that within this House are members of former governments and former environment ministers who, when given the chance to show leadership on environmental issues, chose reckless cuts over making investments and protecting the environment for future generations.

Minister, I see first-hand that the McGuinty government is showing leadership on environmental issues and taking action. Can you help weed through the rhetoric and the hyperbole surrounding environmental issues and share with this House the measures the government has taken to improve our environment?

**Hon. Laurel C. Broten (Minister of the Environment):** I thank the member for Huron-Bruce for the question. After years of mismanagement and drastic and reckless cuts, our government, the McGuinty government, has increased the budget of the Ministry of the Environment by 22%. We are turning the corner and rebuilding a ministry that has been destroyed by not one but two former governments, who now sit on the opposite side of the House and proclaim to care about the environment.

But actions speak louder than words, and the actions that we have taken are hiring water inspectors, implementing the recommendations of the Walkerton report, funding source protection planning, passing the Clean Water Act, implementing a deposit-return system for the LCBO and creating tougher air emissions standards.

When given the chance to act and invest, we have spoken loud and clear. That is in strong contrast to our friends on the other side of the House, who are all about rhetoric.

**Mrs. Mitchell:** Thank you, Minister, for enlightening this House on some of the measures that the government has taken to make Ontario a cleaner and greener place.

Further to what your ministry has done, I want to know more about the entire government's environmental record. Each government—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** I need to be able to hear the questions being put and the responses being given, and I'm having an incredibly difficult time, as I imagine many members in here are. I'm interested in hearing the question by the member for Huron-Bruce.

**Mrs. Mitchell:** Thank you, Mr. Speaker.

Each government leaves a record and a legacy. The previous NDP and Tory governments left behind a record of cuts to the Ministry of the Environment. Further, in this very assembly, members opposite opposed the Clean Water Act, opposed greenbelt legislation, opposed higher energy efficiency standards and opposed funding for public transit. The people of Ontario know that neither the NDP nor the Tories have credibility on environmental issues.

Minister, can you please let this House know of the government-wide investments that have been made into environmental issues?

**Hon. Ms. Broten:** Our government has taken an activist agenda. We are working across a variety of ministries to make sure that we rebuild and repair the destruction left by two former governments. Together, across a variety of ministries, we have protected 1.8 million acres in the greenbelt, we have invested billions in public transit, we have made Ontario a leader in green energy and we have reduced our emissions from our energy plants. We have a stronger building code, renewed investment in research and innovation and brown-field revitalization, and we look forward to doing much more.

1530

#### MINISTRY OF CITIZENSHIP AND IMMIGRATION GRANTS

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Citizenship and Immigration, and again it's back to the question: Isn't it time for the Auditor General to have an objective look at all this?

Let's go through the record here. We have the first grant given to an organization whose contact was made by a former Liberal cabinet minister—no documentation,

no paperwork. In fact, you asked them for paperwork after you gave them the money. Then we have the second one, which has seven out of seven of its directors contributing directly to the Liberal Party. The office of this organization is the law office of the Liberal president, and on the board is the Liberal provincial candidate, and it has connections to the Liberal Party campaign chair. Now we have a non-profit organization that received money from your ministry that has its website registered and owned by the Liberal riding association, with the technical contact being an employee of one of the Liberal members of the assembly.

Don't you think it's time—if you don't want this to get worse, if you don't want public confidence to be further eroded, if you want to get to the bottom of this and come clean and try to salvage some of your own reputation—that you agreed that you will have the public accounts committee—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Minister of Citizenship and Immigration.

**Hon. Mike Colle (Minister of Citizenship and Immigration):** I've made it very clear here that one of our biggest and proudest investments was in the United Jewish Appeal, which is raising almost \$300 million to create an incredible contribution to the GTA in everything from health care to seniors' care to the Holocaust Memorial Centre. All this is being done. Those are the kinds of partners, big and small, that are also part of our ministry.

Here is the member who was kind of reckless the other day when he immediately looked at a name and said, "Oh, that gentleman there has got to be Mr. Atma Singh." As Mr. Singh said, if it had been John Smith, he would have known that there might be more than one John Smith. But it's something different: he didn't take the time.

*Interjections.*

**The Speaker:** Order. Member for Simcoe–Grey, I won't warn you again.

**Mr. Tory:** That sort of implication is beneath the office you hold as a minister of the crown. I'll tell you something else: I had the common decency to come into this House and apologize to the two people—apologize to them in person and apologize to the House.

*Interjections.*

**The Speaker:** We've got to the point that the next one who interjects, regardless of what side of the House they're on, will be leaving this place.

The Leader of the Opposition.

**Mr. Tory:** There is taxpayers' money involved here. It has been allocated to various and sundry groups without application, without criteria, without a review process, without anybody looking at it, without any audit of what's done with the money after the fact. We're asking you: Will you agree to have the Liberal members work with us tomorrow to request that the auditor come in and examine this so the public will be able to have their confidence restored and know that this money was

properly looked after? It's a simple request. You should do it as a matter of honour and as a matter of preserving integrity in what we do here in this place, which is to look after the taxpayers' money. Will you agree to do—

**The Speaker:** The question has been asked. Minister?

**Hon. Mr. Colle:** The Leader of the Opposition was so quick to condemn two individuals before he checked his facts, he was so quick to question some of these new founding organizations in the gurdwaras—to see the good work they do.

I would just say to the Leader of the Opposition that we're proud as a government to invest in long-established organizations that have been doing great work in heritage preservation, providing language training for newcomers, providing Meals on Wheels. Those are the kinds of organizations we have partnered with. Their track records are long and strong. We are also trying to ensure that new, emerging organizations also become part of the fabric of making Ontario a better place.

I would ask the member opposite not to be so reckless and not to judge, especially the smaller organizations, which may not have 10 lawyers on their board of governors and which may not have people that speak perfect English, but their volunteerism is worth as much as anybody else's volunteerism.

**The Speaker:** New question?

**Mr. Michael Prue (Beaches–East York):** My question again is to the Minister of Citizenship and Immigration. Minister, you've now had five or so minutes to have a good look at this document. You've had a chance to read it. What it says is that the domain icnss.ca is registered to the Mississauga West Provincial Liberal Association. A description is given: "The Mississauga West Provincial Liberal Association is an Ontario riding association serving members of the Ontario Liberal Party in the Mississauga West constituency."

Can you tell me, Minister, how it is that that Liberal riding association thinks it's okay to pay for the bills and to register the domain for this group of which you speak so highly?

**Hon. Mr. Colle:** I still wish the member had the guts to apologize to Ms. Connors for the fact that he said that this was a fly-by-night group. He's basically continuing that today.

As I said, if you go to Kingston, Cornwall or London, there are organizations that have volunteer participation. What we look at is the work they do. You know what they do? When a person comes crying into their office, they're the ones that give them relief, and they may not have anywhere else to go. When they don't have a place to live, when they're frustrated after three years of having no job—these organizations across this province, big and small, have been ignored for the last 20 years. We're the first government that all of a sudden tries to invest in and improve their service delivery, and the member opposite stands up and says that this group here and that group there doesn't meet his standards. Well, I have a lot of faith in these community-based organizations. They do great things.

**Mr. Prue:** The only standards not being met in this House are the standards set by this minister—this minister who has not done due diligence; this minister who has not checked the domain; this minister who has not looked into the groups in any way at all and who has not recognized the associations. This is a minister who has failed all of us.

Can you tell me, Minister, if it's all right for this group to have the domain registered by the Liberal Party? Is it all right to have the fees paid by the Liberal Party? Is it all right to have the technical contact and the changes to the domain and the website done by the Liberal Party and still qualify for funds under your regime?

**Hon. Mr. Colle:** This organization, Inter-Cultural Neighbourhood Social Services, like the Jamaican Canadian Association—all these organizations have been working with governments of all stripes. They worked with the NDP when they were in power. They got money from the NDP. They got money from the Conservatives—very little—they got some investments from the Conservatives. My ministry has continued to work with those partners.

This is one of about 82 partners we work with, and we look at their track record of delivering those language services, those 24-hour hotlines for women who need translation services. We work with the Barbra Schlifer centre. Do we go look at the Barbra Schlifer domain to see who's running the domain? We believe the Barbra Schlifer centre offers an incredible 24/7 language service. The Minister of Economic Development and Trade and the women's directorate have invested in the Barbra Schlifer centre because they do great work. That's who we—

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

#### ONTARIO ARTISTS

**Ms. Deborah Matthews (London North Centre):** My question is for the Minister of Culture. Minister, as you will most certainly recall, this government's 2003 election platform contained a stand-alone arts and culture policy. In it we made several important commitments to artists, one being the establishment of a new award for outstanding individuals and organizations in the arts field—the Premier's Award for Excellence in the Arts.

Minister, can you please update us on this commitment and share with us more information about this award, an award that demonstrates in a highly tangible way how highly we value and celebrate our Ontario artists?

1540

**Hon. Caroline Di Cocco (Minister of Culture):** I have to thank the member for London North Centre for her strong commitment to arts and culture. We have, for the very first time in this province's history, awarded the Premier's Award for Excellence in the Arts announced earlier this year. Peggy Baker, an accomplished dancer and appointee to both the Order of Canada and the Order of Ontario, was awarded a \$35,000 prize associated with

this award. I would like to recognize Ms. Baker, who is with us in the Legislature, and thank her for her contribution to this province's arts and cultural fabric.

As an annual prize, the Premier's award will continue to recognize each year talented individuals and organizations in our province and the impressive contributions that they make to our society and to Ontario's rich arts and cultural sector.

**Ms. Matthews:** The fact that we're recognizing our established artists is a testament to this government's recognition of the important role that arts and culture play in our lives every day. Minister, acknowledging, appreciating and celebrating our accomplished artists is indeed very important, but what are we doing to support new and emerging artists to allow them to create an environment in which they can flourish?

**Hon. Ms. Di Cocco:** While recognizing that accomplished talent is very important, we must also nurture new artists' potential. That is why the annual Premier's award includes a \$15,000 prize for an emerging artist chosen by the award's recipient. This year, Ms. Baker chose to honour Yvonne Ung, a very talented artist and teacher at York University. Ms. Ung is also with us today. I welcome her to this House, and I want to congratulate her again.

Supporting our artists is incredibly important, which is why we also introduced the Status of Ontario's Artists Act. In partnership with other ministries, we have created training programs for artists, are providing them with affordable housing, and are working to strengthen protection for child performers.

#### MINISTRY OF CITIZENSHIP AND IMMIGRATION GRANTS

**Mr. John Tory (Leader of the Opposition):** To the Minister of Citizenship and Immigration: We have, by your own admission, hundreds of groups that contacted you over the course of the past year. You have selected, with some help, by your own admission, from the Minister of Finance—who also doubles as the campaign chair for the Liberal Party—31 groups that got this money. One of them has seven out of seven Liberals on its board of directors as contributors to the Liberal Party. Another group that we hear about today has a website owned by the Liberal provincial riding association. The whole process was done without any notice to the public. It was done without application forms. It was done without a selection committee.

You haven't even tried to answer any of the questions here in the House today, but the simplest one of all is this: We don't even need the public accounts committee to initiate bringing the Auditor General in to look at this and, by the way, clear your name, clear the air and restore public confidence; you, yourself, as minister could ask the Auditor General to come in and look at this program. Will you do that, or do you have something to hide? Why wouldn't you ask the auditor to come in to confirm all the things you've said today—

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

**Hon. Mike Colle (Minister of Citizenship and Immigration):** Again, the member opposite is so easy to name members of the Liberal association that may belong to some organizations, but he fails to recognize that I'm sure there are many Conservatives on many organizations. The difference between this member and reality is that many of our organizations have Conservatives on them, NDP and Liberal. Again, our largest investment is made up of nine people who have donated to the Conservative Party of Ontario. As I said emphatically, I have no qualms about this government investing in that incredible contribution that the UJA is making to this province because we base it on what they've raised themselves through volunteerism. They've raised over \$250 million. They're going to partner with the federal government and hopefully with us. So we look at what they're doing, not what party they belong to.

**Mr. Tory:** It's obvious you're so busy not looking at what party people belong to, you can tell me exactly how many members of every board belong to which party. It's just so ridiculous that you come in here and make that argument.

Let's look at the one that I'm talking about. The one in question started off as an animal help organization. We know already that there was correspondence going back and forth between the Liberal campaign chair and finance minister and this organization. We know that one of the key people, a director, was a contributor directly to the Liberal finance minister and campaign chair's campaign. We know all seven directors—not nine out of 40 but seven out of seven—contributed to the Liberal Party. We know that the address of the organization is the office of the Liberal riding president and we know the Liberal candidate is on the board.

Do you have any idea how this looks and how this undermines public confidence in this place and what we're supposed to be doing with the taxpayers' money? Get up and say you'll ask the auditor to come in. Have some guts.

**Hon. Mr. Colle:** One interesting example is North York Community House, another one of these incredible organizations that does incredible work in North York. It used to be part of St. Stephen's Community House and moved to expand its services. The founder of that organization was none other than my good friend Councillor Howard Moscoe. He founded that organization based on—remember the anonymous \$1-million grant that somebody gave? He brought together that organization, and it has done incredible work in North York for the last 25 years.

Since the Conservatives gave resources to North York Community House, since the NDP gave resources, were we as a government going to say, "We can't contribute to North York Community House because Howard Moscoe founded North York Community House"? We base our resources and partnership on the track record. When the new emerging communities do a good job, we try to partner with them.

**The Speaker:** New question.

**Ms. Cheri DiNovo (Parkdale–High Park):** My question is to the Minister of Citizenship and Immigration. Minister, we are joined today by representatives of the Vietnamese Women's Association of Toronto and the Canadian Tibetan Association of Ontario, two community organizations among many in Parkdale–High Park. These community groups work incredibly hard for their constituents. They are groups of long standing. None of them were advised of application forms; none of them were advised that there was funding available; none of them were advised of this end-of-year fund. They would have applied.

Minister, don't answer us and don't answer the Speaker—answer them. Please, tell them why they didn't receive funding from your year-end fund while organizations with Liberal supporters did make the list.

**Hon. Mr. Colle:** We recognize that many communities in Ontario, inner-city communities like the Parkdale area, need investments. That's why we're proud to have invested in CultureLink in Parkdale–High Park—an amazing organization—Kababayan Community Centre in Parkdale–High Park and Parkdale Intercultural Association.

The thing that we've done which the NDP never did and failed to do is that when we found out that newcomers in Ontario were being shortchanged, we went to battle for newcomers. The NDP were silent. As a result of us going to fight for newcomers' equity, \$920 million is now going to be available over the next five years for newcomers. The good thing I want to say to the groups that came today is that because of that there is more opportunity for more investment. There has never been that opportunity. Now all these programs are being expanded, like ISAP, Settlement Workers in Schools, the host programs. They've never had expansion. Because we fought for them, now there is hope for expansion—

**The Speaker:** Supplementary.

1550

**Ms. DiNovo:** Minister, you did not answer the question. I asked you to answer to these organizations. They would like to know where the application forms were, when the money was made available, how they should have gone to apply for the \$20 million that was handed out. They are organizations that do amazing work in Parkdale–High Park. They're among many, including CultureLink, that would like to know about the \$20 million as well. I talked to them yesterday and the day before. We would like to know where they could have gotten the application forms, how the money was handed out and why they weren't considered. Could you please answer the question? Not to the Speaker, not to us—to them. Why were they not considered worthy of your end-of-the-year largesse? Please answer.

**Hon. Mr. Colle:** The good thing is, there are now finally resources available to existing groups that there never were before. There are now grants available from the federal government to expand services that there have never been before. So whether it's the 82 groups that

have been living on a shoestring for the last 20 years or new groups that want to come and present proposals for NSP programs, for ISAP programs, the federal government—they are now available because we fought for the money to come to Ontario. The NDP were missing in action. They didn't fight for that equity. Now the resources are here. Now all groups that exist and new ones can have a greater share of these resources for newcomers.

#### EMPLOYMENT STANDARDS

**Mr. David Oraziotti (Sault Ste. Marie):** My question is for the Minister of Labour. I know the minister is sitting right in front of me, but it's very important for all of us to hear the good news about the employment standards services improvements. This past Monday, on your behalf, I was pleased to announce in Sault Ste. Marie, at the provincial claims centre in Roberta Bondar Place that we'll be hiring 15 new employment standards staff, thanks to an additional \$1-million investment. To date, over 300 additional public sector positions have come to Sault Ste. Marie under the McGuinty government. Thanks for your support, Minister. As we know, this investment will allow your ministry to continue to make great strides in improving enforcement of employment standards in Ontario.

After years of neglect, it is this government that is making long-awaited changes to better protect workers in our province, and particularly the most vulnerable. Minister, can you please tell us more about how this investment will help enforce employment standards?

**Hon. Steve Peters (Minister of Labour):** I want to thank the member from Sault Ste. Marie, and as well for his advocacy on this issue, because he recognizes that one of the most important things that we have to do within the Ministry of Labour is to be proactive and move forward with targeted inspections. That's why in 2003 we had 151 targeted inspections. But we recognized that we needed to do more—in 2004 and 2005, over 2,300 targeted inspections in the province of Ontario.

But I think what's important is that we believe in enforcing the law. Under the NDP and the Tories, over a six-year period—from 1990 to 2003—97 prosecutions. Since 2004, we've initiated over 1,000 prosecutions.

**Mr. Oraziotti:** Thank you, Minister, for your support and for sharing these impressive results. I know the constituents in every riding across the province will be pleased to learn these facts, just as mine were on Monday, and just as they were pleased to learn that 15 more civil service jobs will be coming to Sault Ste. Marie to help improve the efficiency in the employment standards claims process.

Our government understands the importance of civil servants, unlike the NDP, who ripped up the contracts of thousands of civil service workers, and unlike the Conservatives, who closed hospitals and schools and fired thousands of nurses in the process. We understand that public workers not only stimulate the local economy

but provide valuable public services to residents across the province of Ontario.

When a constituent approaches my office for assistance on a labour-related matter, the matter is often related to employment standards. It's great to know that we're making investments to protect some of the most vulnerable workers in the province of Ontario. I know that the \$1 million of funding allocated to my riding of Sault Ste. Marie will help do just that.

Minister, can you please tell us how much more money was allocated to the employment standards budget in 2007 and what else you'll be doing with the new funding?

**Hon. Mr. Peters:** I again want to thank the member from Sault Ste. Marie, because he certainly recognized something that two previous governments did not recognize in this province: that we take pride in the civil service in Ontario. I take pride that Ministry of Labour staff are there protecting vulnerable workers. They are there protecting and enforcing the Occupational Health and Safety Act. After two previous governments of inaction, we've made a commitment. We have confidence and faith, and we've restored and invested in the public service in this province.

We have 144 employees that are responsible for the enforcement of employment standards in this province. They deal with over 20,000 claims a year. We make sure that vulnerable workers are looked after. As well, we recognize that because of the success of our programs, we need to make sure that we continue to invest in our public service. That's why we've allocated additional funds to hire additional workers in our public service, so we can do a better job of protecting vulnerable workers. We need to make sure that employees understand their rights and that employers understand their responsibilities. We do that in partnership with the public service.

#### PETITIONS

##### REGULATION OF ZOOS

**Mr. Ted Chudleigh (Halton):** I have a petition to the Legislative Assembly of Ontario.

“Whereas Ontario has the weakest zoo laws in the country; and

“Whereas existing zoo regulations are vague, unenforceable and only apply to native wildlife; and

“Whereas there are no mandatory standards to ensure adequate care and housing for zoo animals or the health and safety of animals, zoo staff, the visiting public or neighbouring communities; and

“Whereas several people have been injured by captive wildlife, and zoo escapes are frequent in Ontario; and

“Whereas these same regulatory gaps were affirmed recently by the Environmental Commissioner of Ontario in his annual report;

“We, the undersigned, petition the Legislative Assembly of Ontario to support MPP David Zimmer’s bill, the Regulation of Zoos Act.”

#### HUMBER RIVER REGIONAL HOSPITAL

**Mr. Paul Ferreira (York South–Weston):** It gives me great pleasure to present this petition of more than 5,000 signatures collected by dozens of members of the Humber River Health Coalition. I introduced some of them earlier today. I do want to add the presence of Sharon, Joseph and Anthony Makkas. The petition reads as follows:

“Whereas, on December 19, 2005, Humber River Regional Hospital received approval from the government of Ontario to build a modern regional acute care hospital; and

“Whereas the management of HRRH has made its intentions known not to build the new hospital on the Finch site; and

“Whereas the management of HRRH has not held adequate public consultations regarding site selection with the affected communities that it serves; and

“Whereas the Finch site offers the best existing infrastructure and strategic advantages, including existing private medical professional buildings and labs, private long-term-care facilities, excellent transportation, police, fire and hotel services, for the new HRRH hospital, and this site offers the most benefits for the least cost;

“Whereas our community donated over \$25 million for the expansion of the Finch site;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to require the Ministry of Health and Long-Term Care and the management of the Humber River Regional Hospital to hold open and transparent public consultations on site selection for the new Humber River Regional Hospital with residents of the affected communities before a final decision is made.”

I am proud to affix my signature in support of this petition and hand it to page Mirabai.

**The Speaker (Hon. Michael A. Brown):** Pursuant to the standing orders, it is now 4 o’clock. Orders of the day.

#### ORDERS OF THE DAY

##### USE OF ELECTRONIC DEVICES IN HOUSE

**Hon. Dwight Duncan (Minister of Energy):** On a point of order, Mr. Speaker: Earlier today, my BlackBerry went off in the House. The table gave me a very strange look about the rules involved with BlackBerries. I would seek clarification with respect to proper decorum because I know that none of us on either side of the

House want to offend the House. I look forward to your report back on that particular issue.

**The Speaker (Hon. Michael A. Brown):** Thank you very much. As you would know, if a BlackBerry or any other device goes off in the Legislature, that is not appropriate and it would be taken away by the Sergeant at Arms.

1600

#### EDUCATION AMENDMENT ACT (PROGRESSIVE DISCIPLINE AND SCHOOL SAFETY), 2007

#### LOI DE 2007 MODIFIANT LA LOI SUR L’ÉDUCATION (DISCIPLINE PROGRESSIVE ET SÉCURITÉ DANS LES ÉCOLES)

Ms. Wynne moved second reading of the following bill:

Bill 212, An Act to amend the Education Act in respect of behaviour, discipline and safety / Projet de loi 212, Loi modifiant la Loi sur l’éducation en ce qui concerne le comportement, la discipline et la sécurité.

**The Speaker (Hon. Michael A. Brown):** Ms. Wynne has moved second reading of Bill 212. Minister?

**Hon. Kathleen O. Wynne (Minister of Education):** I rise in the House today for second reading of legislation that would improve student safety in our schools. I’m going to be sharing my time with the member for Guelph–Wellington, my parliamentary assistant, Mrs. Sandals.

I’m very pleased to have the opportunity to speak to this legislation. This is a piece of legislation that we have been looking forward to bringing to the House. Our government firmly believes that all students and staff have the right to feel safe and to be safe at school and on school grounds.

Ce milieu d’apprentissage ne peut résulter que d’une approche équitable et efficace de la sécurité dans les écoles.

The zero tolerance policy introduced by the former government was seen by many to be at best ineffective and unfair, and at worst an attempt to promote a politically motivated, superficially punitive discipline culture. It did not appear to be creating the safe school environment that our children deserve. Furthermore, we knew when we came into office, anecdotally, that there were children and their families who felt that their lives had been damaged by this regime.

That is why we launched our safe schools action team to review the safe schools provisions of the Education Act and related policies and programs. This team was led by my colleague MPP Liz Sandals, and I want to thank Liz sincerely for her work on this file. Any of you who know the member for Guelph–Wellington know that she has a deep understanding and experience of education and the school setting, and her even-handed and judicious



style has been of tremendous value in formulating the government response to the team's findings.

One of the strengths of our government's approach to developing policy in general has been that before we finalize a policy direction, we talk to the people who are most affected and who are most knowledgeable about the issue. So the action team conducted broad public consultation and based its report on what it heard from hundreds of people across the province, people from all backgrounds. Its report documented serious discrepancies in consistency and fairness in the application of the safe schools provisions of the Education Act, and I just want to quote a couple of statistics.

Some of the ranges of application are indicated by the fact that, for instance, the range in suspensions across the province went from some boards having a range of 2.13% suspensions to 35% suspensions. The other thing that was of concern was the bump in expulsions that happened once the provisions that had been brought in by the previous government had been enacted. So in 2000-01, when, really, the provisions hadn't had time to take hold, the number of students expelled across the province was 106. By 2004-05, the number of expulsions across the province was 1,888. Clearly, there was something going on with this legislation that been brought in by the previous government that was not just, that was problematic.

What we believe is that students who make mistakes are being suspended now under the current regime, before this legislation is passed, without consideration for the reason behind their actions. This only puts those students further behind in their school work and more likely to disrupt classes and drop out before graduation, which is clearly not the effect you'd want safe school legislation to have. It's also clear that a one-size-fits-all approach does not work when it comes to student safety and discipline.

In addition, the team's report concluded that the current safe schools provisions in the Education Act are ineffective in reducing bullying and harassment in our schools. In fact, bullied students are not being properly protected. Many of them are losing self-confidence and are watching their grades plummet as a result of that.

We know from the team's work that there are students in some parts of the province who have been expelled from school on what is currently a limited expulsion for whom there are no programs available and no formal academic or social support.

All of these findings that the team uncovered as they went around the province pointed to a clear need for change and reinforced the concerns many of us shared from the time the previous government introduced this policy. The safe schools action team report led us to the response we're making in this legislation.

What they also did was bring us some good news: a new direction about how we might create an immediate positive impact on student safety and what kind of measures we should put in place, what kinds of strategies we might employ.

My colleague Liz Sandals is going to speak to some of the specifics of their investigation and what some of their process was as they went around the province. But based on the recommendations the team made, we've tabled amendments to the Education Act that would more effectively combine discipline with opportunities for students to continue their education. These amendments would ensure that there are strong consequences for inappropriate behaviour, but also that there are programs that allow students to earn their way back into the classroom, and if they are out of the classroom on a long-term suspension, that there would be supports in place for those students.

The amendments we're putting in place would include adding bullying as an infraction for which suspensions must be considered. That strengthens the legislation in that area where we know there is great concern.

One of the issues that came up most often after I introduced this legislation in the House was cyberbullying, and the changes to the legislation would include the possibility for schools to respond to behaviours that may not technically take place in school but that would have an adverse effect on school climate. This is a reality our students are dealing with.

As I said, bullying is not currently listed as an infraction, and I believe it's about time we recognize the seriousness of these behaviours. I know that there will be questions about definitions of bullying. We're going to work with the definition that was hammered out by the action team, and that will be finalized in policy guidelines.

We also propose using a progressive discipline approach to choose the appropriate punishment in each case of inappropriate behaviour. To any of us here who have attempted in our lives to be judicious parents, that approach only makes sense. Suspension and expulsion would then be two options to be considered along a continuum of progressive discipline, as opposed to the first reaction. That continuum also includes in-school suspensions and referrals for consultation.

Another change that would be made would include eliminating mandatory suspensions and expulsions for students. I want to make it clear that that's except in limited circumstances. By that I mean that in the case of a very violent or serious incident where expulsion would have been mandatory before, a student would now be suspended pending a decision on expulsion. What this provision would do is ensure that students who may be a danger to others would be removed from the classroom, removed from the school, while a decision is made whether or not expel that student. Then, if there were an expulsion, as I said before, there would be a program in place. If that student completed that program, they'd be able to earn their way back into the classroom. There's a logical process that students would follow if they have been involved in incidents. In all other circumstances, principals and school boards would be required to consider and respond to all infractions that occur in the most appropriate way they can.

If the legislation passes, we'd require that mitigating factors be considered before students are suspended or expelled. These factors would include, among other things, the safety of other students, whether racial or other forms of harassment were involved and whether the behaviour was related to a disability or the age of the student. Finally, when students are expelled, there would need to be a program in place once the decision had been made. We would require that there be a program in place. In order for the student to return to school, the student would have to go through that program, and any student who was suspended for more than five days would also have the opportunity to attend a program that boards would be required to provide.

One of the most frequent concerns I've heard from parents and community members alike is that if a child is removed from school, it is only logical that there be a program available to that student in order to facilitate a productive return to school. That's in the best interests of the child, it's in the best interests of the family, but surely, it's in the best interests of all of us in society, because we need each of those students to reach his or her potential. That will never happen as long as kids are relegated to the mall or relegated to the streets because we have not provided opportunities for those students to be in programs with adults who are paying attention to their social and academic needs. So this legislation, if passed, would begin to address those very challenges.

#### 1610

The changes that we are introducing would clarify decision-making authority around suspensions and expulsions for principals and school boards. As it stands now, teachers have the authority to suspend students, principals have the authority to expel students on a limited expulsion and boards have the authority to expel on a full expulsion. If this legislation is passed, only principals would have the authority to suspend and boards would have the authority to expel. Our goal with this proposed legislation is safer schools and discipline that works.

I'm going to turn to my parliamentary assistant, the member for Guelph-Wellington, to talk about her experience with the safe schools action team. I am very, very grateful to all the members of the safe schools action team for the work they did. We've been working on a bullying initiative, and I know the member for Guelph-Wellington is going to talk to that. We are bringing in some students from around the province to talk to us about the safe use of the Internet. If we're going to be able to put protocols and procedures and rules in place for the Facebook generation, we have to talk to students who are dealing with these technologies every day, invasive as they are, and none of us in this Legislature grew up with those technologies. We need to be listening to the students in our schools about how to put rules around those technologies and the experiences they are having right now.

But the strategies in this legislation will make discipline in our schools in this province more rational. It

will move away from a superficial regime that was put in place by the previous government. The changes are based on the feedback we got from people in the community who understand what's going on in our schools.

Nous faisons ce qu'il faut pour améliorer la sécurité dans les écoles de l'Ontario et pour accroître la réussite des élèves.

The result will be more students reaching their full potential and a more prosperous Ontario.

**Mrs. Liz Sandals (Guelph-Wellington):** As the minister has mentioned, I had the privilege of chairing the safe schools action team that undertook the task of reviewing the Safe Schools Act and listening to the concerns of parents, educators and communities. I'm pleased to see our recommendations reflected in the suggested changes to the act because our recommendations were a reflection of the input we received from parents, educators and community members. I believe that the proposed changes would make a real difference in our schools.

The minister spoke a bit about the work of the safe schools action team, but I'd like to tell you more about that. The original Safe Schools Act was introduced in 2000 by the previous government. Since the act's implementation, a number of concerns have been raised. In response to those concerns, our government made a commitment to review the Safe Schools Act. The review was also part of our government's overall safe schools strategy. It is vital that our students and staff are safe and feel safe in our schools. We wanted to make sure that we had the opportunity to hear what those concerns were and to discuss school safety and the Safe Schools Act with communities across the province. We held consultations in Ottawa, London, Etobicoke, Scarborough, Sudbury and Thunder Bay. We heard from more than 700 parents, teachers, students and other community members. Participants exchanged their ideas in more than 100 round-table discussions. Anyone who was not able to attend one of these discussions had the opportunity to send us their input in writing. We received over 100 written submissions from organizations, school boards and individuals, truly a review in which we heard from a tremendous number of people with a tremendous number of concerns.

When we conducted the review, we focused on four main areas: consistency, fairness, methods of discipline and prevention. We looked at consistency because data indicated that the safe schools legislation was not being applied consistently across Ontario. As the minister mentioned, the rate of suspensions and expulsions varied widely from board to board, and in fact from school to school within boards. For example, if you look at suspension rates, they varied from 2% to 35% of all the students in one board.

We also found that in some areas of the province, expelled students had access to alternative programs that allowed them to continue their studies and receive help with their behaviour issues. In other areas of the province, alternative programs were simply not available and

students who were expelled largely ended up dropping out of school permanently.

We discussed fairness, because some groups were seen to be more likely to be suspended or expelled than others. A number of concerns were raised that the legislation and related school board discipline policies were having a disproportionate impact on racial minorities and disabled students.

We looked at discipline. Under the existing safe schools legislation, teachers, principals and school boards are allowed to use some judgment in making decisions about suspensions and expulsions. We heard that principals and boards should be given more discretion in deciding whether to suspend or expel students and what is the most appropriate discipline, given the particular circumstances. Some boards applied the concept of progressive or graduated discipline; others used a much more zero-tolerance approach. When progressive discipline was used, a student was given a more significant consequence for unacceptable behaviour if the student had been disciplined for the same behaviour previously within a reasonable time frame.

We also focused on prevention. There was a perception that safe schools legislation did not strike the right balance, focusing more on discipline than on preventing behaviours leading to suspensions and expulsions in the first place. More than 60% of students who were suspended changed their behaviour and were not suspended again or expelled. However, the concern remains that not enough is being done currently to prevent the behaviours that lead to suspension and expulsion.

Through these consultations, we heard that there were discrepancies in consistency, fairness and methods of discipline, and a lack of focus on prevention.

We submitted our report to the minister in June 2006. The report presents a summary of our findings through these consultations and submissions, and identifies eight areas for priority action. I would like to highlight some of those areas to you now.

As mentioned, we looked at prevention. Through our consultations, we found that the people of Ontario recognize the importance of prevention strategies that will deter inappropriate behaviours and help all students make sound personal decisions. The team made recommendations about using a progressive discipline approach. Our findings suggested that schools should look at the range of consequences that are appropriate. This includes focusing on improving behaviour and giving students an opportunity to learn from their mistakes as opposed to simply kicking them out. As part of this, the circumstances surrounding the incident should be taken into consideration; for example, factors such as whether or not bullying was a factor.

We discussed developing programs for suspended or expelled students, to provide opportunities for students to continue their education and to help students successfully reintegrate into the school setting or an alternative setting.

We also recommended education for parents and training for school staff, because we heard that in many

cases, particularly with parents, they didn't really quite understand what the rules were.

I should point out that the \$31 million the government has allocated annually, beginning in 2007-08—that is, this budget year—includes funding for training principals and vice-principals in ways to apply discipline in a non-discriminatory manner.

In addition, we looked at community and parent involvement, consistent application of the Safe Schools Act, communication with the community and a provincial safe schools framework that would tie the various pieces of legislation, policy and guidelines that affect student behaviour into one comprehensive document.

#### 1620

The safe schools action team also reported on bullying prevention in Ontario schools. During our consultations on bullying, we were told that in many schools bullying was not taken seriously. We also learned that many students are affected by bullying in its various forms: physical, verbal, social or, as is becoming increasingly common, Internet bullying.

The action team provided a definition that covers all forms of bullying. Our reports define bullying as a form of repeated aggression used from a position of power, which can be physical, verbal or social. It is a dynamic of unhealthy interaction, and includes repeated aggression as opposed to just a singular incident.

As the minister mentioned in her remarks, our findings on bullying have also been addressed in the proposed amendments to the Education Act, and the safe schools action team, which feels quite passionately about bullying, was very pleased to see that.

Our recommendations in both reports were grounded in several guiding principles:

- Every student is entitled to learn to the best of his or her ability;

- Every student is entitled to a safe and caring learning environment;

- Safety is a precondition for learning; and

- Safe schools are the responsibility of a community partnership among government ministries, administrators, teachers, trustees, support staff, students, parents, police and community partners.

These principles reflect a shared vision, an acknowledgement of the importance of safety in our schools and the need to take action. In fact, we titled our report *Safe Schools Policy and Practice: An Agenda for Action*, because we believe that there was action that could be taken, and this is exactly what our new government is doing with this legislation.

We asked, we listened and now we are taking action with our proposed amendments to improve safe schools legislation. I am pleased that the amendments we are proposing now follow up on the action team's recommendations. These proposed changes offer a better, fairer, more equitable approach to ensuring safety in our schools while also ensuring that our students can achieve their full potential, and they are evidence of our government's determination to work in partnership with educators and

communities across the province. We are listening to their concerns.

I would like to take this opportunity to thank the members of the safe schools action team for their commitment and dedication to such an important issue and their tremendous work over a matter of years, and I'd like to recognize them individually.

The members of the team were Stu Auty, president of the Canadian Safe School Network; Dr. Inez Eliston, a director of the Canadian Race Relations Foundation; Ray Hughes, who is with the Centre for Prevention Science at the Centre for Addiction and Mental Health and works specifically on prevention programs with students; Dr. Debra Pepler, who is a researcher in bullying with York University and Sick Kids Hospital; and Lynn Ziraldo, past chair of the minister's advisory committee on special education and president of the Learning Disabilities Association of Ontario. I was extraordinarily fortunate to be working with a group of experts who are highly respected across the province.

I would also like to thank everyone, and that's over 1,000 people when you look at both consultation regimes, who participated in the discussions and provided us with such valuable input. We received informed and positive suggestions that will have a real impact in schools.

These proposed changes will go a long way to making our schools safer and providing a supportive learning environment for Ontario students. I look forward to the continuing debate, which I obviously hope will lead to passage.

**The Acting Speaker (Mr. Michael Prue):** Questions and comments?

**Mr. Peter Tabuns (Toronto–Danforth):** I had an opportunity to talk to our critic about this bill earlier today, and I'm sure he will express his thoughts at greater length than I will in my brief minute or two here. His concerns reflected a few things, and one is that this whole process has taken far too long. We knew three and a half or four years ago that we had a problem. We knew that the bill, the legislation that existed when this government came to power, was hugely problematic. We did not have to wait three and a half years to come to the point where we recognized that simply expelling or suspending kids who are problems was simply going to move the problem onto the street and mean more difficulties for society.

The other point that our critic raised with me and that I imagine he will raise with this Legislature as a whole is that if the social supports aren't out there to deal with the problems that generate destructive behaviour in the first place, then, frankly, this legislation will not go far. We have school boards that are already facing profound financial problems. This legislation rightly requires them to provide programs so that those who have been suspended will actually have somewhere to go. The question I have to ask the minister is, where is the money to do that?

Last night, I was at a meeting in my riding with a youth worker—he doesn't work in my riding because the

city of Toronto doesn't have enough money to cover big chunks of my riding—telling me about the work he's done in Beaches–East York. The work he does is extraordinarily valuable, but the city of Toronto faces profound financial problems and really is in no position to expand the system of youth workers, who you actually have to have on the ground if you're going to deal with problematic and destructive behaviour. Legislation is useful, but it has to be on a foundation of finances and resources.

**Mr. Dave Levac (Brant):** I want to compliment and thank the minister and the parliamentary assistant for bringing this legislation forward. I get to speak to this a little bit in terms of a unique circumstance: For 25 years I was an educator, 12 of those as a principal. I can tell you there's a very large number of stakeholders who wanted us to get this right, and I want to say that I believe the minister and the parliamentary assistant have done a great job of getting this right.

Contrary to what has just been said, it does take time to make sure that, with stakeholder participation, we come in with the right balance. We can't just haphazardly throw down the gauntlet of zero tolerance and say that we've got it solved. That's an easy solution. I'm hoping that we're going to get some rational conversation about how we take care of bullying and cyber bullying.

The evolution of schools that has taken place, even from the time I was there, from the very moment I got in there—we used to talk to parents, and the problem in my school was that they weren't doing their homework. My God, have we got some bigger problems than that now, with the evolution of what we have to face for those kids today.

I want to thank the professional groups: OECTA, OSSTF, ETFO, the French boards, the trustee associations, the school councils, the parent councils, the PTAs and the home and school associations. Look, this is an issue of a village, and all of us together will solve this problem. But if we keep yanking each other apart and trying to create the crisis and make the war, we're not going to solve this problem.

This is about the ability or the capacity of those kids to learn. In the first school I was the principal of, we had five incidents per break at the school during the day, all the way through. That's 25 different incidents I had to deal with on a daily basis in a school that was inundated with problems of violence. We put programs together. All of us, working together, decided that in this school, we weren't going to do this anymore, and we dropped to three a week from 25 a day.

It can be done, and I think this legislation helps us get there.

**Mr. Ted Chudleigh (Halton):** The minister and her parliamentary assistant make interesting comments, but as was so rightly pointed out, the funding issue seems to be lacking, as with so much of this government. You see more and more great announcements being made, but they're not properly funded. Where is the money going to come from to make all these things—you know, if you

have an expulsion take place and the student has to go somewhere, “somewhere” has to encourage that student to get back into the mainstream. How do you do that? That is not an inexpensive process. It is something that needs almost a one-on-one in order to encourage that student to see their way clear to participate again in the mainstream of education. I don't see the funding coming with this bill, and that's of great concern, when there isn't the commitment from government that will make that kind of commitment to these students, some of whom will reach great heights. In the past, if you look at our society, you will see a lot of very successful business people who have dropped out of school at an early age. They dropped out at 16, they dropped out at 17 or 18, and they have gone on to be very successful business people because something came along and motivated them. It would be a shame to lose those people from our system because of a lack of finance or a lack of commitment to a program like this.

1630

It reminds me a little bit of the environment bill that came in at the 11th hour of this government. There's an election coming, so we need an educational program, we need an environmental program. Lo and behold, we've introduced a bill that gives an election program based on education, based on the environment. I think there's very little substance to this. I think it's more window dressing, and I think it has more to do with election.

*Interjection.*

**Mr. Chudleigh:** Quite a while ago. It has more to do with election than with education—

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

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** I too want to join my colleagues in heaping praise not only on the minister, who gets it, but on the parliamentary assistant, who got the job done, who was out there slogging with our partners every single day to put together the kinds of proposals and recommendations that would make a difference and that could move us in a practical way from zero tolerance to infinite hope, a whole different approach to education, and one that I think, on a good day, we want to celebrate.

We need to find ways to get into creating an equality of opportunity here so that we can move away from the lucky and the left-out. Zero tolerance—you talk about expense, if you want to look at the expense down the road. Zero tolerance, you know, “Get the hell out of here; we don't want you around,” is not the way to go. Providing some hopeful links so that young people can, with some guidance, acquire and understand the importance of some new ways of behaving and in fact can be motivated by people who know something about motivation—yes, that's going to be an expensive process. Some members opposite must have missed the \$31-million reference to train principals and vice-principals around bullying and some of those issues.

If we want a positive school climate not just based on bookkeeping but based really on student success, we should do the right thing and embrace this progressive legislation.

**The Acting Speaker:** Response?

**Mrs. Sandals:** Thank you for the comments from the members for Toronto–Danforth, Brant, Halton and Ancaster–Dundas–Flamborough–Aldershot. I just want to say that I'm sorry that some of the opposition members are so cynical about this bill. We've taken the time to consult and to get it right. While this may seem to some of the opposition members like an exercise in public relations, I've got to tell you that in terms of the substance and the positive reaction to both of the safe schools reports and to this actual bill, which will make significant changes for kids, we have had virtually unanimous positive reaction, save and except the opposition, who after all are charged with opposing.

However, let's talk about the money. There are \$31 million committed in this year's budget and each and every following budget to implement the changes. Of that money, \$23 million is specifically committed to going to school boards to allow them to set up the alternative programs that will allow students who have been long-term suspended or expelled to continue contact with the education system and to get support with the issues that are leading to their bad behaviour in the first place. I'm very pleased. This was one of the action team's recommendations, that not only did we have to put programs in place, but we needed to fund them, and that has happened.

Let me tell you some of the other things we've already done. There's \$7.8 million for bullying prevention programs already spent, \$4.5 million being spent, as we speak, for training for bullying prevention for teachers, \$1.2 million already spent for training for principals and vice-principals, and \$3.2 million already spent on the security of schools.

**The Acting Speaker:** Further debate?

**Mr. Frank Klees (Oak Ridges):** I want to start off my comments by thanking the minister and thanking the parliamentary assistant for their work in looking into how we can improve safety in our schools. I have no doubt that their intention was very good, that their approach to this was with the most—how can I put this?—sincere of intentions. I wouldn't for one minute doubt that.

I also want to thank the safe schools action team for the work they did because I know that they worked very hard, and again well intentioned. When I look at the substance of the report, there isn't anything in that report that I'm going to take exception with. I would support it; I do support it. At the very outset I will say that while we will have proposed amendments to this legislation, because it is not perfect—and I have yet to see legislation come to this House, tabled by government or private members' bills, that is perfect in its initial proposal—I have every intention of wanting to support the bill and hope to be able to vote in favour of this legislation when it comes before us for third and final reading.

I'm hopeful that the government will also work with the opposition parties towards improving the legislation, contrary to the government's approach typically to legislation that they bring forward, where, regardless of what

the amendments are that we bring forward, as a rule, when we get to standing committee, all of those opposition amendments are somehow unanimously voted down by government members of the committee. It's uncanny how consistently members of the government think alike when it comes to these issues. Far be it from me to suggest that somehow they've been whipped into those decisions, because I highly regard most members of the government on a personal level. I know they're good thinkers on their own. It's when the invisible whip walks into the room that somehow there seem to be the constant nays that arise from members of the government in committee. But I'm hopeful. I'm going to be positive this time around that we'll have some co-operation and some good, objective thinking about how we can improve this legislation.

**1640**

I do support the intent of this legislation, and I do hope I will be able to enthusiastically vote along with my colleagues in the Progressive Conservative caucus in support of this legislation when it comes forward.

I want to support the government's intention when it comes to the issue of how we treat students who have difficulty functioning in our regular classrooms. After all, that's what brings us to the issue of the Safe Schools Act to begin with. I was a member of the former government when we introduced the Safe Schools Act. I can tell you that what disappointed me at the time was that what the opposition parties, and specifically the Liberal caucus at the time—because I reviewed the Hansard record of the education critic's comments at the time the bill was brought in. They were not in the least bit allowing of the intent. There was very little, if any, goodwill in those remarks towards the government of the day in terms of our stated objective of wanting, first of all, to provide a safe environment within our schools; second, to provide the necessary supports to teachers, principals and administrators within our school system to be able to deal with the challenges of supervision, to be able to deal with the challenges of students who were creating problems within the school environment because of their behaviour; and the intent of providing alternative programs for those students who were unable to function within the normal classroom environment and for whom a very express provision was being made through that legislation and through the corollary announcements relating to alternative programs of the day.

Being what it was, that I will allow as having been the typical partisan bickering that goes on in this place. I want to take a different approach with the government. As the critic for education for our party, I want to say to the government that I will take you at your word in terms of your intent. I will also admit that the legislation as brought in by the previous government is in need of amendment, is in need of improvement. I have always said that any legislation is a work in progress; we in fact said that at the time. We said, "Look, this is a starting point for us. We will see how this legislation works on the ground. We'll see what the implementation experi-

ences are. And as there may be a requirement from time to time to make adjustments and changes and amendments to the legislation, we will look to the stakeholders, to the teachers, to principals, to parents. We'll seek advice from parent councils and the parent networks, and we'll see what needs to be done to improve the legislation so that we can in fact achieve the stated objective of that legislation." That was our intent.

It's very interesting to hear the Minister of Education and in fact the parliamentary assistant in their opening remarks. Those who were observing, watching the parliamentary channel, or those who have any interest to subsequently look at the Hansard record of those remarks may well detect the edge of partisanship with which those remarks were delivered, not allowing for any goodwill on the part of the evil previous government that brought this legislation in to punish kids and to bring in an era of zero tolerance, where anyone who had any issues or was creating problems would be thrown out in the streets and left as abandoned youth on our streets. That was the tone of what I heard the minister say, and that is what is so disappointing to me, because that was not the intent.

In fact, the experience across the province, even as admitted—it's interesting—by the minister and the parliamentary assistant, is that the experience under the Safe Schools Act was very different from one school board to another. There was a report released in 2005 by the then Minister of Education regarding the experiences across the province of school boards in suspensions and expulsions. It's very interesting that in that report it referred that, overall, 152,626 students were suspended in the previous year, or 7.2% of the entire student population. I say to the pages here, I know none of you were involved in that statistic—right?—because you wouldn't be pages. You are all extremely well behaved, and that's why you're here, and you're outstanding examples of what students should be. But the fact is, 7.2% of all students in Ontario were suspended.

Of those, 27,250, or 18%, were special-needs kids. These are young people, these are students in our education system, who have learning disabilities, who have problems with learning the same way that most kids learn. They either have learning disabilities, are kids with behavioural problems—we don't know what the issues are. There are children, there are students throughout our entire education system, in every community—and it doesn't matter if it's the city of Toronto or if it's the smallest town in rural Ontario. There are young people who, as a result, many times, of perhaps problems at home, perhaps family disruptions—it could be as a result of some of the learning disability issues that a lot of young people face today, whether it's ADD or other challenges that they might have that cause them not to be able to function within the classroom the same way. But of the suspensions, 27,000 were children with special needs. That's wrong.

I challenged the then Minister of Education during estimates committee on these numbers. I said to the

Minister of Education that something is fundamentally wrong in this province if students are being expelled because they are special-needs students and perhaps they're more difficult to deal with either in the classroom by the teacher or within the school by the principal, and rather than work with those children and those students, the easiest thing to do is simply give them a suspension notice and send them home. The problem is that many of those kids have nowhere to go. Mom and Dad are working, or there's a single mom, and all of a sudden there's a notice: "Your kid, who is having some trouble at school, isn't wanted here anymore and we're going to simply send them home."

That was never the intent of the Safe Schools Act. The intent of the Safe Schools Act was, yes, that you empower principals, and actually empower teachers as well, to suspend a student who was not complying with the behavioural standards and the disciplinary standards within the classroom, and for some reason they were not able to deal with them, so that we didn't disrupt an entire classroom because of the actions of one student. But the corollary of the Safe Schools Act as it was implemented was also that every school and every school board had the responsibility to put in place an alternative program for those students, so that if they couldn't learn within the normal setting, there was a place for them to go in an alternative program so that those students could get the necessary supports—that they would have the resources available within the school and within the school board—to come alongside those students and help them overcome whatever the challenges might be that they had, whether it was behavioural or learning; so that we could in fact not discard those students but help them integrate back into the educational system and back into the normal class as soon as possible, so that they'd have the tools with which they could become the best that they could be.

#### 1650

The good news is that many school boards took that opportunity to access the funds that were made available at the time by the government of the day and developed the alternative programs. A good example of that is the York region board, where we have today—and they have been in place ever since this program was put in place—outstanding examples of alternative programs, classrooms outside of the normal setting, supported by teachers who have the special expertise and the gift to work with challenged students. We have wonderful results taking place with students, and that was all in the context of that Safe Schools Act.

That report indicated, for example, that in York region the suspension rate was 0.5% for the entire board. Toronto's suspension rate was 8.8%. Interestingly enough, the Superior-Greenstone area had a whopping suspension rate of 36.1%. Of their 2,901 students, 1,048 had been suspended in the previous year. Right across the province, you could take the various boards and the rate of suspensions that was being experienced in those boards and compare them. The question that begs to be

answered is: What was the difference, from one board, where students were being thrown out of the classroom at the rate of 36%, to those boards where it was only 0.5%? What was the difference? Was it the students? Were the students in one particular board or in half the boards that much worse in terms of their behaviour? I don't think so. What was it?

I've got a whole lot of confidence that it wasn't that at all. Whether it's rural Ontario or the inner city or wherever we are in the province of Ontario, I think our kids are pretty darned good. There may be challenges, depending on some of the social circumstances. There are some areas where we might have a higher concentration of single-family homes and where it's going to be a little more difficult for a parent—a single parent—to be there and provide some guidance to the kids, help students with homework and help them with some of the problems they're facing. There's no doubt that that is a factor. But at the end of the day, I believe that where the difference comes: in how the administration of a school and the administration of a board approached this whole issue of how we're going to apply the provisions of the Safe Schools Act, and whether we're going to take advantage of the opportunity provided by the government of the day to put in place alternative programs for schools. You see, here's the reality—and I was just speaking with some school board trustees last week about this whole issue. They admitted to me that at the time the government made available funding for alternative programs, their board chose not to take advantage of it because they didn't feel it was necessary to do so within their board. They now are saying, "We wish we would have done that because we would have created the budgetary framework within which to deliver those programs."

Here's the difference: There were boards where the vision was clear that not only was the Safe Schools Act a tool for discipline but it was also a mechanism and a framework to support students who were challenged and who had the need for additional support. The sad thing is that a lot of students fell through the cracks over the course of those years, and the need was there to go back and do the analysis, check on the performance of the school boards of the various schools to see how principals were applying the provisions of the act, to see what supports were available to those students who were having challenges, and, then, rather than allow students to fall by the wayside, to react quickly to that and make sure that the appropriate mechanisms were in place to protect those young people.

Here is what happened in 2003. In 2003 there was an election. In 2003, the government that brought in the Safe Schools Act, with all of those provisions and with the intention of the support of the alternative programs—that government was replaced by the current government. And it's interesting that the very members who now sit on the government side, during that entire election campaign, railed against the provisions of the Safe Schools Act and they committed that when they became the government they would fix it. That was three and a half

years ago. We are now 167 days away from the next election, and I say to the parliamentary assistant, I say to the Minister of Education and I say to the Premier, who refers to himself as the education Premier: Where have you been?

If in fact in 2005 we had the report, which I discussed with Minister Kennedy—this is three education ministers ago; the results were very obvious to us then, that something was asked in terms of how the Safe Schools Act was being applied—why no action over all of that time? In three and a half years, there have been many hundreds of thousands of students who have been ignored by this government. They agreed. They saw the numbers. Students were being expelled because they had special needs. Where was the action of the government three and a half years ago?

Now, 167 days before the next election, we have a photo op and we have an announcement, and we're in this place and we're having a problem finding enough legislative time to debate a bill so that it can actually be implemented.

**1700**

Shame on the government. Shame on the government for allowing what should have been a priority to go this long while they dithered and played around with other legislation such as—you'll remember it, Speaker; we debated it here—legislation to take drivers' licences away from kids because they're truant. We debated sushi legislation, we debated pitbull legislation—we debated all kinds of things in here—but students who had special needs and were being abused by the system, allowed to go astray, weren't important enough for the government to bring in legislation.

I want to speak to another aspect of this bill that I believe deserves attention, and that's the issue of bullying. Again, I want to commend the Minister of Education and the parliamentary assistant for recognizing once again that bullying is a serious problem. But here's the issue: I have here an announcement from the current government. The announcement goes back to 2004, and the announcement was that the government is going to stamp out bullying. That was three years ago. Interestingly enough, at that time we were dealing with a terrible tragedy, and it took that tragedy to get the attention of this government.

That tragedy related to 16-year-old Andrew Stewart. If you recall, we, along with his parents, mourned his tragic and violent death. His young life was lost defending a friend against a gang of thugs just steps from East York Collegiate, where Andrew was a student. The chilling aspect of that at the time was that parents came forward and said they had warned the school about the brewing violence weeks before. The parents said they wanted it to be known that they contacted the school to report incidents of bullying at the school, and, as one mother said at the time, "They have done nothing."

The purpose of raising this issue now, as it was then, is not to point a finger at any particular individual or at teachers or administrators; it is to point the finger at the

government of the day to say that we have now had successive announcements by this government about bullying and the fact that they're going to do something about it and put resources behind this issue, and the truth is that instead of getting better, it's getting worse. It's all about where the resources are being applied.

At the time—and I have the release here with me—the government was investing \$23 million. That \$23 million is an interesting figure. It keeps popping up. It was \$23 million that the parliamentary assistant referred to earlier with regard to this announcement. It must be in the word processor, and whenever you need one, "We've got another press conference; there's another announcement. Let's plug in the magic number: \$23 million." It sounds good; they must have researched that. Somehow it has an impact.

Well, \$23 million was announced back in 2004. They were going to have this incredible program to deal with this issue. I'm going to be asking a question during estimates committee. I'll be asking the minister to tell me where that money went, to show us some value for the dollars that have been invested. It will be very interesting for me and, I'm sure, for the public, to know where this money went and how it was spent.

We go on. That was December 2004. We move forward, then, to 2005. We have another announcement in November—interesting. November must be the month for the Minister of Education to come out with another bullying announcement. Here it is, November 16, 2005, "Stamping Out Bullying in Ontario Schools," another announcement by Mr. Kennedy. At the time, here's what he said: "Bullying is an underestimated and pervasive problem," said Kennedy. "It is a proven precursor to violent behaviour and is never acceptable in Ontario's schools or communities." Well, Mr. Kennedy, hello. You said that a year before.

Now we're three education ministers later, and guess what the current minister is telling us? "Bullying is a terrible thing. We have to stamp it out." Well, the Minister of Education's shoes must be worn very thin, because they've been stamping out bullying for the last three and a half years, it's worse than ever and we have gotten nowhere, except that the minister can stand in her place and condemn the previous government for the problems of today.

Notwithstanding the fact that we're 167 days away from the next election, this government, this Premier McGuinty, who calls himself the education Premier, has done nothing when it comes to the important issue of bullying, when it comes to the issue of safety in our schools and when it comes to the issue of discipline in the classrooms. We're right back to where we were—three and a half years of wasted time. I ask this Minister of Education: What is so different about what you're doing today compared to what you have done in the last three and a half years?

I want to now move to the issue of funding because, as I indicated earlier, we do have a problem with the minister's announcement. We support the objective. I want to



work with the minister, I want to work with the government to ensure that we get this right. When I pointed out on the day this announcement was made that, of the millions of dollars that were announced, not one cent was allocated to the alternative programs that are intended to support the students—

**Mrs. Sandals:** That's not true.

**Mr. Klees:** The parliamentary assistant is carping from her chair now, saying, "That's not true." Here is the announcement. Parliamentary Assistant, I would like you to listen very carefully, please, because perhaps you have not read this. I'll read it into the record because the people at home need to understand this.

Hear me clearly: The objective is to ensure that there are alternative programs so that students who cannot function in the existing normal classrooms have a place to go so that they get the necessary supports. That means you have to have the facility, you have to have the teachers who are specially trained for that and you have to have the appropriate resources.

Here is the list of announced funding: \$3 million for a three-year partnership with Kids Help Phone to provide more resources for bullying and cyber-bullying prevention support. That's nice. It's fine. I think the Kids Help Phone is a good idea. But there's \$3 million that has nothing to do with the support programs, the alternative programs that these kids are going to be transferred to when they're suspended under the terms of this legislation.

**1710**

The next item is "\$6 million for model projects to promote positive behaviour"; again, nice. I welcome that, but not one cent for the classroom, for the teacher, for the school board to provide on-the-ground support for that student who now is no longer in the normal classroom and is transferred into that alternative class.

There's "\$7.8 million for bullying prevention programs ... for schools and boards." Bullying prevention programs: That's nice too, but we're talking about the kids who are suspended who've already transitioned beyond the prevention part of this program. Where is the support for the program, for the classroom, for the alternative program that's going to take the young persons who've already been suspended under this act and give them the resources and the ability to deal their issues? Nothing.

We have "\$4.5 million for bullying prevention training for up to 25,000 teachers." Again, that's very nice. I was talking to a principal last week. He said, "Isn't that great? Now we've got another training program for teachers which is going to take teachers out of the classroom for the day of training or whatever period of time it's going to be. That leaves me, as a principal, with yet one more problem in terms of how to cover off for that teacher who has now been pulled out of the classroom for training." Again, this is very nice. I say to the members opposite that this is nice, but not one cent here is going to the classroom, to the alternative program to support the students who have the challenges.

There's "\$1.2 million for bullying prevention training for approximately 7,500 principals and vice-principals." Let's get serious. We're going to take vice-principals and principals and we're going to give them training on bullying prevention, and those same principals have the responsibility to deal with those young people who are already the product of bullying or are engaged in bullying, which is the very purpose of the Safe Schools Act: to be able to give some mechanism to deal with those young people. Again, under the Safe Schools Act a principal is required—not given an option—to suspend that student. It's mandatory—contrary to what the Minister of Education would have people believe, that there's now no mandatory suspension anymore. That's what they call zero tolerance.

On the one hand, they tell us that there is no more zero tolerance. That's not true. Folks, read the legislation. In fact, the same activities for which previously under the Safe Schools Act a principal was mandated, required to suspend a student, that same list of activities is in this legislation and the principal has no choice but to suspend that student.

**Mrs. Sandals:** You're not reading the act right. That's not what it says.

**Mr. Klees:** So I say to you that we have now given more training money to those principals and vice-principals, who I'm sure will be pleased to take another day out of their office and subject themselves to this wonderful training program that the government is going to provide to help them with this prevention strategy. But my point here is that we've gone through an entire list of funding and yet have we to come to one cent that's going to go into an alternative-program classroom.

I move through the list: "\$3.2 million for security access devices for schools as part of a safe welcome program to help staff better monitor school visitors and limit points of access" in schools. Again, this is very nice, and it's good. It actually relates to another announcement Mr. Kennedy made in 2005 about putting security devices in schools. That was going to be a major solution to the supervision and safety issues. Of course, we wonder where that money went: \$3.2 million for security access devices. That's good. Not one dollar for the classroom, not one dollar for the alternative program.

**Mr. Chudleigh:** On a point of order, Mr. Speaker: I don't believe there's a quorum present.

**The Acting Speaker:** Is there a quorum present?

**The Deputy Clerk (Mr. Todd Decker):** A quorum is not present, Speaker.

**Mr. Klees:** I was just on a roll. I can't believe this.

**Mr. Chudleigh:** Sorry, Frank.

*The Acting Speaker ordered the bells rung.*

**The Deputy Clerk:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Oak Ridges may continue.

**Mr. Klees:** Thank you, Speaker. For those who are watching the proceedings, that was one member of the Legislature asking the Speaker if there is a quorum in the

House so that we can continue to carry on business. It might be interesting for people to know that we have 103 members in the provincial Legislature. The number required to carry on business is 12. That means we didn't even have 12 members out of 103 in this place to allow us to continue to carry on business. But that's a subject for another time, and I'll carry on with my debate.

The final item, in terms of the list of funding that is being provided by the government, is \$3 million through the OESC special circumstances bullying and violence prevention fund for schools facing additional challenges. I don't know what that means, but I'll tell you what it doesn't mean; it's very obvious. It doesn't mean there is one cent for an alternative program for students who have been suspended and who need help. There's not one cent here for additional teachers; there is not one cent here for resources for new classrooms for alternative programs. And to my point, I say to the Minister of Education: You may be able to fool some of the people some of the time, but people who choose to inform themselves about the details of your announcement will not be fooled. You cannot fool the principals who have the responsibility to implement this; you cannot fool the teachers, who are on the front lines and have the responsibility to implement this program.

In short, as I've said before, we fully support the government's intention of providing supports for students who have challenges in their lives. It is fundamentally wrong that we simply suspend or expel students and leave them without the supports they need to deal whether it's with behavioural issues or whether it's with learning disability issues. We have a responsibility to provide those students with the support they need to transition back into that classroom and become the best they can possibly be, and we will support that. But it's our responsibility as the official opposition to challenge the government, to look beyond simply the rhetoric and make sure that when we have this legislation passed in its final form, it will meet the objectives as set.

**1720**

I am going to read into the record an explanatory note for the benefit of the viewers and for clarification of those stakeholders who perhaps still question and are confused about what is being said in this place about this bill today. The parliamentary assistant, from her seat, said to me that I am not reading the legislation correctly when I said that under this legislation principals are still required to suspend a student, that there is no discretion on the part of the principal for certain activities. I'm going to read this to the parliamentary assistant for her benefit: "If a pupil engages in an activity set out in new section 310, a principal must suspend the pupil for up to 20 days. The list of activities mirrors the list in old section 309." I'm going to close quotes there for just one minute.

For clarification and for the benefit of the parliamentary assistant and the Liberal members who have heard their minister say publicly that there is no zero tolerance in this bill, that zero tolerance has been eliminated by the

Liberal government, that they are much softer and gentler and kinder and this is the new era of the Safe Schools Act, this section of the bill, unless it's amended in committee, states very clearly that the list of activities for which a student had to be suspended under the previous Safe Schools Act is identical under this bill, and it continues to say that the principal must suspend those students.

I move forward and continue by quoting from the bill: "Following his or her suspension of a pupil under new section 310, the principal must promptly conduct an investigation, as required under new section 311.1, to determine whether to recommend to that board that the pupil be expelled." This is a new section of the bill and, frankly, I think it's good, except that I would propose an amendment that if there's going to be an investigation, perhaps the investigation should not be carried by the same principal who ordered the suspension in the first place. Perhaps there needs to be some objectivity introduced in the process here. That's a positive, well-intentioned suggestion that I put forward to the government.

I want to continue to read from the bill, because I don't want this to be my interpretation: "If the principal decides not to recommend expulsion after completing the investigation, he or she must confirm the suspension, reduce its length or withdraw it altogether. At that point, the suspension can be appealed to the board unless it was withdrawn."

**Mrs. Sandals:** Options; options.

**Mr. Klees:** The parliamentary assistant chirps from her seat, "Options." Yes, that is absolutely correct. The options only come in, Parliamentary Assistant, after the initial suspension is mandated. It is required. If that doesn't sound like zero tolerance to me, what does? So I say to you that I fully support the direction of this bill. We, as the official opposition, will support the intent of the bill, but please, let's keep the explanation of what you have truthful. Let's keep it truthful.

**The Acting Speaker:** I have to caution the member in implying that it's—in saying to "keep it truthful," you may be implying that it is not, so I would ask you to be very careful with your words. You should find some other wording for that.

**Mr. Klees:** I would never imply that someone is not truthful, especially this government. With the record this government has of making promises and not keeping them, I can't imagine that anyone in this province would ever even come close to accusing this government, or any member of this government, of being anything less than truthful. Now, they may have it wrong, they may have a wrong understanding, they may have an incorrect interpretation, but they could never be untruthful. So I thank you for the caution, Speaker.

I only have a few minutes left. I do want to speak to how important the issue of supervision is. This is directly related to the Safe Schools Act from the standpoint that I think every principal, every teacher, every administrator, every trustee and every parent will agree that it's one

thing to have a tool to deal with students who may be misbehaving, who may be a challenge because of their behaviour, but we need to ensure safety for those innocent bystanders, those students who are well behaved, who want to study and who come to that school or that classroom with the intention of giving it 100%. What about those students? How are we protecting those students, not only in the classroom but in the schoolyard? What is happening within our education system in this province today regarding that? What is this government doing or not doing to deal with that?

I want to read into the record a communication from the Ontario Principals' Council. This is a press release dated February 16 of this year. Here is what this release says, and I'm going to quote for the record:

"Over the past several years, the way supervision schedules are developed and implemented has changed. Increasingly, principals have lost the flexibility to ensure their students are appropriately supervised. Practices have been put in place that have led to concern and frustration for parents, students, teachers, support staff workers and principals.

"There has been a reduction in supervision, at both the elementary and secondary levels, creating a supervision gap that has not been adequately filled. That gap has negatively impacted student safety and the learning environment in our schools."

That is a direct quote from Blair Hilts, who is the president of the Ontario Principals' Council.

He goes on to say in this release, "There are no standards to deal with supervision during recess, lunchtime, transition between classes, before and after school, in hallways and in cafeterias." I wonder if parents know that.

They are calling on the government to endorse the standards that the Ontario Principals' Council has developed, and they're calling on the government to provide immediate and appropriate resources for implementation.

**1730**

How has this come about? How has this shortage in supervision come about in Ontario?

Here's the answer: In the last contract that was negotiated, virtually unilaterally, by the Minister of Education at the time, Gerard Kennedy, he agreed to a provision that reduces the number of supervision minutes that any teacher in the province must commit to the school during the course of a day. I don't have a problem with that. I don't have a problem with that at all, except for the fact that when the Minister of Education agreed to reduce the number of supervision minutes that a teacher has to commit, what he failed to do was, on the other side, provide the school board with the funding to make up for the supervision hours or minutes that were lost, that the teachers no longer were going to give. We warned the Minister of Education at the time that this was going to create a problem in our schools, in our hallways, in our cafeterias and in the schoolyards. We challenged the minister at the time: If you want to negotiate that pro-

vision into the teachers' contracts, fine. I'll support that. I'm sure that the teachers have every reason to need that additional time to carry out their particular functions in the classrooms and as teachers, whether it be preparation time or whatever that might be. This is not about challenging the teachers for what they requested of the Minister of Education. It is about the minister's irresponsibility in not making up the resources that the principals have lost, so that now the principals' council has to issue a press release and warn the government of the day that it is becoming dangerous in our schools and that they can no longer guarantee safety.

And so what the government is being asked to do is to understand that you can't, on the one hand, talk about safe schools and about bringing legislation in that's going to enhance safety in our schools and rail against bullying and cyber-bullying and all of these things, and on the other hand not provide the resources to principals to even properly supervise our classrooms and our cafeterias and the hallways in our schools. It's fundamental. It's very simple. It's a matter of stepping up to the plate and having your actions keep up with your words. If you don't want to be accused of having merely empty rhetoric, then put some substance to your intention.

On behalf of principals across this province and on behalf of teachers, who are under the stress of this circumstance as well—because well-meaning teachers, and all of them are, are now caught in this tension of knowing that kids need to be supervised, knowing that whether it's getting kids on the bus, whether it's having kids in cafeterias or whether it's in the hallways or the classrooms, if they are not there and nobody's there, it's an unsafe environment. On behalf of those people, on behalf of students, on behalf of parents, I appeal to the government: Step up to the plate and provide the necessary resources.

And finally, I want to challenge the Minister of Education, as I have done many times in this Legislature. I ask her once again to look to programs that are already in place in this province to help schools with the issue of bullying. I ask her once again to revisit the Lions Quest program, which is so successful in schools across the country and internationally. This is a program that has been developed by the Lions Clubs International. It is staffed and supported by volunteers who care about our kids and who know that there's a need to provide a helping hand, resources and supports on this important issue of bullying and character development. For some reason, the Minister of Education of this province, of this government, refuses to meet with the Lions Clubs International to talk about how that program can be incorporated into our schools and have a very positive impact across this province. Instead, we hear announcement after announcement, millions and millions of dollars thrown at training programs helter-skelter. We have people across our province who are willing to come forward, offer their help, and we shut the door. We don't even give them the benefit of a meeting with the minister.

I call on the minister to work with us to improve the legislation. I've committed our support to the minister, to

the parliamentary assistant, to the government to help them achieve the stated objective as it was announced when they made the announcement of this legislation. I look forward to committee, when we can bring forward our constructive amendments to help us achieve that.

Again, I want to thank the safe schools action team for their work. I know it was not an easy task. They travelled the province, spoke with many stakeholders. We look forward to their work having a positive impact in this province.

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

**Mr. Rosario Marchese (Trinity-Spadina):** Since I'm speaking next, I just have a simple question for the member for Oak Ridges.

It's clear that the Durham board had a better record than most other boards. It's clear they offered alternative programs in the Durham board and expelled fewer students and suspended fewer students. That was a good thing.

I just wondered whether the member for Oak Ridges ever had a discussion with the former Premiers about that and whether or not he might have told the former Premiers, "Look, we have to change the direction. We have to get these other boards to do what we're doing in Durham, because what we're doing in Durham is working." I'm curious about how that might have happened, because I know that the Conservative members are really very effective, more progressive in opposition. But I'm curious about what he might have said to the former Premiers.

**Mrs. Sandals:** So much to say and only two minutes to say it in. First of all, I'd like to thank the member for Oak Ridges for reading into the record page 2 of our press release, which does a wonderful job of explaining how we have already, currently, spent \$28.7 million on a number of things, including training on bullying for principals. In fact, the research shows that in many cases principals don't understand how to intervene in issues of bullying, and we're not currently doing it, which of course is why we are changing things.

If the member would like to go back to page 1 of the press release, he will find that on page 1 there is an allocation of \$31 million of new money, and of that, \$23 million is going to programming for alternative programs specifically.

I do need to comment on the availability under the previous government of money made available for alternative programs, because in fact there was money made available—for 12 classrooms in the entire province to serve all troubled students. Some of those 12 classrooms—I've visited a number of them—were excellent programs. The trouble was that in many parts of the province you had to drive three or four hours to get to the nearest alternative classroom. So in fact that's why lots of kids got expelled and never went to an alternative program: They weren't there.

1740

It is true that some boards, like York region, have done an excellent job. A number of the GTA boards have

actually developed their own alternative programs and have found money within their own budget, not from the Tory government, to fund those.

With respect to what the legislation actually says, we'll do that in another two-minute round.

**Mrs. Julia Munro (York North):** I certainly appreciated the thorough work that the member from Oak Ridges did in his comments.

There are a couple of points I would like to simply draw your attention to. One of them is the question of the link between safe schools and appropriate supervision. Obviously there is a direct link not only with the issue of supervision but also the question of resources.

The member made reference to the Lions Quest program. I have to say that I personally think that it's a huge opportunity that should be provided for in the province, because this is something that has been tested. It has been extremely well received, and it deals with an area of leadership that very often is forgotten in the scheme of the crowded curriculum that we have.

The other area that I would just comment on very quickly, and again one that operates in a very efficient manner, is the FAST program, Families and Schools Together. While the ministry and the minister talk about the need to have all of these anti-bullying training sessions and things like that, there are programs like FAST which deal with the issues before they emerge as those serious issues. I think the government should also be looking at those kinds of programs that do so much for individual students and their families.

**Hon. Donna H. Cansfield (Minister of Transportation):** It's a pleasure to be able to respond to the different members. In fact, I participated on that particular Safe School Task Force, under the previous government, as president of the Ontario Public School Boards' Association. I can assure you that in no way was there ever any consideration for the student. What there was consideration for was the process: Get them out and get them on the street, because there were no dollars for programs. In fact, the money that was taken out of the school system was extraordinary—not money put into; "decimated" is a word that really comes to mind. The student was never uppermost in the mind of the previous government, and neither were the teachers, who are in fact the pivotal people who make a difference in the life of a child. You need to put in intervention, you need to put in support systems, and that's what this did.

What did happen was a semi-judicial process that clogged the school boards in what they could do with these students and restricted the time that they could do anything around any type of remedial program. It was not ever considered a part of that Safe School Task Force. The only thing they wanted to do was get those kids and get them out, because they didn't deserve to be in school.

**Interjection:** Answer Rosie's question.

**The Acting Speaker:** The member from Oak Ridges has two minutes for a response.

**Mr. Klees:** The Minister of Transportation disappoints me because she ascribes a motive to the previ-

ous government that simply is not factual. I can tell that she's revving up for an election.

I say to people who have observed this debate that you have heard our positioning as the official opposition. We want to work with the government of the day to ensure that this bill is implemented and that we go beyond the rhetoric, that we put in place the necessary supports for students who need help so that they can in fact become the best they can be.

In response for the question put to me by the member for Trinity—Spadina, I can confirm for him, as will the two former Premiers, that there were many occasions when I chose to challenge the directions that were taken by the previous government on a number of issues. The member will also recall that there was a time when I resigned from cabinet. The reason for that will never be known other than between myself and the former Premier. But I need no one to tell me that I should be standing for the right thing to do, because that's why I'm elected, that's why I serve in public office, and I will never compromise that.

**The Acting Speaker:** Further debate?

**Mr. Marchese:** I'm happy to speak to Bill 212. I want to give a little bit of history from my perspective of having been here for a while. I want to say that when the Conservatives brought in this bill—I think it was enacted in 2001 or 2002—it was called “zero tolerance” for a reason. I agree with the Minister of Transportation. The effect of the bill was to get students out of the system. It in effect gave a licence to principals and teachers to suspend and to expel. That's what the bill did. It was supposed to be under a culture of a law-and-order government, and a law-and-order government would simply not tolerate bad behaviour in our schools. If they misbehaved, they had to be out.

We attacked them. The Liberals attacked them. Monsieur Kennedy, mon ami, attacked them. He's now gone. God bless. We were strong, in opposition, in saying, “That needs to change.” I didn't waver in my desire to deal with the bill, to in fact say, “It's got to go.” I think the Liberals wavered a little bit in that regard. I'll get to that in a moment.

There was no doubt what the intent of the zero tolerance policy was by Mike Harris and Ernie Eves, former Premiers of the Conservative Party. It had an incredibly detrimental effect on students. Teachers—to be fair to them—who deal with a lot of problems in the educational system, for some of them, when they couldn't cope, the best way to deal with it was to suspend them, let them go. Principals coping with greater workloads decided that the better way to deal with suspensions and expulsions was to let them go, because when you have a big workload and you just can't cope with so many things, you sometimes find the easy way out. There may be former principals who are now MPPs who say that's not true.

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** It's not true.

**Mr. Marchese:** The Minister of Mines can stand up and give his two minutes and tell us how it is. When you

look at the numbers, Minister of Mines, of the old days, including your days in government, when you look at the huge number of suspensions, you have to tell me what happened there. What happened that so many students were suspended and expelled? What new reality were you and your former colleagues dealing with, Minister? I put it to you that when you are under severe stress as a principal, dealing with so many demands on your time, and you're given a zero tolerance bill, did some of you—

**Hon. Mr. Bartolucci:** Now you're changing—

**Mr. Marchese:** Now you're changing, are you? Did some of you decide—

**Hon. Mr. Bartolucci:** You're changing the message, Rosie.

**Mr. Marchese:** Oh, really? Well, listen, two of you have two minutes, and the two of you who are former principals and another minister who was a former teacher can stand up and tell me what it really was like while you were here and outside of here. I'm looking forward to it.

So I attack the old zero tolerance policies of the Conservative government, as I attack the Liberal regime when they came into office and for four years they did little, or absolutely nothing at all, to deal with the bill.

**1750**

Minister of Mines, Minister of Culture, I put it to you: The Liberal government had a report from the Human Rights Commissioner, who did a number of studies and said to you, Liberal government members and ministers, that through the zero tolerance policy left to you by the Conservative regime and maintained by the Liberal regime, thousands and thousands of students who were black or students of colour were being disproportionately expelled and suspended in great numbers. You knew that. The commissioner told you that. The commissioner also told you that a high number and a disproportionate number of students who have a disability were being suspended and expelled. And while the Minister of Transportation said that the zero tolerance policy of the Tory government was to get students out, you knew that was the purpose of that zero tolerance policy, yet you maintained the same regime for years and years. Why would you do that?

**Hon. Mrs. Cansfield:** It's only been three.

**Mr. Marchese:** The Minister of Transportation says that it's only been three. Surely three years is not a lot. If it was okay for the Tories to suspend and expel students in great numbers from 2001 to 2003 and the Liberal regime expelled and suspended students from 2003 to 2006—she says, “It's only three.” You've been expelling more students in three years under your regime than the Tories did under theirs. Please, three years is plenty.

When you have the facts presented by the Human Rights Commissioner in front of you that say, “Look, you are discriminating against students with a disability and you're discriminating against students who come from a background of colour,” you smile and you laugh and you say, “Ha, but we put some money in. We really care because we're Liberals. We started training. And, yes, it takes time. Yes, there was discrimination under the

Tories, but under the Liberals, it just takes a little time. But we're nicer. We will produce a different result. Yes, discrimination must continue to exist, but please allow us the time to deal with it. Allow us the time to have a safe school action team," which the parliamentary assistant and the Minister of Transportation are so proud of.

Do you know what this team did? With all due respect—nothing to do with the team—it's all about the minister literally avoiding for four years dealing with the issue of discrimination against students with disabilities and students of colour. She creates a safe school action team. This is what she said in her report. She asked the team to look at various things because, lo and behold, she said that there was a lack of consistency on how the Safe Schools Act was being applied. How could the act be anything but inconsistent? I knew that. The Minister of Transportation, a former chair of the Toronto board, knew that. The parliamentary assistant, a long-time trustee, knew that. Did we need a study to prove to us that there are inconsistencies in the application of the zero tolerance Safe Schools Act? What's that about? Why, minister of mines, are we paying people to tell us what we already know? And Minister of Culture, are we acting on this side of the House, do you think? Do you think anything we're saying makes any sense to you? Nod if you think so.

The safe schools action team reviewed the issue of fairness, and the minister says, and all the other Liberals, that some groups were seen to be more likely to be suspended or expelled than others. Oh, really? You didn't know that the Human Rights Commissioner told you that years ago in his studies? You say that some groups were seen to be more likely to be suspended. "A number of concerns were raised that the legislation and related school board discipline policies were having a disproportionate impact on racial minorities and disabled students." Oh, really? Did you not hear what the Human Rights Commissioner told you years prior to your setting

up this committee to review this? And you have to go and consult, high and low, far and wide, paying people to tell you what the Human Rights Commissioner had already told you?

*Interjection.*

**Mr. Marchese:** Member from Brant, Monsieur Levac, mon ami, s'il te plaît, for years I told you that what we needed was discretion instead of zero tolerance. For years we told you that you need mandatory—

**Mr. Levac:** Who said?

**Mr. Marchese:** Marchese told you. The NDP told you.

**Mr. Levac:** Who else?

**Mr. Marchese:** Who else told you? You needed the Tories to tell you that?

**Mr. Levac:** No.

**Mr. Marchese:** So who are you waiting for? For others to tell you that's what you should do?

For years we were saying to them, the bad ones, and you Liberal good ones, please bring in discretion instead of zero tolerance, bring in mandatory alternatives for suspended and expelled students, restore the community advisers and youth outreach workers—and I'll get to that—and you needed somebody else to tell you that? It wasn't enough for you? The Human Rights Commissioner told you, "You're discriminating," and that wasn't enough for you? What did you need? Oh, you needed to set up a safe schools action team. I can't believe it.

Let me go on, Speaker, for your benefit. Are we running out of time, Speaker? But we'll be back tomorrow afternoon. Those who are watching this political channel can tune in around 3:30, 3:45, and we'll have plenty more time for me to continue with this debate.

**The Speaker:** The time now being 6 of the clock, this House stands in recess until 6:45.

*The House adjourned at 1757.*

*Evening meeting reported in volume B.*

## TABLE DES MATIÈRES

Mercredi 25 avril 2007

### PREMIÈRE LECTURE

<b>Loi de 2007 modifiant des lois en ce qui concerne les élections, projet de loi 218, M<sup>me</sup> Bountrogianni</b>	
Adoptée.....	8342
<b>Loi de 2007 modifiant la Loi sur la divulgation des traitements dans le secteur public, projet de loi 219, M. Sterling</b>	
Adoptée.....	8342

### DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

<b>Enquête sur le système de médecine légale pédiatrique</b>	
M. Bryant .....	8343
M <sup>me</sup> Elliott .....	8346
<b>Réforme électorale</b>	
M <sup>me</sup> Bountrogianni .....	8344
M. Sterling .....	8346
M. Prue.....	8347
<b>Changement de climat</b>	
M <sup>me</sup> Broten .....	8345
M <sup>me</sup> Scott.....	8346
M. Tabuns .....	8347

### DEUXIÈME LECTURE

<b>Loi de 2007 modifiant la Loi sur l'éducation (discipline progressive et sécurité dans les écoles), projet de loi 212, M<sup>me</sup> Wynne</b>	
M <sup>me</sup> Wynne.....	8360
Débat présumé ajourné.....	8374

### AUTRES TRAVAUX

<b>Archie Campbell</b>	
M. Bryant .....	8348
M. Sterling .....	8349
M. Hampton .....	8349

# CONTENTS

Wednesday 25 April 2007

## MEMBERS' STATEMENTS

### Organ and tissue donation

Mr. Klees ..... 8339  
Ms. Matthews ..... 8340

### Stratford Festival

Mr. Wilkinson ..... 8339

### Ministry of Citizenship

#### and Immigration grants

Mr. Dunlop ..... 8339  
Mr. Arnott ..... 8340

### Arts and cultural funding

Ms. DiNovo ..... 8340

### Korean Canadian

#### Women's Association

Mr. Zimmer ..... 8340

### Red Hat Society

Mr. Parsons ..... 8341

### Public health

Mr. Leal ..... 8341

## FIRST READINGS

### Election Statute Law Amendment Act, 2007, Bill 218, *Mrs. Bountrogianni*

Agreed to ..... 8342

### Public Sector Salary Disclosure

#### Amendment Act, 2007,

Bill 219, *Mr. Sterling*

Agreed to ..... 8342

Mr. Sterling ..... 8342

## MOTIONS

### House sittings

Mr. Bradley ..... 8342  
Agreed to ..... 8342

## STATEMENTS BY THE MINISTRY AND RESPONSES

### Pediatric forensic pathology inquiry

Mr. Bryant ..... 8343  
Mrs. Elliott ..... 8346

### Electoral reform

Mrs. Bountrogianni ..... 8344  
Mr. Sterling ..... 8346  
Mr. Prue ..... 8347

## Climate change

Ms. Broten ..... 8345  
Ms. Scott ..... 8346  
Mr. Tabuns ..... 8347

## ORAL QUESTIONS

### Ministry of Citizenship

#### and Immigration grants

Mr. Tory ..... 8350, 8351, 8355, 8357  
Mr. Colle ..... 8350, 8351, 8352, 8353,  
8354, 8356, 8358  
Mr. Hampton ..... 8352, 8353  
Mr. Yakabuski ..... 8354  
Mr. Prue ..... 8354, 8356  
Ms. DiNovo ..... 8358

### Environmental protection

Mrs. Mitchell ..... 8355  
Ms. Broten ..... 8355

### Ontario artists

Ms. Matthews ..... 8357  
Ms. Di Cocco ..... 8357

### Employment standards

Mr. Oraziotti ..... 8359  
Mr. Peters ..... 8359

## PETITIONS

### Regulation of zoos

Mr. Chudleigh ..... 8359

### Humber River Regional Hospital

Mr. Ferreira ..... 8360

## SECOND READINGS

### Education Amendment Act

#### (Progressive Discipline and School Safety), 2007, Bill 212, *Ms. Wynne*

Ms. Wynne ..... 8360  
Mrs. Sandals ..... 8362, 8365, 8372  
Mr. Tabuns ..... 8364  
Mr. Levac ..... 8364  
Mr. Chudleigh ..... 8364  
Mr. McMeekin ..... 8365  
Mr. Klees ..... 8365, 8372  
Mr. Marchese ..... 8372, 8373  
Mrs. Munro ..... 8372  
Mrs. Cansfield ..... 8372  
Debate deemed adjourned ..... 8374

## OTHER BUSINESS

### Deputy Clerk

The Speaker ..... 8341

### Visitors

Mr. Ferreira ..... 8341  
Mr. Craiton ..... 8342  
The Speaker ..... 8343  
Mr. Colle ..... 8347

### Archie Campbell

Mr. Bryant ..... 8348  
Mr. Sterling ..... 8349  
Mr. Hampton ..... 8349

### Use of electronic devices in House

Mr. Duncan ..... 8360  
The Speaker ..... 8360

*Continued overleaf*