



No. 32B

N° 32B

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ISSN 1180-2987

Legislative Assembly  
of Ontario

First Session, 39<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 23 April 2008**

**Mercredi 23 avril 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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Published by the Legislative Assembly of Ontario



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Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY  
OF ONTARIO

Wednesday 23 April 2008

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mercredi 23 avril 2008

*The House met at 1845.*

**ORDERS OF THE DAY**

CHRISTOPHER'S LAW  
(SEX OFFENDER REGISTRY)  
AMENDMENT ACT, 2008  
LOI DE 2008 MODIFIANT  
LA LOI CHRISTOPHER  
SUR LE REGISTRE  
DES DÉLINQUANTS SEXUELS

Mr. Bartolucci moved third reading of the following bill:

Bill 16, An Act to amend Christopher's Law (Sex Offender Registry), 2000 / Projet de loi 16, Loi modifiant la Loi Christopher de 2000 sur le registre des délinquants sexuels.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Bartolucci has moved third reading of Bill 16. Mr. Bartolucci?

**Hon. Rick Bartolucci:** Bill 16, Christopher's Law (Sex Offender Registry) Amendment Act, 2008, received first reading on December 11, 2007, and second reading on April 2, 2008.

Christopher's Law is one tool for helping to secure the protection of our community. It is based on the simple proposition that if police know the whereabouts of all convicted sex offenders in the community, they are better able to identify potential threats and can better focus their investigation into actual crimes.

Christopher's Law requires sex offenders convicted of criteria sex offences to register with the police service in their area of residence. This act has proven very helpful to police in keeping track of sex offenders in the community, conducting investigations into sex crimes and, in some cases, preventing these crimes.

Ontario is the first and remains the only province in Canada to have its own sex offender registry. We are proud of that distinction. However, as an example to the rest of the country, it imposes on us a responsibility to ensure the registry works as well as it possibly can and achieves all it sets out to do.

Police across Ontario rely on the information in the registry to help them investigate and solve cases involving sexual offences. That is why they access the registry almost 500 times per day. We need to assure our police

officers and the communities they serve that the information on which they rely to help protect the public is as complete, accurate and up to date as possible.

For this reason, it is important that we maintain a registry that is state of the art. It is important that we build on the lessons we've learned in pioneering the sex offender registry in Canada and make improvements where necessary. Bill 16 is the outcome of that effort.

Ontario's Auditor General reviewed the registry in carrying out his value-for-money audit. He found that there were weaknesses in the registry. He offered recommendations. I'm very, very proud to say that we are acting on each of the recommendations the Auditor General has made.

I want to thank every member on both sides of the House for the very, very professional way that we've dealt with the Provincial Auditor's report, the way we've dealt with this particular bill. At the end of the day, we are going to have a much stronger bill in effect.

We have responded to the recommendations of the Auditor General by making the required changes to our processes to make the registry more effective and make it an even better tool for our law enforcement partners.

**1850**

This is a government bill, but everyone in this House has ensured that this happens, so I want to thank the members on both sides of the House for making that happen so quickly. It is an important piece of legislation. We've handled it in a very, very timely way, in a way that reflects the importance of this legislation.

I also want to thank my parliamentary assistant for the hard work that he's put into this. And I want to thank, in a very, very special way, Jim and Anna Stephenson, the parents of Christopher, for their advice, their guidance and their trust in all of us.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? Further debate?

**Mr. Ted Arnott:** I'm pleased to have this opportunity this evening to speak briefly to third reading of Bill 16, An Act to amend Christopher's Law. I want to indicate that our party's critic for this responsibility, the member for Simcoe North, unfortunately couldn't be here for this debate, but he wanted me to put a few comments on the record on his behalf.

Certainly, our caucus will be supporting this bill. As the substantial debate took place at second reading, I guess there isn't need for a substantial debate tonight on a bill that, hopefully, will be passed unanimously by the House.

Our party is very proud of the work that we did while in government to establish the first sex offender registry in Canada. The work that was done by the member for Leeds–Grenville, the former Solicitor General David Tsubouchi and the former Solicitor General David Turnbull, I believe, was important work which laid the foundation upon which the sex offender registry was established.

I want to compliment the current Minister of Community Safety for bringing forward this bill and for the very forthright manner in which he has addressed head-on the observations of the auditor. He didn't ignore the concerns that were expressed by the auditor; he acknowledged them and he addressed them, and I think that's the appropriate course of action for the government.

Again, we appreciate the opportunity to speak to this bill tonight. We will be supporting it. We look forward to further opportunities to represent the public interest with respect to this issue, going forward.

**Mr. Peter Kormos:** New Democrats support this bill. We're going to be supporting it this evening, inevitably, when it goes to a vote.

I do want folks to note that the member for St. Catharines, the Minister of Transportation, is still sitting in his seat in the chamber. I was in here at 8:30 this morning to get some papers out of my desk that I wanted to work on and Jim Bradley was there in his seat. I came back around 11:30—there was a group of school kids touring, and I wanted to drop in and say hi—Jim Bradley was in his seat. And here we are, just shy of 7 o'clock tonight, and Bradley's still in his seat. He will be here Friday, I'm sure. His folks should know how hard he works for them in this chamber, in that very seat, so close to the Speaker. At some point, the staff will be dimming the lights, and Mr. Bradley may feel compelled to retire for the day.

Look, this is very, very serious stuff. This is deadly stuff because—as we learned during the process of dealing with the initial legislation and then, once again, reminding ourselves while contemplating this amendment—at the end of the day, we're talking about kids who get abducted by sexual predators. We talked very clearly about the life expectancy of those kids. Their life expectancy is very short. You've got two time frames: the one-hour time frame and the 24-hour time frame. Once you've exhausted the 24-hour time frame, the chilling reality is that, more often than not, one's fortunate to find the corpse. So, it's imperative that police officers across this province have all the tools, all the resources that we can possibly provide them to act quickly to locate kids who are the victims of sexual predators.

Equally important—and I don't want to try to classify, as one judge notoriously did quite a few years ago, these types of offences on any sort of scale—but similarly, in the case of rapists. We saw the regrettable consequences here in the city of Toronto, where a community wasn't advised of the presence of a serial rapist in that community. It was the notorious, famous Jane Doe case, where there was a significant settlement by the Toronto

Police Services Board. They acknowledged their error in failing to notify the community so that in that community women could protect themselves. I believe that communities, women and parents have a right to protect themselves and their children from sexual predators.

Now, this is not a disclosure law like exists in some American jurisdictions. The sex offender registry isn't available to the public. One of its frailties is the obvious incompleteness of it because of the disconnect between federal institutions, like penitentiaries, and other provinces and the province of Ontario.

At the end of the day, in many respects, this law is not a punishment, because that of course wouldn't be within the capacity of the provincial Legislature, but it's an expression of our repugnance about this type of crime. It is a scarlet letter law in so many respects. In the course of its maturation—and let's understand that this isn't a response to all of the concerns of the Auditor General, because not all of the concerns of the Auditor General can be resolved legislatively. As the registry matures, one would hope that it becomes complete and accurate so that police forces, police officers, can rely upon it absolutely.

I also want to raise this: Let's understand that the persons who report upon their release from custody are people doing provincial time. They have sentences of two years less a day and lower. People serving penitentiary time aren't reported by the penitentiary. They're still required to report, but aren't reported by the penitentiary. There are a whole lot of sexual offenders serving provincial sentences. That means that they're going to get out sooner rather than later. Some types of sexual disorders, like pedophilia, are incredibly difficult to treat. The likelihood of effective treatment is minimal.

So I suspect—and I want to very briefly say—that we've got to focus on the types of sentences our courts give sexual offenders. I am an advocate of sentencing that's proportionate to the offence, but I believe, and I tell you that New Democrats here in this chamber believe, that there is a certain class of sexual offenders who pose such a significant danger to the community that they should never be functioning unsupervised in the community, and some should never be released back into the community in a full and free way.

As I indicated on second reading, part of me says you either have very short sentences to tune people up, specific deterrents, or you have very long sentences to protect the public. I believe there are a whole lot of sentencing cases of sexual offenders, especially as they apply to children and women, where issues of specific deterrents, general deterrents and rehabilitation have to recede in favour of simple protection of the public.

I also believe—and the John Howard Society has articulated this position very effectively—that when we're talking about offenders who at some point are going to be released back into the community, we've got to reinvest and invest more in community-based treatment and residential programs. It does us no good to have sex offenders moving into low-priced motels that just happen to be two blocks away from an elementary school

or a public pool or a park or the lakeshore here in Toronto. It's no good whatsoever. We have to focus very much on rebuilding community-based treatment and residential services. I'll quote Graham Stewart: "What has been found to be effective is follow-up support and counselling." I don't say this in a liberal, bleeding-heart way—fluffy, pat the sex offender on the head. I'm talking about those sex offenders who are back in the community. We are doing our community, our kids, our spouses, our partners, our mothers and sisters a disservice by not addressing that.

I suspect that this debate's going to end reasonably soon. We are supporting this legislation.

Finally, I do want to note the importance of the committee process and how it's illustrated by this bill. This bill, drafted in all good sincerity by drafting people and reviewed by civil servants and by political staff, nonetheless needed 14 amendments. It's not a lengthy bill—five pages. It needed 14 amendments to correct oversights. So let's just keep that in mind, because you also know that I'm inclined to be a member here who says that all bills should go to committee. All bills should be subject to public declaration of their committee hearing because it enables all of us to make a contribution to the process of correcting any oversights or errors, and I'll leave it at that with respect to this bill.

I also want to commend once again the parliamentary assistant. I told him this at the end of the committee hearings. Isn't it remarkable how the parliamentary assistants inevitably do all the heavy lifting, but when it's time for the spotlight and the glory, it's the minister who elbows the parliamentary assistant aside and takes the credit. I tell you, I watched the member for Ottawa Centre, Yasir Naqvi. In the pursuit of his first bill as a parliamentary assistant, he performed diligently. I tell you, he didn't deviate from the text that he was provided, and that's the sign a good parliamentary assistant, no two ways about it. He did an exemplary job on behalf of his ministry. I will be reminding him, I'm sure once again—I

suspect the next bill will be the zoo bill, the animal protection bill. Once again I suspect the PA will be doing the heavy lifting. The minister is there to take credit; of course, when there's an embarrassing failure, it's the parliamentary assistant who is thrust in front of the scrum outside the chamber. I suspect that the member for Ottawa Centre, Yasir Naqvi, and I will be spending more time together in committee on that one than we did on this one. I suspect he will prove himself to be capable once again.

Thank you kindly, Speaker. I don't know what other orders the government is going to call tonight. We're here until 9:30. I'm looking forward to the next order the government is going to call. God forbid there should be a motion for adjournment. After all, we're here to work, aren't we?

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? Further debate. Does any other member wish to speak?

There being none, Mr. Bartolucci has moved third reading of Bill 16, An Act to amend Christopher's Law (Sex Offender Registry), 2000. Is it the pleasure of the House that the motion carries? Carried.

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

*Third reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Orders of the day.

**Hon. Rick Bartolucci:** I move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion, the ayes have it.

This House is adjourned until 10 o'clock Thursday morning, April 24.

*The House adjourned at 1904.*

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Règlements et projets de loi d'intérêt privé**

Chair / Président: Michael Prue  
Vice-Chair / Vice-Président: Paul Miller  
Bas Balkissoon, Mike Colle, Kim Craiton,  
Gerry Martiniuk, Paul Miller, Bill Murdoch,  
Michael Prue, Tony Ruprecht, Mario Sergio  
Clerk / Greffière: Sylwia Przewdziecki

**Social Policy / Politique sociale**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Vic Dhillon  
Laurel C. Broten, Vic Dhillon, Cheri DiNovo,  
Helena Jaczek, Dave Levac, Shafiq Qaadri,  
Khalil Ramal, Laurie Scott, Peter Shurman  
Clerk / Greffier: Katch Koch





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