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**Official Report
of Debates
(Hansard)**

Wednesday 7 June 2000

**Journal
des débats
(Hansard)**

Mercredi 7 juin 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Wednesday 7 June 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mercredi 7 juin 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

CORRECTIONAL SERVICES FUNDING

Mr John Gerretsen (Kingston and the Islands): Yesterday the headlines of the Kingston Whig-Standard screamed out, "OPP Will Pull Plug on Pen Squad." Once again the residents of my riding have seen the effects of the government's downloading and its negative results on the local property taxpayers. Yesterday the city of Kingston was unilaterally informed that the OPP will abandon a 15-year commitment to investigate crime in the six area prisons in the Kingston area. The OPP staff of six top-notch investigators involved in the joint forces penitentiary squad will cost city taxpayers an additional \$1 million annually.

Neither the chief of police nor the police services board were advised of this. City Police Chief Closs stated to the Whig-Standard, "We were stunned by the announcement" without even waiting for a high-level meeting that has been promised by the province.

Although the Solicitor General hastily asked the OPP to withdraw its letter and has agreed to further discuss the issue with city officials, undoubtedly the municipal taxpayers of my community will end up picking up more of these provincial costs. All the Solicitor General said was that "the letter was premature" and that the city should be footing a larger share of the bill.

This is another example where amalgamation and downloading is not only not saving the local taxpayers money, but is actually costing the local property taxpayers more money. My advice to the Solicitor General is to keep the joint forces penitentiary squad, continue to fund your officers to this force and stop the continual downloading of province-wide services to the local municipal property taxpayers.

SILVER BIRCH
LITERATURE AWARDS PROGRAM

Mr John O'Toole (Durham): I rise today to inform this House of my riding of Durham's participation in the Silver Birch literature awards program. This award is presented to the Canadian author of the book chosen as the most outstanding of the year by grade 4, 5 and 6

children across Ontario. In order to cast a vote, these children must read at least five of the books from the list of candidates in either the fiction or non-fiction categories.

This year's non-fiction titles include Alexander Graham Bell: An Inventive Life; Canada's Maple Leaf: The Story of Our Flag; and Meet the Group of Seven. This is an excellent program in many respects. It rewards children for reading by giving them direct input into the selection of the winners. It encourages our young people to read books such as those I have just mentioned which they might not otherwise have read.

The Silver Birch program also honours and encourages imaginative authors who create works that appeal to Ontario's children.

This program would not be possible without the hard work of the dedicated teacher-librarians who organize the program within their schools and encourage and assist the children in their participation. Some of the teacher-librarians in my riding of Durham who have contributed their efforts are Joan Butt of Cartwright public school, Pam Fis of Prince Albert public school, Stella Kranz of John XXIII, Coleen Power of R.H. Cornish, and Isabelle Hobbs of S.A. Cawker.

The official award for Ontario will be presented in London on June 10. On June 12 there will be a luncheon in Durham. It will allow the children in my riding to meet the authors and the community leaders to discuss their reflections on the books.

I'd like to congratulate the teacher-librarians, the authors, the program coordinators and especially Ontario's children who participated, and thank them for their valuable input to the program.

CANCER TREATMENT

Mr David Ramsay (Timiskaming-Cochrane): Many of us have stood in this place and have begged the Minister of Health to treat northerners as she does southerners when it comes to access to cancer treatment. Time after time, we get the bureaucratic response from this Minister of Health that the southern Ontario patients are being "re-referred," as she says, from their region because the treatment is not available locally. That's why southern Ontario patients get airfare, hotel and meals when they are sent to Thunder Bay and Sudbury for cancer treatment. Northerners have never had access to many of the kinds of treatments locally in our area for years and years and have had to, historically, go to

southern Ontario for treatment. But when that happens, we only get a one-way mileage allowance, not full expenses.

What's the real story here? Is it because southern Ontario patients never had to travel before, but do now because of the minister's mismanagement of the ministry, that the government feels obliged to pay the full cost, whereas northerners, who have never had these services, have to take the lower form of compensation?

This makes us angry. You continue to treat us like a Third World colony. We, in the north, are sick and tired of being treated like dirt. If it's good enough to pay the full fare for southern Ontario patients who can't get treatment locally, then it should be good enough for northerners to get the same assistance. This is discrimination. You're providing benefits to one group of Ontarians and not to another based on where they reside in the province. This is wrong, and we will continue to fight until you bring fairness to all cancer patients across Ontario.

HALDIMAND-NORFOLK ECONOMY

Mr Toby Barrett (Haldimand-Norfolk-Brant): Recently, a prominent global company, Robin Hood Multi-foods, known locally as Bick's Pickles, announced ambitious plans to relocate its processing facilities in the town of Dunnville, located in the east end of Haldimand. I know Minister Hudak is very heartened to have this development coming into Dunnville, as the \$18-million investment will mean about 140 new full-time jobs for the area.

In October 1998, I had the pleasure of attending a previous expansion by Bick's in my riding with former Agriculture Minister Noble Villeneuve. At that time, Bick's had just finished the first phase of construction of a cucumber tank farm just outside of Delhi. Since then, the tank farm has expanded and is now employing five full-time staff and 15 seasonal employees, with 600 storage tanks holding up to 30 tonnes of cucumbers each.

It's encouraging to see companies like Bick's investing in rural Ontario. These investments in Haldimand and in Norfolk have provided a kick-start to the local economy. They're giving rural Ontario exactly what is needed—a way to diversify the economy and add value to agricultural products right at home.

There's no reason why farmers have to send their products down a highway to Toronto or London to be processed. There are plenty of opportunities for value-added processing in rural Ontario, and it's great to see Bick's Pickles capitalizing on these opportunities.

INTERGENERATIONAL WEEK

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): June is Seniors' Month and the first week has been designated as Intergenerational Week. As part of an International Year of the Older Person initiative, the Marmora Seniors Club 87 embarked on a project with students from the three community

schools, Marmora Senior Public, Earl Prentice and Sacred Heart schools.

Students were asked to submit artwork that would depict their favourite activities with family members who are seniors. These beautiful pictures were then transferred on to fabric pieces, which the seniors took and pieced together to make four quilted hangings. On Saturday, June 3, the quilted hangings were presented at a special seniors' tea to the three retirement homes and one long-term-care facility in the village.

These quilts are absolutely beautiful. The artwork depicts children fishing and playing checkers with granddad, gardening and making cookies with grandma, as well as watching TV or going for a walk with the seniors in their lives. I know these lovely quilts will brighten the homes where they hang and bring a smile to the face of those who gaze on them.

I want to take this opportunity to congratulate the children of the Marmora schools and the Marmora Seniors Club 87 for this great intergenerational project. It is an example of how youth and seniors can record in a permanent way the value of children in the lives of seniors and the value of seniors in the lives of children.

1340

RIVERDALE YOUTH SINGERS

Ms Marilyn Churley (Broadview-Greenwood): On Monday, June 5, I attended the spring concert of the Riverdale Youth Singers, entitled A Salute to Canada 2000. They honoured the arrival of the new millennium by singing songs to represent every province and territory in Canada. My favourite, I have to admit, was their fascinating, delightful rendition of "I'se the B'y," but every province was well represented.

This was an amazing group of children, from small ones who looked about eight or nine years old on up to teenagers. The conductor was Mark Bell. The drum player and piano player was John Govedas, who is a music teacher. They gave the audience—the parents and community members—an absolutely delightful evening.

This concert was free. It's something that volunteers do within the school: parents and, yes, teachers and community members who are trying to contribute to a full, holistic education for the children. It just goes to show, as I sat there relaxing and really enjoying this music, how important it is that we continue as a government to fund and contribute to arts and music in our schools and in our communities. I know that in this case, over a year ago a small group of interested people sat down and made plans and established this youth choir in Riverdale. I congratulate them.

NORTHUMBERLAND ECONOMY

Mr Doug Galt (Northumberland): I rise in the House to bring to your attention some 500 full-time jobs that have been created in my riding of Northumberland.

Yesterday, a company by the name of Great Dane Limited Partnership Trailers announced the construction of their new trailer manufacturing facility in Quinte West. Construction is planned for later this summer and they expect to be in full operation come next year. Great Dane will be manufacturing approximately 6,000 trailers per year. It is estimated that the plant will employ some 500 people, and I understand that most of these jobs will be hired locally.

The president and chief operating officer for Great Dane is Mr Phillip Pines. Mr Pines and his company said they found Quinte West to be a community that meets their strategic and corporate needs. Essentially, it was the co-operation of the newly amalgamated city of Quinte West and the hard work ethic of rural Ontarians that attracted Great Dane to the area. As the chair of the Task Force on Rural Economic Renewal, I am extremely pleased to hear that the excellent workforce in rural Ontario was recognized by Great Dane.

I extend my congratulations to Mayor Jack Arthur and his council and staff for doing such a marvellous job in welcoming Great Dane Limited Partnership into the community.

MEDICAL OFFICERS OF HEALTH

Ms Caroline Di Cocco (Sarnia-Lambton): I believe the public safety of my constituents is being jeopardized because the main focus of the Harris revolution is tax cuts, downsize and download. Sarnia-Lambton has a population of 120,000 people and we do not have a full-time medical officer of health. Our officer of health, Dr Greensmith, works on a consultative basis for two mornings a week. Chatham-Kent is in the same predicament. Dr Greensmith works in Chatham-Kent one morning every two weeks. That means that 230,000 people do not have a full-time officer of health.

This is yet another example of the fact that the provincial government is not interested in protecting the health and safety of our cities, towns and villages. Public medical officers of health are responsible for immunization, apprising the community of health risks such as dealing with outbreaks, and inspecting restaurants. They are also charged with testing our lakes and rivers in order to assess contamination for swimming.

The health and safety of the people of Sarnia-Lambton and Chatham-Kent are being jeopardized because of this government's policies and ducking responsibilities. The Ministry of Health will not answer our calls on this matter, and the Ministry of the Environment will not answer our questions.

JUDD SHEMESH

Mrs Tina R. Molinari (Thornhill): It is an honour for me to rise today in this House to tell you about a very gifted artist by the name of Judd Shemesh who is a constituent in my riding of Thornhill.

Mr Shemesh worked for the past two years creating a 55-centimeter-high glass crucifix for His Holiness Pope John Paul II. Mr Shemesh is scheduled to present his work to the Pope later this summer.

"Because the carving of the glass is all three-dimensional, when you look at it it's almost like His body is coming out from the glass," Shemesh said of his work entitled *The Crucifixion*.

Mr Shemesh, who was born in Iraq, was forced to flee with his family to Israel in the 1950s. He feels that his accomplishment expresses his heartfelt longing for religious harmony around the world in the new millennium. He said:

"Religion always separates people and you can count the number of wars and millions of people who died in those 2,000 years because of the differences in our religious beliefs. This is a small step from my part to bring religions together, to create unity among people, instead of separation. I created the cross as a piece of art in the symbol of Christians. It's for everybody because art is for everybody."

On behalf of the people of Thornhill, I would like to congratulate and recognize the artist Mr Judd Shemesh, who is with us in the Legislature today, and wish him the very best as he prepares to present this magnificent piece of art to His Holiness Pope John Paul II.

INTRODUCTION OF BILLS

1264030 ONTARIO INC. ACT, 2000

Mr Bartolucci moved first reading of the following bill:

Bill Pr21, An Act to revive 1264030 Ontario Inc.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I seek unanimous consent to put forward a motion regarding private members' public business.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mr Sterling: I move that, notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business: Mr Levac and Mr Colle exchange places in order of precedence such that Mr Levac assumes ballot item number 74 and Mr Colle assumes ballot item number 34.

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

Motions? Statements by ministries? That brings us now to oral questions.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: We have been told that the Premier is going to be in the House. I wonder if somebody in the government can—

The Speaker: Yes, we did wrap up rather early through the proceedings, so they may not have been here. The chief government whip may be able to help us.

Hon Frank Klees (Minister without Portfolio): Cabinet did go a little bit longer than expected and we do expect the Premier.

The Speaker: The whip is going to try to find him.

1350

DECORUM IN CHAMBER

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker, a matter arising out of yesterday's proceedings and the view of the opposition that the decorum that I know you're striving to achieve be well maintained in the House: We were concerned about the way it was applied yesterday and we're seeking your guidance, because a number of our members got last warnings and it didn't seem to appear that you were doing the same with the other side of the House. We are interested in working to ensure that the decorum I know you want to establish is established and maintained.

The Speaker (Hon Gary Carr): I thank the member. We will attempt to do that. Just so all members are aware, one of the reasons we do that is so that we can get down to the questions that all of the members—in particular, as you know, the leader of the third party and the leader of the official opposition have the first questions. It's my hope that we can get down so that backbenchers on both sides, from all three parties, can get questions.

The alternative is for me to just stand here and let the clock run down. That isn't helpful to the members in the back benches because we don't get as many questions on. There are some days that are a little more controversial. I appreciate all the work because, quite frankly, the vast majority of the members on the vast majority of the days are very well behaved. I thank all members for that.

Mrs Sandra Pupatello (Windsor West): Mr Speaker, are you apologizing?

The Speaker: No, I'm not apologizing. I will if you will, but you'd have to do it more than I would.

QUESTION PERIOD

Mr Dominic Agostino (Hamilton East): On a point of order, Mr Speaker: Maybe you can direct me on this. On Monday, June 5, I asked the Premier a question regarding Ontario Realty Corp. You can explain if there's a process for this, but part of his answer was that he didn't know the answer for me but that he would get the answer for me on the question I asked. That's in Hansard itself. It says, "I'd be glad to get the answer." Is there a process for follow-up on that, where the Premier would

have to respond when he makes that statement in the House?

The Speaker (Hon Gary Carr): No, but we take the ministers or the Premier at their word that they will get that information for a member as soon as possible. I'm sure that will happen.

The Premier's now here.

ORAL QUESTIONS

WALKERTON TRAGEDY

Mr Dalton McGuinty (Leader of the Opposition): The question is to the Premier. Premier, this morning you had to apologize for yesterday smearing the community of Walkerton. This is a community that is struggling to overcome human tragedy, a community that has lost seven of its own, a community that is experiencing a very painful recovery, a community that is frustrated by the fact that it's going to take another six to eight weeks just to get the water turned back on, a community that's very concerned about their financial losses, and especially concerned about the long-term prospects for tourism potential.

Yesterday you added to their burden by accusing them of not getting their priorities right, by telling them that they didn't make water safety and their water treatment plant a real priority. You apologized for that because you had no choice but to do that.

What has really frustrated the people of Walkerton, though, from the outset is your refusal to issue another kind of apology. They want you to stand up and take responsibility for this tragedy. They want you to stand up and say: "It is my government's duty to make sure that water is safe for everybody in the province of Ontario. That did not happen in your case, people of Walkerton. We failed in living up to our responsibility, and so, on behalf of my government, I, the Premier of Ontario, apologize." Will you do that now, Premier? Will you stand up and make that apology for the people of Walkerton?

Hon Michael D. Harris (Premier): I think I have certainly clearly acknowledged that what occurred in Walkerton is a tragedy. Immediately, our government has put into place inquiries and procedures to find out what went wrong, how it went wrong, with a view to two aspects: one, to make sure we can hold those accountable who should be held accountable. Certainly, contrary to what the member has said, I have not been one—or tried very hard; I know that's not the perception of everybody—to assess blame, but to have a process to take a look at what went wrong and how it went wrong.

Second, in answer to the majority of the preamble of the leader's question, I talked with the mayor of Walkerton today and offered him my apologies for misinformation, really, that we provided to the media yesterday. He understood exactly, was very supportive of the action

we've taken. He said, "Mr Premier, I want you to pass on to the Ministry of Environment that we're very enthusiastic about the provincial response and we're very supportive of the efforts that you've taken to date."

Mr McGuinty: Premier, one of the comments you made yesterday to the media when you talked about infrastructure and the priority that your government is lending to that, in particular your SuperBuild program, was that you're making a real priority of areas of sewer and water. I happen to have in my hand a copy of a letter dated May 26 of this year from the Ontario Sewer and Watermain Construction Association. This letter came as a follow-up to a meeting with David Lindsay, who heads up the SuperBuild Corp. In the very first paragraph of this letter it says, "We were disappointed to hear that water and sewage infrastructure is not a primary target area for the infrastructure programs developed by the province."

We're just trying to figure out where the Premier is really at when it comes to making water treatment and sewage treatment in Ontario a real priority, because he said one thing to the media, but somebody who's on the inside when it comes to this issue, who had a meeting with the SuperBuild fund representatives, tells us that this is not a priority. Maybe we'll allow the Premier now to tell the people of Ontario where he's coming from on this issue.

Hon Mr Harris: I appreciate the opportunity. I indicated very clearly on Monday on the radio show—not to assess blame, I think was the way I prefaced my comments, because approvals of our infrastructure programs have been municipal, provincial and federal. I indicated a sense that perhaps in these federal-provincial infrastructure programs that have provided over \$2.6 billion—

Mr McGuinty: SuperBuild is yours.

Hon Mr Harris: I'm sorry; if you'd like to hear the answer, I'd be glad to give it.

Very clearly, to a question in the wake of Walkerton, which was, "Is it time to reassess priorities?" I said, "Yes, I think it is." I think the Prime Minister indicated the same thing, although we hadn't talked. So SuperBuild, which will participate in the new infrastructure program and in the negotiations with the federal government—I made it very clear on Monday, and the Prime Minister has made it very clear, that we intend to put a higher priority on areas of sewer and water. I would think that would be good news across the country.

Mr McGuinty: The Premier says that it took this tragedy for him to begin to reassess his priorities. Why didn't you reassess your priorities when the Provincial Auditor warned you about the state of water in Ontario? Why didn't you reassess your priorities when the Environmental Commissioner warned you? Why didn't you reassess your priorities when your own officials in the Ministry of the Environment found there was E coli back in 1998? Why didn't you reassess your priorities in the early part of this year, when your officials in your ministry found out that there was a problem with water in Walkerton?

It's too late. The horses are outside the barn and the door has been closed behind them. You should have reassessed your priorities a long time ago.

What are you going to do, Premier? Tell us in a specific way, what are you now going to do to ensure that your SuperBuild fund—don't tell me about any other joint infrastructure programs; tell me what you're going to do with regard to your SuperBuild fund to make water and sewage programs a real priority.

Hon Mr Harris: I think the member ignores that while the last federal-provincial infrastructure program was targeted more at transportation infrastructure than at sewer and water, we had a special \$200-million program aimed directly at water and water quality. What we have indicated, because that program is now coming to an end and SuperBuild is now taking over the negotiations with the—

Interjections.

Hon Mr Harris: If the members don't want to hear—it's very difficult, Mr Speaker, with the screaming and yelling and rude interruptions, for me to relay the information. If the members don't want to hear it, I can tell the public directly.

MINISTRY OF THE ENVIRONMENT

Mr Dalton McGuinty (Leader of the Opposition): Premier, on May 29, when you were asked about cuts to the Ministry of the Environment and reductions in inspections, you told this Legislature: "To suggest that this has been responsible for fewer inspections—it's not true. We've had as many tests as we've always had; we've had the same procedures in place."

Premier, I'm trying to figure out once again who I should believe, you or your new Environmental Commissioner, your own hand-picked man, who said the other night that he is "very concerned" about your government's reduction to the frequency of water plant inspections. He tells us that they've been reduced; you tell us that nothing has been changed. Once again, Premier, who's right?

1400

Hon Michael D. Harris (Premier): I guess that's why we want an investigation, to take a look at some of the allegations that have been made by some. I indicated very clearly and I assured the House and I reassure you now that there have been no changes to the frequency of tests that are required by municipalities, no changes in procedures to be followed with those tests. Absolutely nothing has been reduced in those areas. I also indicated that there has been no reduction in the front-line officers.

Has there been a change in procedures to prioritize within the Ministry of the Environment? That may very well be. That's another question and I am happy to answer it should you wish to ask.

Mr McGuinty: I suggest that the Premier at some point in time take the time to sit down with officials from the Ministry of the Environment and sit down with his own hand-picked Environmental Commissioner and find

out exactly what's happening in Ontario in terms of frequency of inspections.

This is what Gordon Miller said the other day: "Years ago when I was in the ministry we used to try to inspect them once a year. But then when the auditor's report came out a few years ago, I know the ministry instilled a once-every-two-year inspection frequency. Now I hear this week discussion about, you know, the reporting frequency was once every three years"—once every year, once every two years on your watch, Premier, and now according to the Environmental Commissioner water systems are being inspected under Mike Harris's Ontario once every three years.

Why is it, Premier, that you insist on telling us that no changes were made to the frequency of inspections on your watch when your own officials inside the ministry and your Environmental Commissioner are telling us something completely different?

Hon Mr Harris: I don't recall being asked about the frequency of inspections. I was asked about the frequency of testing, I was asked about the procedures, I was asked about all those, and I indicated that those were the same. If you wish to get information on the frequency of inspections and the history of that, I'm sure the Minister of the Environment would be happy to respond.

Mr McGuinty: Premier, I want to again remind you of what you said in response to a question about cuts to the Ministry of the Environment and reductions in inspections. You said: "To suggest that this has been responsible for fewer inspections—it's not true. We've had as many tests as we've always had; we've had the same procedures in place." Will you now admit that that is not true, that we have fewer inspections today than we had in years past and the reason we have fewer inspections today is because of something that you have done inside your ministry?

Your spin keeps getting in the way of the facts. One of the most frustrating things for the people of Walkerton and the people of Ontario is that you just won't own up to the truth in these matters. First you blame the NDP, then you blame human error, then you blame the community of Walkerton and now you're saying no, there never were any reductions in inspections, when the facts tell us that something is completely different. There has been a reduction in inspections. Premier, why don't you just admit that?

Hon Mr Harris: I'm sure the minister can respond to the frequency of inspections and the intensity in some areas and the priority areas, if that is the area that he wishes to follow. But I'm happy to repeat—I won't do it word for word but it will be the same as the response I gave about testing—there is absolutely no change to the number of tests required or the procedures to be followed with those tests. That's what I said in response to that question.

WATER AND SEWER INFRASTRUCTURE

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Yesterday you and your Minister of the Environment tried to blame the municipalities of Ontario for the tragedy in Walkerton and for the polluted water crisis. You and your Minister of the Environment tried to say and tried to have the people of Ontario believe that Ontario municipalities were being irresponsible, that they weren't making thoughtful investments in water and sewer projects. That information is completely untrue.

The last year for which the information is available, 1997, the municipalities across this province invested a total of \$2.85 billion in water and sewer programs. Meanwhile, your Ministry of the Environment could only find \$240 million. They put up 10 times the amount of money your government did, so it's completely false information.

Premier, do you still have confidence in a Minister of the Environment who so blatantly puts forward information that is so obviously untrue?

Hon Michael D. Harris (Premier): I guess anything goes and you can say whatever you want when you're in opposition. Let me say that clearly the premise—

Interjections.

Hon Mr Harris: If the members don't want to hear the answer, I'm happy to talk to the public.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): On a point of order, Mr Speaker: The leader of the third party used the expression "patently untrue" relating to a statement by the Minister of the Environment. He should withdraw that, in my submission.

The Speaker (Hon Gary Carr): The member will know that sometimes I miss things. At that particular time I was looking at someone else. I will try to listen carefully. I did miss what was said, but the member can withdraw it on his own if he wants to. Supplementary.

Mr Hampton: Premier, not only that, but we also have the information for 1996, and so I want to ask you about that. In 1996 the municipalities of Ontario invested \$2.68 billion in water and sewer projects. They increased that in 1997 to \$2.86 billion. Let's look at what your Ministry of the Environment did. In 1996 they had \$369 million available for sewer and water investment. In 1997 they cut it back to \$240 million.

So the reality is quite the opposite of what you and the Minister of the Environment tried to present yesterday. In reality, municipalities have been increasing their investment in water and sewer projects as your government has been cutting them back. My question remains the same: Do you still have confidence in a Minister of the Environment who presented information yesterday to the public that is so obviously not true?

The Speaker: This time I was listening. The member can't say something like that. He can rephrase it in another way; he can't say it like that.

Mr Hampton: Do you still have confidence in a Minister of the Environment who presented information to the public that was so obviously incorrect?

Hon Mr Harris: I think I made it very clear that the information I gave to the media on Monday is the information that was incorrect. I have apologized for that and corrected the record.

I believe the information the minister gave dealt with the special program of \$200 million that was made available to municipalities at the same time as we offered \$2.5 billion of tax room in exchange for municipalities taking over sewer and water. The responsibility for sewer and water is now 100% the municipal responsibility, as you know. However, we did make available to them in that transition, in addition to \$2.5 billion of tax room each and every year, an additional \$200 million.

Now I have indicated, and I'm pleased that the Prime Minister of Canada indicated as well, that as we look at our infrastructure programs—federal, provincial and municipal—we ought to put new priority into sewer and water as well before we get to some of the other priorities.

Mr Hampton: I did get one acknowledgement there. We finally got an acknowledgement that this government did download the responsibility for water and sewer on to municipalities, and that at the same time, you were cutting your budget devoted to sewer and water projects and to the protection of Ontario's water supply. We're finally starting to get somewhere.

1410

Hon Margaret Marland (Minister without Portfolio [Children]): You're lying.

Mr Hampton: Premier—

The Speaker: Member take his seat. Minister, I did hear that. You have to withdraw that.

Hon Mrs Marland: Mr Speaker, is there a different standard for the leader of the third party—

The Speaker: No, Minister. Sit down. Either you withdraw it or you do not. Last warning and I will name you. I heard you. On some occasions I do not hear things; that time I did. I heard you distinctly. Last warning or I'll name you. Either you withdraw it or I have to name you.

Hon Mrs Marland: Mr Speaker, I'll withdraw it.

The Speaker: Thank you. Leader of the third party.

Mr Hampton: Premier, our point is this: I don't know how you can have confidence in a minister who has from the very beginning been so completely incompetent on this issue and has so incompetently provided information that is incorrect to the public.

I want to ask you another question. This is about a community, Bruce Mines, that two years ago applied to your so-called provincial water protection fund because they realized that there were problems with their water system. Your provincial water protection fund turned them down. So Bruce Mines today has a boil-water directive because their water is now polluted. Premier, this is the same provincial water protection fund that your government said earlier it was going to eliminate this year. Is it now your position, since you intended to elim-

inate this program, that your government has no responsibility whatsoever for the quality of drinking water in this province? Under your new rules, is that exclusively a provincial responsibility? If it's the case that it's strictly a municipal responsibility, why don't you ask for the resignation of your Minister of the Environment, because he's clearly not doing the job for anyone?

Hon Mr Harris: Of course clean water is a significant responsibility of the provincial government. It is a significant responsibility of the Ministry of the Environment. We take that responsibility very seriously. As you know, the municipalities asked us to give them \$2.5 billion of tax room, to give them ongoing dollars each and every year so they could deal with that, and at the same time asked us if we'd take on more responsibility for things like education. We responded to that. But in addition, we have responded through community reinvestment funds for those municipalities that have additional challenges; we've responded through a special \$200-million infrastructure program, which is coming to an end, as you have indicated, which is why we are now looking at a new infrastructure program with SuperBuild. We're talking with the federal government in other areas where we would like to be able to ensure that if there are still municipalities that need assistance over and above the \$2.5 billion of tax room, over and above the CRF funding, we might be able to accommodate those requests.

MINISTRY OF THE ENVIRONMENT

Mr Howard Hampton (Kenora-Rainy River): It's interesting: Yesterday the Premier was blaming the municipalities; today he admits they might need some help.

This question is for the Premier again. The other part of the equation is when you downloaded water and sewer, you also laid off 900 scientists, technicians and inspectors at the Ministry of the Environment who were there to protect the water and there to ensure water quality. The assistant Deputy Minister of the Environment at the time actually wrote a memo and she said that the layoffs at MOE, "will have an obvious impact in the amount of work we can accomplish." That was in 1997, three years ago. Now you and your Minister of the Environment have the gall to march around the province saying: "Nothing has changed. There is no impact."

Premier, people have died. That's been the impact. At least seven people have died from this, possibly 11. Thousands more are ill. Don't you think it's time that you and your government stop blaming one person one day, someone else the next day, municipalities the next day, and admit that you have a responsibility to ensure safe, clean drinking water for the province, and that you have a responsibility to get a new Minister of the Environment, a new agenda and a new budget so that your government can do that? Would you admit that, Premier?

Hon Michael D. Harris (Premier): I am certainly proud to have been elected and accepted the responsibility for ensuring clean drinking water across this

province, a matter we take very, very seriously. In view of the events of Walkerton, when you say that everything has worked perfectly, I think it's pretty patently obvious that it has not. That's why we have a review by the Ministry of the Environment, the Environmental Commissioner may take a look at it, we have a police investigation, we have a coroner's inquest and now we have a full-blown public inquiry to take a look at that.

One of the reasons we were elected was because we had a whole government of incompetence and we had a mess to clean up. We're doing the best we can.

Mr Hampton: Premier, you say that your government has taken these issues seriously. The medical officer of health for the Walkerton area now tells us that on top of the seven deaths for sure, possibly 11, as many as 2,000 people became ill from that polluted water. You say that you took this seriously. Well, Premier, in January of this year, Garry Palmateer, one of those scientists that you laid off because protecting the water wasn't important any more started advising officials in your Ministry of the Environment of the problems with the water supply. In fact, he notified the MOE five times in January, February and March. It wasn't until April that your government responded, and they responded by making a phone call to Walkerton. That's how seriously you take protecting the province's water supply.

Premier, in my view, your government and your Minister of the Environment have failed the test. Will you do the right thing for the people of Ontario: Get a new Minister of the Environment who's prepared to protect our water supply? Would you give that Minister of the Environment a new mandate and, please, Premier, a budget so that he or she can protect the water supply of Ontario? Can you do at least that, Premier?

Hon Mr Harris: Let me thank the member very much for his views. They're very important and we take the views of all Ontarians very seriously, particularly the views of the member and the leader of the third party, who was substantially responsible collectively for the deficits and the messes that we inherited.

Let me say that I have every bit of confidence in this minister to get to the bottom of what went wrong in Walkerton. We have other independent, outside investigations. Any views that you have I'm sure would be welcomed by the soon-to-be-appointed commissioner and the OPP and the coroner's inquest. Certainly I will ask the ministry in its review to take your views under advisement as well. I thank the member for that.

WATER QUALITY

Mr Dalton McGuinty (Leader of the Opposition): I have a question to the Premier. Premier, when you visited Walkerton shortly after the tragedy broke, you left—and I can't recall your exact words—the very distinct impression that no procedures, when it came to water safety in Ontario, had changed on your watch. You talked a moment ago about testing. Let's set that problem aside for a moment and let's focus on the frequency of inspec-

tions. Can you tell us whether or not, Premier, given your own Environment Commissioner's information that he has provided on this issue, there are fewer inspections today than there were in 1995, for example, inspections conducted by a representative of the Ministry of the Environment who goes into a community and looks at the water treatment plant to make sure that everything is operating safely for the people who live in that community? Can you tell us whether or not there are fewer inspections today than there were in 1995?

Hon Michael D. Harris (Premier): I think the Minister of the Environment could better respond.

Hon Dan Newman (Minister of the Environment): Inspections of water facilities occur in this province about once every three years. Facilities are checked; they're inspected on a priority basis so that those needing inspection get inspection. In fact, the new regulation I brought forward last Monday calls for certificates of approval to be reviewed for all facilities, and that would include inspections of all of the water facilities in our province. I would expect that review of those certificates of approval and inspections to be conducted by the end of this year.

Mr McGuinty: Minister, this is a very important question. People throughout Ontario want to know the answer. How often is their local water treatment plant being inspected? It's a simple question. The Environmental Commissioner tells us it used to be once a year, and then it was once every two years, and now, according to his information, it's once every three years. Stand up and tell us: Is that true? Has the frequency been diminished on your watch? How often today in Ontario are water treatment plants being inspected?

Hon Mr Newman: I'll answer the same question again, the same way I answered it the first time. Water facilities in this province are inspected approximately once every three years. They are done on a priority basis, so those that need inspection get that inspection.

I also indicated that in the regulation that will be coming forward there is a review of certificates of approval. All certificates of approval will be reviewed. There will be inspections of the facilities in conjunction with the review of the certificates of approval. We're going to go beyond that to ensure that all certificates of approval for water facilities are reviewed at least once every three years.

1420

EDUCATION LEGISLATION

Mr Doug Galt (Northumberland): My question is directed to the Minister of Education. This week the government is holding public hearings on Bill 74, the Education Accountability Act. I refer to this because in a recent press release on this bill the member for Parkdale-High Park is complaining that there is not enough committee time, and he talks about hiding legislation.

I would just like to bring to your attention here that in our first term, the 36th Parliament, we had 800 hours of

consultation outside of Queen's Park; the Rae government, 650; and the Peterson government less than half, at 350.

He goes on to say that this government has cut \$1.6 billion from education funding. He also says that Bill 74 will see a further reduction in funding.

Minister, it's important to the people in my riding to know—

Interjections.

The Speaker (Hon Gary Carr): Will the member take his seat, please. We'll just wait. I will remind the members that the longer I have to stay here, the fewer questions will be asked by all of the members on all sides.

Member for Northumberland.

Mr Galt: In summary, the member for Parkdale-High Park is saying that this government has cut \$1.6 billion from education funding. He also says that Bill 74 will see a further reduction in funding.

Minister, it's pretty important to the constituents in my riding to know, is this an accurate claim from the member across the floor?

Mr Gerard Kennedy (Parkdale-High Park): She's afraid to debate me.

Hon Janet Ecker (Minister of Education): The member for Parkdale-High Park says we're afraid to debate him. It's too bad he didn't listen the last time I did debate him on these numbers.

Interjections.

The Speaker: Just so the members know, if I can't hear, I will simply stand up, the clock will wind down, and nobody on either side is going to get any questions. Quite frankly, it doesn't matter to me at all. Members have every opportunity, and all they need to do is behave and we can get as many questions on as possible. But if you yell and scream at each other, then we'll try this and we will see if standing here for the entire hour will make the members behave, because I cannot continue as long as you're screaming across and I can't hear the question or the answer.

Sorry for the interruption. The Minister of Education.

Hon Mrs Ecker: The member for Parkdale-High Park says that I refuse to debate him on the numbers in education. I could have sworn I saw him sitting across from me at the table at estimates when we actually had this discussion. He obviously doesn't remember. He obviously doesn't remember the briefing that we gave him. When we came into government, we were spending \$12.9 billion on education. We are now spending over \$13.5 billion. Even with the new math, that's an increase.

I think it's also important to know that those new dollars are going into the priority areas that many groups in my consultations and meetings I've had, and continue to have, said were important: more money for special needs, more money for smaller class sizes, more money for more teachers, more money for principals, more money for textbooks, more money for extra help for students who are having difficulty with the new curriculum. So there is more money, and more money in the class-

room for priorities that parents and teachers said needed—

The Speaker: The minister's time is up.

Mr Galt: Thank you, Minister, for that response. I'm certainly very proud that our government is enhancing key priority areas that I know make a big difference to the constituents in my riding. I really don't understand, with that answer, where the member for Parkdale-High Park is coming from. This press release also says that it proposes to dilute education and that Bill 74 will increase overall pupil-teacher ratios, and I just don't understand where he's coming from at all. Is this information reflecting any truth?

Hon Mrs Ecker: Again, I appreciate the opportunity to make sure the correct information is on the record here for the public. We know there have been many claims around this legislation, as there have been around every legislative change we've made in education, great claims from across the way that it's the end of civilization as we know it. We have certainly heard from parents and teachers that class size is very important to them. They see it as an important quality indicator. That's why two years ago we set the first standards for class size, and now what we propose to do in Bill 74 is to bring class size down yet again, both in the elementary and the secondary panel. We've already put out the money that will make that happen. It's also important to note that if a board is not meeting those class size standards, Bill 74 gives parents the opportunity to make a complaint about that so we can investigate, so we can make sure that the benefits of our educational quality reforms are passed down to the teachers and the students in our classroom.

WATER QUALITY

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Minister of the Environment. You're telling us now, we understand now, that there has been a reduction in the frequency of inspections for water treatment plants in Ontario. We now know that. Now you're telling us that when those inspections are made, they are made on a priority basis.

Can you tell us why, then, after you learned about E coli in the water of Walkerton in 1998 and you learned about coliform in the water on two separate occasions between January and April of this year—if that doesn't make this water treatment plant a priority, I don't know what does. Tell us why, then, after you had that information inside your ministry, you did not inspect this plant.

Hon Dan Newman (Minister of the Environment): Every water treatment facility in this province is inspected approximately once every three years. It's done on a priority basis. Ministry staff have contacted those facilities. If a facility is not in compliance, a field order is issued which is very specific and outlines what measures need to be taken.

With respect to any particular facility, and the one in particular the member is talking about, there are investi-

gations underway. There is the coroner's inquest, there is the investigation from the Ministry of the Environment through the investigations and enforcement branch, there's the OPP investigation and there is the public inquiry. We all want answers. That's what the people of Walkerton want and that's what the people of Ontario want.

Mr McGuinty: Let's get this perfectly straight. We had these huge, bright-red flares that were sent up from the Walkerton water treatment plant: In 1998, they found E coli; you knew it. This year, in the year 2000, between January and April, they find coliform on at least two separate occasions; you knew it. Tell us again, why is it that that did not constitute a priority when it came to an inspection? If you don't inspect under those circumstances, then you're telling us, as far as we're concerned, that you attach no real priority to water safety in Ontario.

Hon Mr Newman: Again, the facilities are inspected approximately once every three years. They're done on a priority basis. That's how the inspections are carried out. If a facility is not in compliance, field orders are issued. Ministry staff ensure that those measures that are outlined in the field order are brought forward.

The member now is talking E coli, he's talking total coliform; he's jumbling many of the issues in this respect. The bottom line is that there are investigations underway. There's the coroner's inquest, there's the Ministry of the Environment's investigation through the investigations and enforcement branch, there's the OPP investigation and there's the public inquiry. We all want to get to the bottom of this and we want answers. That's what it's all about.

1430

CROWN ATTORNEYS

Mr R. Gary Stewart (Peterborough): My question is for the Attorney General. This government recently hired 59 new crown attorneys. My riding of Peterborough was included in the ridings that received new attorneys. How does this hiring of 59 new crown attorneys ensure that proper resources are being allocated to prosecute cases in the criminal court system?

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): This government has been clear that its priorities are to create safer communities and to improve the criminal justice system through the vigorous prosecution of crime, preserving public order and safety and supporting victims of crime. We believe people have the right to be safe and feel safe in their own communities.

In the spring of 1998, the May-Iles inquiry released its recommendations. One of those important recommendations was to increase interview time of victims and witnesses for crown attorneys. The government recognized that recommendation and the finance minister allowed \$8 million per fiscal year in May of last year, in the budget of that year, for additional crown attorneys.

Fifty-nine new crown attorneys have been appointed across the province, including in Windsor, Timmins, Barrie and the member's riding of Peterborough. As a result of all that, crown counsel in the field are now provided with a full day of prescheduled time each week to interview victims and witnesses in the Ontario Court of Justice. The number of crown attorneys in Ontario is at its highest level in history at 630, representing an increase of nearly 78% from 1989. Strengthening the way the justice system works—

The Speaker (Hon Gary Carr): Order. The Attorney General's time is up.

Mr Stewart: I'm pleased that this government hired the 59 new crown attorneys to promote efficiency and effectiveness in the criminal justice system. But last April, the Criminal Justice Review Committee presented its recommendations for practical solutions to increase the efficiency of the criminal courts. What is the status of the implementation of the committee's recommendations?

Hon Mr Flaherty: Ensuring that Ontarians have an effective and efficient justice system is a priority for this government. That is why we're working hard to implement the recommendations of the Criminal Justice Review Committee. Local best practices identified and recommended by the committee have been incorporated into the day-to-day operations of the criminal law division. For example, we are now assigning two crown attorneys to busy bail courts. Recommendations related to specialized courts have been implemented through the expansion, the duplication, the doubling of domestic violence courts. We have referred recommendations for an enhanced use of technology to increase public safety, to obtain more comprehensive management information and to close information gaps in the criminal justice system to the court services division for implementation.

The goal of all of this is to make sure that the people of Ontario are safe and feel safe in their own communities.

WATER AND SEWER INFRASTRUCTURE

Ms Marilyn Churley (Broadview-Greenwood): To the Minister of the Environment: I'm going to come back to Bruce Mines because the Premier's answer was inadequate.

Bruce Mines is now under a "boil water" order that is expected to last up to one and a half years. This is a community that knew it had a problem, a community that let you, the Minister of the Environment, know it had a problem. It applied to your ministry for funding to fix the problem and your ministry turned them down. The Premier just admitted that your water and sewer money is completely disappearing next year, that you've down-loaded it completely.

Minister, are you going to take responsibility today for the "boil water" problem in Bruce Mines? Are you going to pay for the water that they now need for perhaps up to

a year and a half, and are you going to put the money in that they need to fix the system?

Hon Dan Newman (Minister of the Environment): I think the government's position has always been clear. Municipalities are, and have always been, responsible for the delivery of water and the sewage systems in their communities. The transfer of ownership that occurred will serve to clarify the role municipalities have to play as the service delivery agent. The province will focus on its role of setting and enforcing standards to ensure that drinking water is safe and that sewage disposal does not harm the environment.

With respect to Bruce Mines, I can tell you that officials from the Ontario Clean Water Agency phoned the ministry office in Sault Ste Marie on May 25 regarding this matter. There was a field order put in place on May 31. There was a precautionary "boil water" advisory placement. I should also note that sample results received on June 2 showed no coliform counts in that water.

Ms Churley: He still didn't answer my question. I asked the minister, and I'll ask him again, why when there is still money in the water protection fund that is supposed to be there to help municipalities in these emergency situations, and this community came forward and said, "We've got a problem with our water"—they took it seriously, they took responsibility, they asked for your assistance from the fund that was there—you turned them down? Why did you turn them down? Minister, I ask you again, what are you going to do to help the people in this community during this time when they're on a "boil water" order? Are you going to release funds immediately to help them pay for the water they're going to have to buy and are you going to release funds immediately to fix their system?

Hon Mr Newman: The Ontario provincial water protection fund is in place with \$200 million, originally to be over three years. We accelerated the money so that municipalities could have access to it over two years. Many municipalities applied for that program. The money is flowed in such a way that 85% of the money goes to those municipalities for those projects. There is about a 15% holdback until that work is completed, because we want to ensure that all the work is completed. But there is money, obviously, through the SuperBuild Corp for infrastructure in our province.

ONTARIO CLEAN WATER AGENCY

Mr James J. Bradley (St Catharines): I have a question for the Minister of the Environment. Minister, when your huge and damaging cuts to the Ministry of the Environment made communities across Ontario vulnerable to the kind of tragedy that unfortunately happened in Walkerton, where seven people died and 2,000 people are seriously ill, you were forced to turn to OCWA, the Ontario Clean Water Agency, a provincial government crown corporation, to rescue your government from the drinking water crisis in Walkerton. Because OCWA is a government agency, it's persona non grata with the

Premier and his advisers. Minister, why are you putting an agency that rescued you from total embarrassment in Walkerton on the auction block, trying to peddle it to the highest bidder in your effort to privatize anything and everything that provides a vital service to the people of Ontario?

Hon Dan Newman (Minister of the Environment): Yes, OCWA, the Ontario Clean Water Agency, is running the water treatment facilities in Walkerton; the town has called them in to do that. OCWA does that for many municipalities; I understand there are approximately 70 municipalities across the province of Ontario that have OCWA managing their water systems. They're there because they have the expertise, they're there because they have the know-how in ensuring there is the safe delivery of drinking water in this province.

Mr Bradley: That's no answer, of course. Minister, the Premier has blamed the NDP, he's blamed human error, he's blamed all the municipalities, he's blamed the town of Walkerton for not using provincial infrastructure money when we all know they did it; today he blamed his own staff. But let me tell you something about an agency that wouldn't do that. There's an agency that sets as its values: "being respectful of colleagues and clients; acting with integrity and fairness; delivering quality service to meet our clients' needs; collaborating through teamwork; and"—you'll like this—"accepting responsibility and being accountable for our actions."

OCWA states that its greatest strength is its unparalleled experience in the operation and maintenance of water and waste water facilities. OCWA's highly trained, fully certified staff provide reliable and cost-effective service and assume responsibility for the day-to-day operations of their clients' facilities.

Minister, will you now, in the interests of the safety of drinking water in Ontario, take the Ontario Clean Water Agency off the auction block and not turn it over to owners and operators whose prime preoccupation would be with making a profit?

Hon Mr Newman: The Ontario Clean Water Agency does a very good job at what it does, and that's providing management of water facilities in Ontario. As I indicated, there are some 70 municipalities throughout Ontario that use the services of the Ontario Clean Water Agency. Again, they were called in by the town to run the facility in Walkerton. They do a good job of ensuring that clean water is delivered to the people of Ontario.

1440

TECHNOLOGICAL TRAINING

Mr Gerry Martiniuk (Cambridge): My question is for the Minister of Training, Colleges and Universities. I understand that the 11th annual Ontario Technological Skills Competition took place recently in Kitchener. In fact, I was personally delighted to hear that one of my constituents, Laura McKay from Cambridge, earned the gold medal in the men's hairstyling competition. Min-

ister, what can you tell us about this year's competition and the government's commitment to training?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): Thank you for the question, from my colleague from Kitchener.

Congratulations to Laura McKay for her gold medal in the 11th Ontario Technological Skills Competition. In this House we should all be celebrating the opportunities our young people have to get the technological training they need to be competitive in the global economy. We're very proud to be a co-sponsor of the Ontario Technological Skills Competition. This competition is organized and supported by volunteer organizations of employers and teachers, educators and trainers. They're there and dedicated to help young people develop these workplace skills.

It's our opportunity today, with this question, to say thank you to the teachers, to the volunteers, to the employers, to the people in the workplaces who help these young people achieve their dreams. There were more than 700 apprentices in 38 different categories ranging from industrial writing to precision machining to hair-styling. We're very proud of the 11 gold winners.

Mr Martiniuk: This event sounds like an excellent way to promote careers in the skilled trades among young Ontarians. I hope this event will grow and involve even more participants next year. I believe that focusing on skills is not only important for the individual lives of our young people, but it's also vital to Ontario's long-term economic health. We have all heard about the increasing demand for skilled labour in our province. As our economy continues to grow, this demand is surely to grow too. It is more important than ever that our young people have the skills and training necessary to keep up with technology and our competitors. Minister, what is the government doing to support a skilled workforce today and in the future?

Hon Mrs Cunningham: Mr Speaker, just to correct, I would like to thank the member from, in fact, Cambridge.

I would like to thank him for many reasons; first of all, his great support of young people and the work that is going on in the schools and colleges in his own riding.

I think everyone knows about the Ontario youth apprenticeship program. It is in 61 school boards, 466 secondary schools, with 2,700 students now; thanks to leadership with the Minister of Education, 3,500 next year.

This is unprecedented. I've been in this House for 12 years, and it's very important that young people understand the opportunities in apprenticeship training. It's very important that their parents are part of the decision-making, that we have this kind of exposure and that we make the changes we've been able to make over the last three years so that we have 3,500 young people in our secondary schools being introduced to and getting credit for apprenticeship programs. That is a great success story.

RURAL ONTARIO

Mr Pat Hoy (Chatham-Kent Essex): My question is to the Minister of Agriculture. The policies of Mike Harris have resulted in a systemic attack on rural Ontario. In the quest for less government, Mike Harris has downloaded and abandoned the infrastructure and programs that help rural Ontario keep its water system safe. In the wake of this neglect, there are at least seven people dead.

In February I wrote to the Minister of the Environment and to you to say that rural Ontario should be able to count on safe, clean drinking water. That is your government's responsibility. I asked for an extension to the Ontario water protection fund that would give money to municipalities for safe water and sewage. Mr Newman told me: "All the money is allocated. Go find alternate and innovative funding sources."

Now here's an innovative solution: You must step in to help rural Ontario. In farm communities, people, water and animals have always coexisted safely until Mike Harris decided to get out of the water protection business.

Will you commit today to allocate direct funding to rural municipalities and farmers for safe water and sewage initiatives immediately?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I think it's very important that the government of Mike Harris and all of those members on this side of the House place a very high priority on the needs and requirements for rural Ontario. That's why a task force was sent out, the Task Force on Rural Economic Renewal, to see what the barriers were in rural Ontario. The task force came back and reported. From that report, the treasurer put in an infrastructure program, the OSTAR program, which is to deal with the needs of rural Ontario, and we will be setting up the framework for that. That program will be of great benefit not only to the farming community but to all people who live in rural Ontario.

Mr Hoy: There were people who didn't know about your rural task force until two days after you were in their village.

Minister, the downloading, the budget and the staffing cuts to both the MOE and OMAFRA have struck at the heart of rural Ontario. You have abandoned farmers and rural communities. You've talked about Healthy Futures but no money has been spent except on advertising.

A group of apple growers asked your ministry for assistance through Healthy Futures to buy pasteurization equipment to ensure the safest possible product to the marketplace. It would have been used by many growers. You are aware that the last disease outbreak occurred in an isolated incident when young children visiting a farm drank untested, unpasteurized apple juice. These responsible growers are trying to ensure a safe product. Could you explain to this House why Healthy Futures, a program that is supposed to safeguard and protect, refused to even consider this project?

Hon Mr Hardeman: Thank you very much again for the question. I do want to correct the member opposite.

In fact, the Healthy Futures program has allocated some \$3 million to projects to deal with food safety, rural water quality and the expansion of markets, which was the very reason the Healthy Futures program was put in place.

I just want to assure the member that if an application has been made on behalf of the apple growers, that application will be reviewed by the panel of experts who are reviewing those applications, and I'm sure they will be making a recommendation as to whether that project should be funded. If it is, as the member suggests, a program to deal with the quality of our food, I'm sure that it will receive a very thorough and appropriate review and get the type of support that's required to make sure that we have the safest food not only in the province but in all of this country and all of the world. I think our consumers deserve nothing less.

ONTARIO PRODUCE

Mr Toby Barrett (Haldimand-Norfolk-Brant): My question is also for the Minister of Agriculture. When consumers go into supermarkets today, they're given a multitude of choices when it comes to buying fresh fruit and vegetables. Certainly my riding of Haldimand-Norfolk-Brant provides a sizeable share of Ontario's apples, strawberries, blueberries, asparagus, cauliflower, sweet corn and potatoes, just to name a few of the fresh commodities our local farmers put on the table and provide to people in Ontario. Minister, what are we doing to support and promote Ontario-grown fruit and vegetables?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I want to thank the member for Haldimand-Norfolk-Brant for the question. It's important for all members to remember that for Ontario consumers of fresh produce, the Foodland Ontario logo is the only universal symbol that clearly and immediately identifies Ontario produce from imports. Foodland Ontario provides material such as in-store signage and advertising to assure the consumer of the quality product that's produced in Ontario.

Every year Foodland Ontario recognizes outstanding retailers at their retail award event. Their efforts in promoting Ontario quality products on behalf of our consumers are appreciated, and we show that appreciation in that manner. Thank you very much for the question.

1450

Mr Barrett: Farmers in my constituency have been relying on the Foodland Ontario program for a number of years to help market Ontario-grown fresh fruits and vegetables. Much of our area produce goes to the Ontario Food Terminal, and it's very important that government foster a robust business climate that supports the competitiveness of Ontario's producers in what has become a North American market. Could you please update us on how successful this important Foodland Ontario program is for Ontario producers?

Hon Mr Hardeman: The Foodland Ontario program has been a tremendous success over the last number of

years in marketing the produce in Ontario. In order to make sure that we are meeting those goals, we do calculations or surveys to see how successful it is, and in fact a recent survey found that 84% of Ontarians recognize the Foodland logo and 88% have indicated they're favourably disposed to buying Ontario produce as a result of the activities of the Foodland Ontario consumer advertising program. Consumers have come to equate the Foodland logo with freshness, taste, quality and trust for our producers.

MINISTER OF THE ENVIRONMENT

Ms Marilyn Churley (Broadview-Greenwood): I have a question for the Minister of the Environment. I watched you in a scrum outside after question period yesterday repeatedly say that Walkerton did not apply for funding to deal with their sewer and water system. Repeatedly you said that. As it turns out, you were wrong. All along, throughout this whole crisis, I have heard you and your Premier, day after day, make excuses, give out misinformation, place blame and not once take responsibility for your cuts and your down-loading and your privatization.

Minister, yesterday I called for your resignation. In light of the seriousness of this situation and your failure to live up to the duties and responsibilities of the Minister of the Environment, I am asking you, in all seriousness now, will you step down today?

Hon Dan Newman (Minister of the Environment): The member opposite is very selective in her facts and in the way that she presents them to this House. She takes words and puts them together. Those are not words that I spoke yesterday. I clearly said that the town of Walkerton had never applied for any money from the provincial water protection fund. That's what I said. Again, the member is being very selective in her presentation here today.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

“Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

“Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

“Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities.”

This petition adds the names of several more constituents to the thousands who have already signed this petition in expression of their concern.

EDUCATION LEGISLATION

Mr Peter Kormos (Niagara Centre): I have a petition addressed to the Legislative Assembly of Ontario.

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario’s teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to hold public hearings on Bill 74 immediately.”

That is signed by Paul Gledhill of St Catharines, Bill Klassen of Fonthill and hundreds of other people in the Niagara region.

PENSION FUNDS

Mr Marcel Beaubien (Lambton-Kent-Middlesex): I have a petition to the Legislative Assembly of Ontario which reads as follows:

“Whereas the Ministry of Health announced a new model on January 25, 1996, for improving and coordinating long-term care services. The amalgamation of the home care and placement coordination services function

did shift to community care access centres (CCACs). The governing bodies of various pension plans, namely the Ontario Municipal Employees Retirement Savings (OMERS), Victorian Order of Nurses (VON), Family Services Association (FSA) and Hospital of Ontario Pension Plan (HOOPP) have failed to successfully negotiate agreements for a transfer of pension assets.

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

“That the pension adjustments are a transition item which the ministry has not yet addressed. We are requesting a one-time adjustment to enable the transfer of pension assets. This transfer is required to ensure that employees transferred from predecessor employers (namely health units and the Victorian Order of Nurses) to community care access centres as part of the mandatory government reform initiative for ‘single access to long-term-care services’ receive pension benefits equal to those which they formerly enjoyed. Provincially over 3,000 health care workers are affected. The individuals who transferred to the CCACs had no control over what would happen to their prior pension contributions. Unless a one-time adjustment is made to enable the transfer of reserves, the typical employee will lose about \$2,000 annually in pension benefits compared to the position they would have been in had they been allowed to remain in OMERS.”

EDUCATION LEGISLATION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My petition is to the Legislative Assembly of Ontario.

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario’s teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to hold public hearings on Bill 74 immediately.”

I will sign my name to this petition.

CORRECTIONAL FACILITIES

Mr Peter Kormos (Niagara Centre): I’ve got a petition addressed to the Legislative Assembly of Ontario.

“Whereas the government of Ontario is actively pursuing private sector operators to run Ontario’s correctional facilities, including adult, strict-discipline boot camps, three megajails and five young offender facilities;

“Whereas findings show there is no cost savings to the taxpayer of Ontario;

“Whereas public safety will be greatly jeopardized in our communities;

“Therefore, be it resolved that the government of Ontario abandon all plans to privatize any aspects of the province’s correctional system.”

That is signed by hundreds of residents from the Peterborough area.

EDUCATION LEGISLATION

Mr Bill Murdoch (Bruce-Grey): I have a petition that was given to me by some people in my riding. It reads:

“To the Legislative Assembly of Ontario:

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario’s teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to hold public hearings on Bill 74 immediately.”

1500

CORRECTIONAL FACILITIES

Mr Dave Levac (Brant): This is a petition to the Legislative Assembly of Ontario.

“Whereas the government of Ontario is actively pursuing private sector operators to run Ontario’s correctional facilities, including adult, strict-discipline boot camps, three megajails and five young offender facilities;

“Whereas findings show there is no cost savings to the taxpayers of Ontario;

“Whereas public safety will be greatly jeopardized in our communities;

“Therefore, be it resolved that the government of Ontario abandon all plans to privatize any aspect of the province’s correctional system.”

Signed by over 500 people from Penetanguishene-Midland, and I so affix my signature to it.

EDUCATION LEGISLATION

Ms Shelley Martel (Nickel Belt): I have a petition that’s signed by 165 secondary school teachers in Sudbury and area and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas Bill 74 diminishes quality education for all students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario teachers; and

“Whereas Bill 74 turns over all control of education in this province to one person, the Minister of Education;

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

“We call on the government to hold full public hearings on Bill 74 immediately.”

I agree with these teachers and I have affixed my signature to the petition.

LORD’S PRAYER

Mr Jerry J. Ouellette (Oshawa): As cabinet ministers are unable to present a petition, I am proud to present a petition on behalf of my minister, Tim Hudak, the member for Erie-Lincoln, which reads as follows:

“Whereas the Speaker of the Ontario Legislature has traditionally begun the daily business of the House by reading the Lord’s Prayer to the members;

“Whereas in September 1999, the Ontario Court of Appeal ruled that the readings of the Lord’s Prayer at the council meetings of Penetang, Ontario, violated the Charter of Rights and Freedoms;

“We, the undersigned, petition the Legislative Assembly of Ontario to:

“(1) Continue the parliamentary tradition of beginning the start of the daily business in the House with the reading of the Lord’s Prayer by the Speaker; and

“(2) Vigorously defend the reading of the Lord’s Prayer in the Ontario Legislature against any legal or constitutional challenge.”

I’m proud to sign that because I support it as well.

EDUCATION LEGISLATION

Mr Rick Bartolucci (Sudbury): I have a petition to the Legislative Assembly of Ontario:

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario’s teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

“Whereas we believe only one and a half days of public hearings is both a sham and a shame;

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

“We call on the government to hold full public hearings on Bill 74 immediately.”

I affix my signature to this petition and present it to April Martin from Manitoulin Island, who will give it to the chair.

DURHAM COLLEGE

Mr John O’Toole (Durham): I have a petition here I am pleased to present on behalf of the Newcastle Ratepayers Association. It’s signed by Murray Paterson and his wife, Marjorie, and by Dave and Pearl Rickard, as well as Frank Hoar, the secretary of the organization.

“To the Legislative Assembly of Ontario:

“Whereas we request the Legislative Assembly of Ontario to support Durham College in their bid for university status;

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

“We feel for the economic well-being of Durham region a university is necessary and the strong support of the bid by Durham College to achieve this status is supported and expected in the immediate future.”

I’m pleased to sign and support this.

EDUCATION LEGISLATION

Mr Steve Peters (Elgin-Middlesex-London): A petition to the Legislative Assembly of Ontario:

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to immediately hold public meetings on Bill 74.”

I agree with this petition and urge the government to do the honourable thing and withdraw Bill 74. I have affixed my signature hereto in agreement.

Mr James J. Bradley (St Catharines): This is to the Legislative Assembly of Ontario.

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to hold public meetings on Bill 74 immediately.”

I affix my signature as I’m in complete agreement with the sentiments of this petition.

KARLA HOMOLKA

Mr John O’Toole (Durham): It’s my pleasure to present a petition today on behalf of the member for Scarborough Centre.

“To the Legislative Assembly of Ontario:

“Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

“Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

“Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

“Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

“Whereas the people of Ontario believe that criminals should be forced to serve sentences that truly reflect the seriousness of their crimes;

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

“That the government of Ontario will:

“Do everything within its power to ensure that Karla Homolka serves her full sentence;

“Continue to reform parole and make it more difficult for serious offenders to return to our streets;

“Fight the federal government’s plan to release up to 1,600 more convicted criminals on to Ontario streets; and “Ensure that the Ontario government’s sex offender registry is functioning as quickly as possible.”

I’m pleased to sign and support this petition.

ORDERS OF THE DAY

BRIAN’S LAW (MENTAL HEALTH LEGISLATIVE REFORM), 2000

LOI BRIAN DE 2000 SUR LA RÉFORME LÉGISLATIVE CONCERNANT LA SANTÉ MENTALE

Resuming the debate adjourned on June 6, 2000 on the motion for second reading of Bill 68, An Act, in memory of Brian Smith, to amend the Mental Health Act and the Health Care Consent Act, 1996 / Projet de loi 68, Loi à la mémoire de Brian Smith modifiant la Loi sur la santé mentale et la Loi de 1996 sur le consentement aux soins de santé.

The Acting Speaker (Mr Michael A. Brown): We are at the “questions and comments” point of the speech from the member for Beaches-East York.

Ms Shelley Martel (Nickel Belt): I want to commend my colleague from Beaches-East York, who is our health care critic, for the comments she made yesterday with respect to this bill. I want to actually commend her and all of the members of the committee who have been trying to deal with what is a very difficult, controversial piece of legislation where you have supporters from both sides who are very keen to see something done or in fact something not done with respect to this legislation. They have had a difficult task before them, and will as they continue through their process, but I want to thank all of them for their commitment to it at this point.

1510

There are two things I want to focus on. First, the member talked through the course of the debate about the additional resources that are going to be needed in a number of areas if this bill is going to work. Those include additional police resources, because they have a change in their responsibilities under the act; probably additional resources for hospitals that have been affected by the commission’s reports where there is downsizing, where we may well need more mental health care beds; a change in resources to the public guardian’s office; and a huge change in resources in the community if you’re going to actually be able to support the community treatment orders.

I say to the government, do you recognize the additional resources that are going to be needed if this bill is passed, and second, are you, as a government, committed to the financial resources to allow it to go into effect? I think those resources are going to be enormous. I haven’t heard much from the government about their

commitment to the resources in these many areas that will be required if this bill is at all going to work. I think the government has got to very clearly outline its commitment with respect to the financing of all this to make it happen.

Second, there are a number of amendments that we will table and we will see if the government will accept before we would agree to support this bill. Those include changes with respect to the preamble, to the definition of mental illness, to the section involving the new responsibilities of justices of the peace, safeguards with respect to the establishment of the CTOs etc. I hope the government that has tried to take some time to deal with this will take some time to deal with the amendments properly too, so we do this right.

Mr John O’Toole (Durham): It’s my pleasure to respond in the Bill 68 discussion. I suspect what I was listening to yesterday was trying to find that balance that respects the important issue of community safety as well as the issue of patients’ rights. I think the bill has found at least a very, very tenuous balance between those two rights and entitlements.

On the community treatment orders, the most important thing that I see, without having a great deal of experience in the area, is the fact that the individual with the mental health concern will be able to stay in the community with the community supports. Minister Witmer yesterday, in her opening remarks, made a couple of statements that I believe are important with respect to the new format of delivery of mental health services in community treatment. I think it’s very important, where possible, to deinstitutionalize people. That’s certainly been the model in the last while.

Of course, Brian’s Law, as we all know, comes from the inquest that was held as a result of Brian Smith’s death, which recommended that these treatment orders be sort of mandatory. That’s exactly what this bill is trying to do, to make sure that if a person has repeatedly experienced issues in the mental health area, has spent time in institutions, a community treatment order could be put in place that would require them to take their medication and treatment and therapy, as well as being allowed to spend time in the community.

I think there is a balance there that reflects both the needs of the citizens at large and those who have problems in the area of mental health. It’s an important bill, it’s a step forward, and I think that’s exactly what—

The Acting Speaker: Questions and comments?

Mr John Gerretsen (Kingston and the Islands): I too would like to comment on a statement that was made earlier, and that deals with the resources that have to be there for the outpatients to have the necessary services and the necessary community support programs to assist them in that regard.

It always reminds me of the situation that occurred some 20 years ago when the government went through another phase of the deinstitutionalization of a lot of psychiatric patients in my community of Kingston. My parents’ home is located quite close to the Kingston

Psychiatric Hospital. Over the years, I remember getting to know many of the patients who quite often used to wander through the village of Portsmouth, where I'm from.

Some years later, after the deinstitutionalization program had started, I happened to be out on a campaign—a mayoral campaign, as a matter of fact. I found that some of those same people that had had good care in the psychiatric hospital were housed in absolutely deplorable situations right in the downtown area of Kingston, sometimes three or four to a room, obviously lacking the care they required. I say to myself, and I said at that time, it may be that we're all in favour of deinstitutionalization and we want to reintegrate everybody back into society, but weren't some of these people a lot better off when they were in an institution, where they had three square meals a day and a roof over their heads?

What I'm saying is that this program or any other program in the mental health field simply will not succeed if the government is not prepared to put the necessary resources out there so that the community services are out there for the people who will be taken out of the institutions. That's what this argument is really all about, not the fact that this kind of program is necessary but will it be properly funded?

Mr Brad Clark (Stoney Creek): It's fair to state that all of the participants from all spectrums, all of the stakeholders, raised the issue of resources consistently throughout all of the consultations and, I think it would be fair to state, throughout the hearings in the committee itself. The government has come a long way. We've received accolades from many people in terms of reinvesting \$150 million into community mental health programs and \$52 million into atypical drugs, which is new as of 1999.

We are committed to developing a mental health system which is cohesive, which is integrated, which is truly a continuum of care from the psychiatric facilities to the community. That statement of a continuum of care is what we're trying to accomplish. That means a bridge from the psychiatric facility, from the institution, to the community. We can't do that without building the supports in the community.

I've gone on the record consistently stating that we can legislate; that's the easy part sometimes. The hard part is making sure that the resources are in the community. The hard part is implementing it correctly, making sure that our intentions in the legislation become a reality in fact, that we actually do, through action, what we wanted to do in the words in the legislation.

I'm confident that the government is committed to that. I know the minister is committed to that; I know I'm committed to that. At this point we have to recognize that there are two components. One is the legislation itself, Brian's Law. The next phase after we proclaim it into law is the implementation. I have argued we should delay proclamation until we have the actual implementation program in place, to make sure that we meet the needs in the community.

The Acting Speaker: In response, the member for Beaches-East York.

Ms Frances Lankin (Beaches-East York): I appreciate the comments of all members who have participated. Most particularly, let me say to the parliamentary assistant that his words do give comfort in terms of his commitment with respect to this issue and his understanding, not just of the complexity of the legislation but of the job ahead, the complexity of implementation and the need for resources. He has more faith in this government than I do with respect to actually providing that. It's important to see his continued leadership on that.

Your comments that this bill can't be implemented without the resources being there make me feel a bit more confident. In fact, it makes me go out on a limb and suggest that I'm betting you're going to accept my amendment which creates within the legislation a list of a basket of services that need to be available in all communities. The actual services can be set out in regulation, but the regulating power to do that needs to be put within the legislation and we'll have an amendment on that. I think it'll be a test of whether or not there is a commitment.

The second thing that will be an important test is whether or not the government accepts the amendment to create the office of the mental health advocate, because the need for the systemic review, the need for the ongoing reports, the need to ensure that integration and the continuum of care is actually working and that these legislative amendments that we are contemplating are being implemented and matching the intent of the government to the target population that the government intends will be important for us all as legislators to follow and we need that systemic review to be done.

So I'm hopeful, by the parliamentary assistant's comments, that those areas will see support from the committee when it comes to amendments.

1520

The Acting Speaker: Further debate?

Mr Garry J. Guzzo (Ottawa West-Nepean): I welcome the opportunity to make a few comments with regard to Bill 68. I had originally intended to speak entirely, if I might, with regard to the individual whose name we honour in this act, An Act, in memory of Brian Smith, to amend the Mental Health Act.

Before I deal with that aspect of it, I would be remiss if I didn't make a comment I would like to, because I had an opportunity to be in the House when the member for Beaches-East York made her comments yesterday. I commend her for her insight into not so much what we're doing here in terms of legislation but the effect on the people with whom we deal in this piece of legislation. In that regard, and in a non-partisan way, I also note the member for Ottawa Centre. I think back to before I came to this House, his comments in the Ottawa area and the work with regard to this issue that the member for Ottawa Centre had put into attempting to make changes to the Mental Health Act, and I commend him for it.

I hate to be legalistic about things like this, but so many times in my lifetime when I have seen legislation that looked so perfect and so important—I think back to the day, and I commented the other night in the House here with regard to the Young Offenders Act and the giant step forward that that act represented in terms of dealing with problems of youth in our country and in particular this province and the improvement that act was on the old Juvenile Delinquents Act. I sit and criticize that act today, as do a number of others, and look for massive changes, but we weren't wrong in 1982—it was a gigantic step forward. And this is a gigantic step forward today.

I don't know if anybody has thought too long with regard to the implementation factors here. In particular, I'd like to refer to an opinion page item that appeared on April 28 in the *Globe and Mail*. It was written by Peter McKnight, a Toronto lawyer and ethicist who was formerly the acting chair of the advisory board of the former Queen Street Mental Health Centre, now part of the Centre for Addiction and Mental Health. He brought forward some contrary views and some important issues that are going to have to be addressed and that will cause tremendous concerns and hurdles to be overcome in the implementation of this act.

I don't want anybody to misinterpret what I'm saying. It doesn't in any way detract from my commitment to what we are doing here, but I think when one has heard the comments of the member for Beaches-East York yesterday, her understanding and her appreciation of the effect that this legislation is going to have on the streets of our cities—I haven't heard an appreciation of that aspect other than from our own member here, the member for Haldimand-Norfolk-Brant, who has had tremendous professional experience in the social welfare field in dealing with individuals this piece of legislation will directly affect.

I commend that article to you. I think Mr McKnight, whom I don't know and had not heard of until I read this article, has a very clear appreciation of the difficulties that are to be faced in implementation of what we do here this week.

As I said at the beginning, I'd like to make a few comments with regard to the individual, Brian Smith, whose name is honoured in this legislation. As we've heard said here, Brian Smith was a well-known Ottawa sportscaster, a former professional hockey player who played in the National Hockey League, more famous probably for his stint in the American Hockey League where he played for Eddie Shore with the Springfield team—in servitude, I might add—and later played professional hockey in Europe before he became a sportscaster with station CJOH in Ottawa.

Mr Smith, as has been noted, was assassinated as he left the studio. I think it was August 1, 1995. The coroner's inquest that took place was most revealing and has led to much of what we do here with this piece of legislation.

I had the pleasure of knowing Brian. As a matter of fact, I knew Brian for I think about 47 of his 55 years. I met him on my first day of school as a five-and-a-half-year-old going to Corpus Christi school in the Glebe area. On the very first day we were dropped off, as was the norm then—no introduction, just day one and your parents left you there to fend for yourself. Brian was a year ahead of me, and the first lunch hour he was organizing the schoolyard. In those days the separate school system provided no kindergarten, simply from grade 1 to grade 9. Brian's major concern was to have sufficient area for the smaller kids to have a play area and he was organizing that when we came out for lunch the very first day.

It was from that day on that we remained not the closest of friends but very good friends in our educational pursuits, from Corpus Christi to the high school section of St Patrick's College. We attended the same church. We played baseball and hockey in the same city teams. We played football together at St Patrick's. And each and every time I seemed to turn around in life, I was coming into contact with Brian. For the next 48 years our lives interconnected in a number of ways. As well as the city leagues that organized us by way of where we lived, we ended up on Father Ferraro's famous baseball team at St Anthony's. We even played together on a team in Quebec, which was an interesting story in itself, over in Wrightville.

We joined the same golf club. We played at the same golf club when we were in high school, the Chaudière Club, just down the road from another establishment that we frequented as lovers of equestrianism. We ended up at the Ottawa Hunt Club together as members for a number of years, and we even played golf at the same golf club in Florida during the winter months.

What I have to tell you, and what I would like to make part of the record, is the real lesson of what Brian Smith was and what he stood for. He was described by his former teammate, the present coach of the Ottawa 67's, both at Springfield under Eddie Shore and later in the National Hockey League, as the most honest hockey player he had ever watched. It's an interesting comment in terms of a professional carrying out his duties in a hockey forum, but that was an excellent word that Mr Kilrea used to describe Brian. He finished every check, he played two ways, he went up and down the wing and he did everything that he was supposed to do, by the book, never dodging it for a second. And that's the way he lived life. He was a tremendous individual.

I think back to my years practising law and on the bench, and it was not always a pleasant thing. It was an unfortunate thing to get a call from Brian when he was playing hockey over in Europe, or back home for the summer, when he was playing in the National Hockey League, because he didn't call for social reasons. He called when people were in trouble. When a former teammate or a former classmate had difficulties, it was Brian who picked up the phone, called, indicated the problem that he had heard, what was required and who should be

contacted: "I'll phone this group and I'll get them to send the cheques to you. We'll use your trust account and we'll put a package of cash together and help the guy over the hump." So it wasn't necessarily good news, but it was always a positive venture when Brian would contact us.

1530

Brian became a sportscaster in Ottawa. He went out of his way to use that position to help the youth of Ottawa and so many different charitable organizations.

He was the first person out of the studio after the local news at 7:02 on August 1, 1995, and that's why he received the bullet. The individual in question had no reason to choose Brian, the sportscaster at the station, over the news reader or anybody else. As a matter of fact, there was evidence at the coroner's inquest to indicate that one of the female reporters was in fact the individual who had triggered him to go to that station as opposed to one of the other stations.

Brian wasn't the first out very many nights. He would sit around and socialize with the individuals with whom he worked, but that particular night there was a charity tournament in the east end of the region. Brian had helped plug that tournament to make it a success and he was on his way to make the awards presentation. That's why he was out.

Thursday night in Ottawa: One of the organizational things that Brian had set his sights on was a fight night that raises money for the youth in the southwestern part of the city. Alderman Jim Bickford, a former deputy police chief, set up the organization that holds that fight night, and Brian was one of the individuals who went out of this way to make the first few a success. Of course, now, like so many of those things, it simply has to be called to be a success. People flock to it, but that wasn't the case when we were having the first organizational meetings. Many of the people who will gather at fight night on Thursday will recall the efforts of Brian in putting this particular charity on the map.

As I thought back over the times that our lives had intertwined, I had a number of incidences and situations that I wanted to deal with. I made a few phone calls to individuals I hadn't spoken to in some time but who had been teammates and classmates back when we were going to school and I wound up with a number of so many interesting situations that I don't know where to start. But I wanted to tell about one particular incident after we had finished with Father Jerome Ferraro's ball team.

In those days in Ottawa, St Anthony's church was a hub of all good athletic activity and Father Ferraro was more than just the parish priest. He managed the team. He drove the bus on the tour when we went out of town to play a game.

During the last election campaign, I guess we were all asked that famous question, "Did you ever smoke pot?"

Mr James J. Bradley (St Catharines): No, never, not even a cigarette.

Mr Guzzo: No. Well, I'll tell you, I had to say it. I had to say that, and the reporter who was asking the

question looked at me in disbelief, "You've never had a cigarette?" I used to wear the odd cigar and so did Brian, fight fire with fire at the poker table or something, but never a cigarette, and when I was talking to an individual last night he said, "I read that at the time and I thought to myself, 'Who else do I know who would say that?'" and of course he mentioned Smitty. Brian would have never touched a cigarette. It's not that we were perfect. Maybe steal a little mass wine from Father Ferraro or something like that but never a cigarette, never tobacco, nothing.

After we moved to play in Quebec one year as 15-year-olds, we were playing in a place called Wrightville—which doesn't exist anymore, it's part of Hull—but Wrightville had a lighted ball diamond, something Ottawa did not have in 1956. Indeed, there was one diamond in Wrightville, north of Hull, and there was another one 40 miles south in Russell, Ontario, but in between, nothing—a sad commentary.

We played with a club that had three anglais and the rest were all French Canadian kids and most of the French Canadian kids didn't speak much English. The next year when we went back to play, there were only two anglais, Brian and myself. The coach had decided that in order to pick a captain he wouldn't have any nominations. We'd just put all the names in a hat and we could vote for any player on the team.

Now, you probably think I'm going to tell you about a budding political career that was recognized by my teammates, but one of the anglais became the captain of that team, unable to speak a word of French, and that was Smitty. The type of recognition and the type of respect that he commanded—it was nothing that he said, only how he behaved, in that honest and decent manner in which he did everything that he came in contact with in life.

I have to think back to those days in the ball fields in Ottawa. The 1950s were interesting times. You people recall that a few months ago the Attorney General for this government stood in this House and apologized to the youngsters of the reform schools. Four or five years after a settlement had been reached in the lawsuit, the government of Ontario made its apology. But it was 45 or 50 years since the incidents had taken place. As youngsters growing up there, we had experienced on a first-hand basis youngsters coming back from the training school at Alfred, bruised from their hip to their ear, welts the size of footballs, telling the stories of the sexual abuse that had been bestowed upon them by the operators of those schools. We know where they went with their stories. We know the newspaper people who watched us play and heard those stories. We know the people in authority who heard those stories in the 1950s. And 50 years later, we end up with the apology.

The last time I spent with Brian was in Plantation, Florida, at the golf club where we played the odd time in the winter months when a member of this House could get away. I didn't get away very much the first two years, I've got to tell you. We were approached by a retired police officer from the Fort Lauderdale force. He knew

we were Canadians. He told us the story of a situation that had intrigued us—a story of a pedophile group in Cornwall that had made use of motels in Florida with youngsters some 35 and 30 years before. Smitty was getting very, very involved. He was talking to individuals and becoming very, very active in that particular situation when he was struck down by that assassin's bullet. It was something that, had he gotten his teeth into it, we would have had more success in having brought to the fore.

When it does come forward, and it will—things like that and like the training school situation cannot be buried forever. The truth will come out, as Project Truth gets set for the fourth time to leave the city of Cornwall. The first time it left was in 1994. At a Christmas Eve press conference they announced that there were no charges and no evidence. After the people of Cornwall put money together and did their own investigation, and Smitty put some money into that pot to help that investigation, we had Project Truth result in 114 new charges, 108 of which took place before the press conference on Christmas Eve 1994. When he went to his grave, he was becoming consumed with that particular situation and the similarity of that situation to the training school debacle that has haunted this province, and in particular my own community.

We have chosen an individual to honour with this bill who was more than a sportscaster and more than a hockey player. He was a tremendous citizen, and he was a hell of a friend. I thank the minister responsible for choosing this, and I say to Brian's mother and his two brothers and his widow that his life has contributed in so many ways to so many people, and it will continue to contribute as a result of this legislation, for which I thank you.

1540

The Acting Speaker: Questions and comments?

Mrs Lyn McLeod (Thunder Bay-Atikokan): I appreciate the fact that, notwithstanding the member for Ottawa West-Nepean's personal knowledge of Brian Smith and his obvious grief at the loss of Brian Smith, he also recognized at the beginning of his comments that there are considerable concerns about this legislation and how it might indeed be implemented.

I thought the member might be interested in the conclusion of the testimony that was given to the committee by Alana Kainz, who is the widow of Brian Smith. She said:

"This could easily be called Jeffrey Arenburg's law. Jeffrey was a victim of a mental health law that failed him, too, when he shot Brian.

"There has been a small amount of opposition to naming this legislation after Brian. A handful are afraid that it sends a message that all people who are mentally ill are murderers.

"First of all, Brian was not murdered. I have come to terms with that. There were two victims here.

"Naming the law after one of the many victims puts a human face on the legislation and reminds us of its purpose.

"This is not about reacting to a serious event. It's about preventing one.

"This is not about the many people with borderline, very manageable illnesses. This is about the most seriously ill and the severe consequences of them being left untreated for a period of time."

I would add to that the testimony from David Goldbloom and Robert Zipursky, who are physicians-in-chief dealing with the seriously mentally ill. They said:

"It may also be argued that CTOs meet the government's political needs without requiring government to commit resources for the enhancement of community services. The issue of CTOs has resurfaced in the context of increased public concern which has resulted from a small number of horrific crimes which have been perpetrated by severely mentally ill individuals in our community and the increased visibility of the homeless mentally ill in our midst. It is understandable that the public might be inclined to believe that these alarming problems would disappear if only we could force the severely mentally ill to stay on their medications. CTOs are not a panacea for these complex problems. They will not eliminate violence in our society.... They will not eliminate homelessness or even non-compliance amongst the mentally ill.... CTOs have the potential ... to help a small number of severely ill patients to live in the community with a level of health that would not otherwise be possible for them."

Ms Martel: I want to commend the member for Ottawa West-Nepean for his comments today to allow members of the assembly who did not know Brian Smith to know him in a way that we never could have from the media reports that were available at the time this terrible tragedy occurred. So I want to commend him for the very fine tribute he made today on behalf of this individual, and I'm sure his wife and mother and brothers and other family members and friends will be very proud and pleased that the comments were made and are on record.

But this bill is not only about Brian Smith; it's about the very tragic individual who killed him. As the member who just spoke talked about, it's about other victims of mental illness. It's about Lee Segarra from my community who at 23 died of exposure only a few feet away from his home. He was a manic-depressive. It's about all of the family and friends of all of these people who have suffered.

That's why, if we're going to do this right, if we're going to have a bill that pays tribute to all of them, to those who have suffered from mental illness and need treatment and to those families who have been at the receiving end when violent acts have taken place because people haven't received the treatment they needed, if we're going to do all of that, then we've got to do it right.

I would argue that to this point the government has taken the time through the committee process to try and hear from many representatives from both sides of the spectrum, to hear about their concerns, about their needs, about the amendments that have to be put. We find ourselves in a position where it is clear that there will be

amendments from all three parties. I hope the government will take the time to deal with the amendments properly in a timely way, in a way where they can all be addressed, because if we go into committee and there is closure, then we won't have done anyone any justice. I hope the government will continue so that we can have the tribute to all of these folks we've been talking about through this process.

Mr Bradley: I think it's most appropriate that the member for Ottawa West-Nepean spoke on this, being a very close friend of Brian.

Brian Smith, as I think people who follow sports would know, and particularly people in the Ottawa area would know, was an individual very much beloved in the community. Because a person has a high profile and there are a lot of people who are fans and friends of that individual, that individual sometimes becomes a target of someone else who is suffering from a psychiatric illness.

The story was moving, the way the member for Ottawa West-Nepean provided it. It's very personal. That's what happens with bills of this kind. Very often, when we deal with legislation, we're dealing with it in the abstract, without the kind of human, concrete examples of how legislation might affect or deal with a problem that exists in our society. When it's somebody we know, it's much more meaningful.

There isn't anybody in this House who doesn't know of a family that is confronted with the anguish of an individual with psychiatric problems, perhaps more than one person in a family with psychiatric problems. Indeed, if we walk down the streets of Toronto we see a number of individuals, not everyone who is in those circumstances but a number of individuals, who are confronted with psychiatric problems that are not being dealt with as they should be, and they're not receiving the assistance and help they should.

At my constituency office I have received calls from people, the family of these individuals, who are absolutely beside themselves over what is happening to that individual and making dire predictions that the individual will either do harm to herself or himself or to someone else. Hopefully the provisions of this bill will assist in reducing that risk in our society.

The Acting Speaker: Response, the member for Ottawa West-Nepean.

Mr Guzzo: I thank the members from St Catharines, Thunder Bay and Nickel Belt for their comments. I'd like also to underline what the member from Thunder Bay was suggesting, and the evidence before the committee of Brian's widow, Alana Kainz. I'm sure the committee and I think the House had to be impressed with the understanding and the appreciation of the complete set of circumstances around this legislation that was expressed and felt by Brian's widow, and not just his widow; his mother and his entire extended family have been most understanding and most appreciative of the community response at the time, but more important, of the vastness and the nature of the problem.

The member from St Catharines is correct. This disease does not play favourites. There is no family in Ontario that is free of the anguish he described, and there are the circumstances of all our constituency offices, particularly if you happen to represent a riding in a major city close to the downtown core. We've experienced it on a first-hand basis and his comments are very timely and accurate, and I thank him for the input.

The Acting Speaker: Further debate?

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I rise to support Bill 68 and in doing so to commend the members of the Legislature, particularly the parliamentary assistant, Mr Clark, and my colleagues Mr Patten and Ms Lankin for the very productive work they have done to bring us all to this point. I said in a response, I think it was last night, that I'm probably the only one left now who was on the committee back in 1978 when we did the last major renovation of the Mental Health Act.

I well remember those debates. I was saying to Ms Martel today that if my memory serves me correctly, Bill 68 is in some ways a vindication of her father, because my memory of the debate on Bill 19 in 1978, where there was a very sharp difference of opinion among members—I think I've got it right—is that Ms Martel's father and Ms Gigantes, two members of the NDP, were on different sides of that. They reflected a division that was in the Legislature and certainly in the community.

I congratulate the committee, I congratulate the government for Bill 68, because I think it is a proper rebalancing of individual and community interests and rights.

1550

We've been treated to marvellous contributions in this debate. Judge Guzzo, who has just resumed his seat, Ms Lankin and my colleague Mr Patten are three speakers whom I have heard make all or most of their presentations. The process that has brought us to this debate, and this debate, is a good example, I say to the House collectively, of how this place can work well.

A lot of what I would want to say has been said. I'm not going to stand here and repeat this. I can tell you that I've had several of my constituents call me or write me to tell me that they want this bill supported. I'm proud to stand here today and, on their behalf, do so.

My friend Bradley just a moment ago observed very rightly that none of us, no family, no community, no profession, no group, is free from the challenge of mental illness. We have made some very considerable strides over the decades as a community in recognizing and dealing with mental illness. I'm not so sure we're all the way there yet.

I know I've had my own experiences in my family with coping with this particular challenge. Any of us who have had family members or others stricken—that's probably politically incorrect, but I guess it's probably not a bad verb—I know that in my own experience in the last few years I've had some involvement with the chal-

lenges of mental illness. It is among the most intractable of challenges. I'm a different person today than I was 22 years ago because of my own personal experience.

I don't think we want to make law on the basis of individual experiences. But as Judge Guzzo rightly observed, if you understand what Brian Smith's family endured, it is, in a sense, your worst nightmare: an individual who was deeply troubled and who was presenting for years with very serious issues related to mental illness, and finally, on that awful day in 1995, an innocent person is struck down and killed. I remember the day that happened. I think I speak for everyone, certainly in Ottawa and eastern Ontario—and I didn't know Brian Smith as well as my friend Mr Guzzo did—but you just heard the story and it was your worst nightmare.

I'm pleased that, because of the collaborative work that members of this Legislature and people in the previous Legislature have done, we are at this point today. I want to join those who have said that getting the legislative framework right, however important, is only part, albeit a significant part, of the overall issue and challenge. I say this as someone who represents rural eastern Ontario.

I spent some time, not very long ago, in our courts. I was absolutely astonished—I say to my friend from Wellington, not as an accused, but as a witness; actually not even as a witness, just as a bystander—

Mr Marcel Beaubien (Lambton-Kent-Middlesex): As long as it's not as an accused.

Mr Conway: I don't want to trivialize this. On that day, one of the most disturbing issues that I—and the court—was faced with was a young person—I think about 15 years of age—who was presenting with some serious problems and had already had an encounter with the law. Everybody, including the family, wanted something done. The judge that day said that she could not complete the sentencing process or go to the next step without getting a full psychiatric examination. This was back in February—and I'm glad the Attorney General is here.

On that day in February, this past winter, the court was told that this young person and his family were not going to be able to access a psychiatric examination for at least five or six months. I checked the other day; it hadn't changed. I'm sorry, but that's simply not good enough. I don't mean to blame the current government, because it has been a problem for as long as I've been around here.

I think part of the problem, and let me be brutally frank, is that mental health does not have the political sex appeal that other aspects of the health area have. I think we all know that. I don't have an easy solution to that. But in the overall scheme of things, when we're allocating resources in the health field, my sense is that we have not been willing, I say to all of my colleagues, including myself, we've not been as forthcoming in relative terms in supporting mental health requests as I think mental health requests demand.

I can't get the image of that youngster out of my head. Here is someone who obviously needs and wants help, is

already in court—and the issue that brought him there was not a trivial one, let me tell you. We have a judge saying she can't proceed until she has the benefit of a full psychiatric examination, and she's told to wait for five or six months. That's just one example. There are many others.

My colleague from Kingston was talking a moment ago about his experiences in Portsmouth, in that part of Kingston, as a result of deinstitutionalization. I was there the day, 20-some years ago, when we shut down the Lakeview Psychiatric Hospital and the promises were made, "We're going to close these big early 20th-century facilities, and we're going to do it better."

We have made some important steps forward, but I'm going to tell you that I hear from people living in places like Kingston, Brockville and the west end of Toronto that the resources are still not adequate to the need. I read a devastating report not too many months ago from a judge here in Toronto who was basically saying that far too many people faced with mental illness were effectively ending up in jail because there was no other place in the community for their placement. I haven't got the report with me, but I'm not making that up.

I simply want to say that as someone who strongly supports Bill 68 and very much appreciates the rebalancing that the act establishes in individual and community interests—and Judge Guzzo is right to point out there are people who don't agree with this rebalancing. I accept that. I happen not to agree with them. But having done this, I support members on all sides of the House who have said that this will be much less than it could be if we do not ensure there are adequate and meaningful resources in the community and in the institutional sectors of the health and social service delivery system, and not just in urban Ontario, not just in Ottawa, Kingston and Brockville but in places like Pembroke, Renfrew, Deep River, Petawawa, Beachburg, Ross township and Calabogie, because mental illness is not something that is confined to just one part of the domain.

With those words, I'm pleased to resume my seat.

The Acting Speaker: Are you sharing the time with the member from Kingston and the Islands?

Mr Conway: Yes. I'm sorry; I should have said that I'm sharing the time with my esteemed colleague the former mayor of Kingston.

Mr Gerretsen: I would just like to start off by continuing the argument my friend from Renfrew has advanced here today. I think anyone who is involved with the criminal justice system, with the court system, will tell you that the number of people who are going through our court system now—and particularly the numbers that are being convicted and the state of the apparent mental health of those individuals. There is an extremely large number of people in our jails now, whether it's provincial or federal jails, who, yes, have committed dastardly crimes, there's no question about it, but they also have some very serious mental health problems. Anyone who is involved in the penal system will tell you that situation is getting worse and worse, and

it's going to get even worse unless we put the necessary resources that are so much needed into that area of our health care system. There's no question about it. Take a look at our last budget; take a look at the last estimates, the amount of money that we as a province spend on mental health problems, on mental health care in general, and compare that to the physical health care budget that we have, and there's absolutely no comparison. It is minuscule, and it hasn't improved at all. I know governments and parties have talked about this for at least the last 10 to 15 years, and effectively there has been no change. The amount of money, the amount of resources that we're putting into mental health problems of the people of this province, is still much less than adequate, and it's still a very, very small amount compared to what's needed in that area.

1600

So when we hear, as the result of the large number of health care restructuring orders that have been passed by this government, of more and more of our psychiatric hospitals or psychiatric beds being closed across the province, we all know what's going to happen: A lot of these people are going to be out on the street without the necessary resources.

As I indicated before, I can well remember a number of individuals who used to live in the Kingston Psychiatric Hospital, and for many of these people, that place had become their home. They had lived there for 10, 15, 20 years. Yes, you and I can agree that it shouldn't have been that way, but it was their home. These people were chucked out of the hospital under the guise of, "We're going to reintegrate you into society," and they ended up in absolutely deplorable conditions, sometimes living three or four to a room, without any aftercare whatsoever, without any kind of community care, without any health care whatsoever. I as a layperson—and this happened some 15 to 20 years ago, and it hasn't changed at all—said to myself, "Weren't these people a heck of a lot better off in psychiatric hospitals, where at least they had three square meals a day and a roof over their head, than in the condition that a lot of people are finding themselves in now?"

The main concern we have is, if this law passes, will there be sufficient government resources put into it to actually make the community treatment agreements work? That's the issue. There are all sorts of organizations on both sides of the issue. We're talking about the different mental health associations and we have the Ontario Friends of Schizophrenics on the other side. There are many, many interest groups out there. They all agree on one thing: There aren't sufficient amounts of resources put into these mental health care problems.

I would therefore suggest that since we are treading on new ground—and let me say, we're treading on new ground in two different ways. First of all, I must compliment the House leaders who came up with the notion of having this bill go to committee after first reading. I know this may not mean a lot to the people out there, but you and I know that when a bill goes to a committee after

first reading without each political party having taken a definite position on that bill, it allows for much greater latitude and flexibility in the positions that the parties take on the bill, the positions that the critics take on the bill and the number of amendments that may be acceptable to all sides in the House than if it's done after second reading. I think the people of Ontario must understand that when a bill goes to a legislative committee after second reading, it usually happens after all parties in the House have spoken on the bill for two or three days, have taken definite, firm positions, and it's only at that point in time that we consult the general public out there and have public meetings. I know, as a former municipal politician and from talking to members on all sides of the House here about that process, members on all sides of the House who have been involved in either a school board or as municipal politicians, that we find it a very strange phenomenon that you ask for public input on a bill basically after every party has staked out their position on the bill. If you did that at the local level—for example, with planning matters and other issues like that—you would probably be hauled into court. Yet here it's an accepted thing.

So I say to all parties here, and particularly the government: Do this with many more bills. Send it to committee after a bill has been given first reading, before each party has taken a definite position on the pros and cons of the bill. Let the public hearings take place. Hopefully some meaningful amendments will come out of that process, and you'll end up with a much better piece of legislation. I am convinced of that position and I think this bill has been a very good attempt at that.

One of the things I would like to see—and there was some discussion about this issue between the House leaders or between the critics on this particular bill a little while ago, so I understand—is that perhaps there ought to be a clause in here that, since we are treading on new ground, the new bill and the effects it will have on the people who are involved with this bill be reviewed after three years to see what effects this new legislation has had on people who will be subject to the community treatment agreements.

I think it's almost imperative that we do that because, from the information we've received—and we've all received information from all sorts of different organizations on either side of the issue, which seem to be making valid points, by the way—a lot of the people who don't like community treatment orders seem to suggest that jurisdictions that have followed this kind of legislation really haven't worked out all that well in the long run. If an automatic review is going to take place in two or three years as to how this bill has actually affected the lives of Ontarians on an ongoing basis, let's do that; let's write that in. I would strongly suggest that we do that.

The final comment I want to make is that we talked about the resources for mental health care in general not being adequate within the health care budget, but the same thing applies to the specifics of this particular piece of legislation. It is absolutely imperative that if we want

this legislation to work, not only for the protection of the general society but also for the protection of the individuals themselves who are subject to these orders, and their families—over the last two or three years I've had many discussions with organizations, and individuals who are involved with organizations, such as Friends of Schizophrenics, and you hear some horrendous stories of agony and despair that families go through from time to time when one of their loved ones, who should be receiving treatment, isn't receiving treatment for whatever reason. It may be that they unilaterally decided to stop taking their medication or whatever. Let's make sure that what we're doing here is for the benefit of all Ontarians. In order to have that happen, it's absolutely necessary that not only this government, but governments in the future as well, make the resources available.

When we talk about community treatment orders and agreements, we want to make sure that the community health care services, facilities and individuals are available for these people. If we're not doing that, then I would suggest that we're not doing these individuals any favour and we're certainly not doing the rest of society any favours.

The Acting Speaker: Questions and comments?

Ms Martel: Let me follow up on the comments made by the members from Renfrew and Kingston, but by the member from Renfrew in particular. This had to do with the concern about whether the health care professionals are going to be in place to actually make this legislation work. He referred to a situation wherein a young man who desperately needed psychiatric assessment wasn't going to be able to receive that for five to six months.

My concern with this bill is that we go out and we offer false hope to people who think that because we're going to have changes, we're going to improve the situation for those who are suffering from mental illness.

I look at my own community with respect to mental health care services and provide the following: In the districts of Algoma, Manitoulin and Sudbury we are designated for 20 psychiatrists. Right now we have 11. We have a need for nine. We are barely able to meet the needs of all those people across those communities. We are at a point where we have one psychiatrist to look after a population of 20,000; that includes adults and children.

We know that with this bill, particularly with the change around involuntary admissions, we are going to see, maybe only in the initial short term, an increased need for psychiatrists. We don't have them in our community now. What hope do we offer to families who are trying to look for support for their loved ones who have mental illness? What hope do we offer to those suffering from mental illness if we pass a piece of legislation when we are dealing with that kind of shortage for psychiatrists? The shortage of family doctors is even worse in our community, and we know that family doctors' roles and responsibilities increase with this legislation too. This issue of resources, financial and human, is really serious, and we have to come to grips with it before this bill is passed.

1610

Mr Alvin Curling (Scarborough-Rouge River): I just want to commend my colleagues from Renfrew-Nipissing-Pembroke and from Kingston and the Islands, who have made some excellent points. This is an extremely important piece of legislation. As a matter of fact, it was the decision of the previous government to deinstitutionalize many of those individuals who today are on the streets, who have problems with mental health, who have no homes, their decision that maybe we can control it just by medication, that these people should not be institutionalized because they only have to take medication. Today, what we're seeing is a tremendous number of those people staying on the streets, who have no homes and have not taken their medication. We have compounded the issue beyond any sort of control today because the police don't know how to manage those individuals out there, and many have come down on the—maybe by death by some police officers who were not properly trained, and hospitals who feel they could use the bed for better purposes.

As my colleague stated, very much so, while we may put legislation in place, that's not sufficient, as a matter of fact far from sufficient. We feel that laws alone can do things, but we must have the resources to back up those deeds and intentions. This government is really lacking in that regard, making a lot of laws but having no resources put in place. If there is any legislation that needs that kind of support because of what has happened in the past, it is this legislation. I count numbers of people as I walk along—you don't have to walk too far from this place. You go outside and you see many of those individuals stricken with this terrible disease of mental illness.

I want to say that the comments made by my colleagues should be followed through on, and I hope that when we have the hearings, people have those comments to make.

Mr Frank Mazzilli (London-Fanshawe): The other evening I was in the House when the member from Ottawa spoke to this, and I was in the House when the member from Timmins spoke passionately about the changes to the Mental Health Act.

This is a very difficult issue, one where we try to work to help people who essentially have no insight into their illness, people who, for one reason or another, have been helped in the past, have been allowed to live in the community and for the most part have lived in the community successfully. They go on with their daily lives, and in some cases very productive daily lives, but because of some mental health problems and mental illness, through no fault of their own, become either violent or a danger to themselves. That's really what we're going to try to address here.

Any legislation that balances the rights of that individual and the rights of society is going to be very difficult. These are some changes that we think are a step in the right direction. With the previous legislation, often in many cases, whether it was the police or a family practitioner, they knew that a person was obviously

mentally ill but somehow did not meet the test of the legislation in order to force treatment. Beyond the mental health legislation alone, what I know and have heard from psychiatrists in the past is the long delays it takes to force treatment through the Consent to Treatment Act and the procedure that needs to go on. I will certainly speak in detail at a later time.

Mr Dwight Duncan (Windsor-St Clair): I'm pleased to respond to my colleague from Renfrew and my colleague from Kingston. Both members referenced the importance of not just the fact that this House is passing this legislation, but the other component of this issue, and that is resources within communities.

For nine years prior to being elected here, I was the administrator of a facility called the Brentwood Recovery Home in Windsor, and we often dealt with people on the street who were no longer on their meds, were not accessing proper care. Frankly, one of the reasons we don't have a homeless problem in our community is because of that particular facility. That being said, the resources that we could apply to the problem were, frankly, inadequate, and I would suggest we probably dealt with situations that would have been better handled elsewhere by people better able to cope with them. So as we pass this bill in the course of the next two weeks, a bill which I support, let's not forget what my colleague from Renfrew particularly referred to, and that is the need for mental health services in communities.

The other problem is the lack of psychiatrists in communities. Again, in my community of Windsor we have a shortage of psychiatrists. It's a particular problem, and it's one that will not be addressed by simple attempts to attract new doctors to our community from the existing pool.

This is an important step. My colleague from Kingston referenced the notion of reviewing the legislation in three years' time. I hope that through clause-by-clause consideration of the bill that will be put in it, and I hope the government will use this as a model of how we can do legislation more appropriately in the future.

The Acting Speaker: Response?

Mr Conway: I thank those members who addressed the remarks that Mr Gerretsen and I made.

I want to pick up on something the member from Sudbury said and reinforce it. This is, for families who have struggled with it, an absolutely painful and often an impossible experience, particularly for people who live in northern and rural communities. I represent places like Stonecliffe, Whitney, Madawaska and Bissett Creek that are three hours away from urban centres like Ottawa and Kingston, and two hours away from places like Pembroke. I'm telling you, for those people, those families, those caregivers, those support groups that are trying to, as the member from Sudbury rightly observed, do it out on their own or nearly on their own, with professional and other resources hours and hundreds of kilometres away, it is a particular challenge. So I say to the Ministry of Health and the Legislature generally, we are going to have to do a better job of providing resources, especially

in rural and northern communities. The last time I looked at the distribution of psychiatrists, they were overwhelmingly located in university teaching centres. That's simply not fair to people in Algoma-Manitoulin and in north Renfrew and in north Frontenac. I simply want to make that point.

I guess a final observation—this doesn't quite flow automatically, but I want to say to the House that one of the most fascinating stories in the history of this Legislature was what happened to one of the great powers of this place 120 years ago. It's not very well known that one of the brightest political and academic stars of late 19th-century Canada was a member of this Legislature and a very prominent member of two or three cabinets. He went mad while here. You laugh. It's a fascinating story. What happened to him and how his situation got dealt with is the stuff of a book yet to be written.

The Acting Speaker: Further debate?

Mr Steve Gilchrist (Scarborough East): It's my pleasure to rise and speak in support of Bill 68, and indeed it was my privilege to serve as Chair of the standing committee that was able to hear representation from witnesses in a number of different places across Ontario and from groups representing those with mental illness and recovered patients from all across Ontario. What poignant stories they were, and I found it quite refreshing that we had once again, perhaps for the third time ever but it's been the third time this session, bills going through committee where we had clear support and common perception of the issues from all three parties.

1620

There is no doubt in fact that a lot of the recognition should go to Mr Patten from the Liberals, who introduced a private member's bill in the last session that dealt with many of the topics we're hoping to cover with the successful passage of Bill 68. I want to thank Mr Patten. I want to thank Ms McLeod, Ms Bountrogianni and Ms Lankin, and all the opposition members as well as my colleagues, for a process that was marked by a true commitment to get to the bottom of this issue, to find the answers to a long-standing problem.

We heard how governments of all stripes for the last 30 years have wrestled with this issue. There have been changes made, to be sure, but I think that in hearing the stories of those witnesses, of people like Alana Kainz, the widow of Brian Smith, but many others, far less notable incidents, far less notable victims, of not just the violence but in some cases victims of their own inability to recognize that they had an illness and that they failed to recognize the need to take medications to deal with their illness, the process has worked.

It's been five years that I've spent in this Legislature and it's nice to see that, better late than never, we've been able to find common ground. This bill is an important opportunity for us to make it very clear that there are issues that transcend partisan politics. There are opportunities for all of us to reflect on what is right regardless of our political affiliation. We saw that in the former parliamentarians act that we brought forward. We saw it

with the Franchises Act, which was the first bill to go through first reading debate, and this bill as only the second major government bill to go through that process, I think is clear proof that we've hit on a perfect remedy to some of the forced partisanship that all too often has marked debate in this chamber.

By the time you've gone through second reading, of necessity parties have to take a firm stand, have to cement their position, have to make it very clear to their supporters, to their constituents, to their colleagues that they have certain issues they want to champion, and often they're at odds with the wording in the bill when it's first introduced. By going to hearings after first reading, before positions have been cemented, we've had the opportunity for everyone to put their thoughts on the table, for us to ask questions in a way that are probing, that are genuinely sincere in their efforts to get to the root of the problem, but without any of the partisanship.

The response from the witnesses was part of the perhaps improved methodology we saw by going through first reading debate, because we were able to tell them that it was, if not quite a clean slate, at least a slate written on in pencil that we could make changes on.

At the end of those hearings, the thing that struck me as perhaps the most remarkable achievement was the fact that we had welcomed amendments from all three parties. We had told them that, yes, this is a process that must continue to move forward, that we have to draw a line in the sand and actually bring the bill back to the House, but that we want to see just how much common ground we have been able to identify. It's my understanding that all three parties brought forward their best response to the presentations we'd heard and there was some considerable commonality to the suggestions that were made.

It's my understanding there are a considerable number of amendments that will be made to this bill. That is a clear testament to the quality of the representations that were made by the witnesses and presenters, but also, again, to the parliamentarians who were prepared to look beyond their own colours, their own party labels, and see if we could come up with a solution to this very long-standing and very serious problem.

I know that there are still two or three points that will involve further debate and I look forward to hearing those views expressed as we move forward into clause-by-clause. But in talking to the representatives from all three parties, they are extraordinarily pleased with the tone of the hearings, extraordinarily pleased with the process. I think, if ever there had been skepticism on the part of those people who have struggled with this issue, who have lived with this issue and who have seen past governments and our own government conduct hearings, conduct road shows where different parliamentarians went out and canvassed for views but then led to no legislative action, they will see in the next few days that there has been a genuine ability to reflect on their points of view, on the suggestions they've made.

More often than not, we've been able to arrive at a consensus that is going to allow us to update the Mental

Health Act and hopefully prevent the sort of tragedy which in some ways was the inspiration for Mr Patten's private member's bill and for this bill, Bill 68.

As I said at the outset, I want to share my time with the member for Guelph and also, forgive me, I should have mentioned the member for London-Fanshawe as well. Before I sit down, I make an appeal to all of my colleagues that so far the bill in this process of debate has been marked by extraordinary co-operation. We have an opportunity in these next few days to move through clause-by-clause in that same spirit. I appreciate that there may be slight differences of opinion, but I hope that we all accept the responsibility, that after decades of talk, after decades of committees and study, the time to reflect on tragedies such as the death of Brian Smith forces us to make sure this bill becomes a reality before the end of this session.

With that I yield to my two colleagues. As the Chair of the committee that will likely inherit the bill again for clause-by-clause, I want to thank all of my colleagues very sincerely. They made my job very easy. They certainly made the presenters very grateful, even more so when the bill passes, that having had an opportunity to make presentations, their suggestions have been listened to. This bill will truly reflect on those good comments and reflect on the need to bring forward a modern bill for the 21st century.

Mr Mazzilli: Listening to the debate the other evening, the member from Ottawa and the member from Timmins went into detail about some of the criteria and so on of the Mental Health Act, and some of the changes. One thing that has been acknowledged by many is that mental health treatment has changed enormously over the years through new medication. Many people are allowed to live in the community and lead productive lives who in the past had not been able to do so. That is the proper way to go. That's why the investments have been made in PAC teams to monitor people who are able to do well in the community.

Having acknowledged that, we also need to keep a close eye on community treatment because in many cases people, through no insight into their illness, believe they can live without medication. In some cases, prolonged periods of taking a medication can often pose problems of its own, thereby allowing a person to deteriorate and be hospitalized. I believe that the intentions of this act are good.

The first thing that was done: The word "imminent" was removed. In the past, a medical practitioner had to believe that a person would imminently be a danger to himself or others. Many have tried to define "imminent." Some think it's a week; some think it's two weeks. There really has not been any legal definition of "imminent." Therefore, a person obviously with a mental illness is taken to the hospital, but if a psychiatrist does not feel that it's imminent, even knowing that the person is ill and that the person has no insight into that illness, he or she must allow the person to leave that institution without being treated.

Many issues we face as governments have to do with mental illness. In many cases, the issue of becoming homeless is directly related to a mental illness, whereby a person refuses to be taken off the street and into a shelter. Why? Because they are mentally ill and have no insight into that illness and feel that they have the right, the choice to live on the street. The police will run into that person, take them to the hospital and, because they are not an imminent danger to themselves, they are allowed to go back into the community.

These are changes that many have wanted for a long period of time. The idea that when you're trying to get someone some help that they have to be a danger to themselves or others before they can be taken to a hospital to be assessed in order to get them some help—one must wonder what kind of test must be met to do that.

I fully support the changes in the act and hope it goes smoothly through the committee.

I will be sharing my time with the member from Guelph.

1630

Mrs Brenda Elliott (Guelph-Wellington): I am very pleased to have an opportunity to rise and speak to Bill 68, mental health reform, commonly referred to as Brian's Law.

I was listening very closely to my colleague from Scarborough who, as Chair of the committee undertaking review of this bill, complimented my colleagues on all sides of the House for their co-operation in looking to establish the best possible bill in a very difficult bill. This is one where I think we're all very cognizant of the word "balance." We're trying to find a balance that supports the needs—and I use the word "supports" very deliberately—of the victims who are suffering from the ravages of mental illnesses, in particular schizophrenia, which seems to be the one that is most discussed on this particular matter, and the safety, the security of the family members and the community at large.

I am going to be a little political for a moment because I do want to remind those who are listening that it is in fact the Mike Harris government which has brought this legislation forward. It was a commitment in our Blueprint: "People end up on the street for a number of reasons. Many of them need medical or psychiatric help, but are refusing it or can't understand their own problems." Down a little further, "We'll change the laws that stand in the way of families, police and social workers so that people who pose a danger to themselves or others can be taken off the streets to get the care they need."

I remember during the election campaign attending a very specific meeting that was called primarily by family members of those suffering from schizophrenia who wanted to have an entire community meeting during the election campaign devoted to the issues of mental health, mental health reform and, in particular, reform of the mental health legislation. The question was asked of me, very sincerely and very directly, "Brenda, will your government undertake to change this law that has needed to

be changed for so for very long?" I'm very pleased that it is our government that has brought this forward. I am very pleased that we have co-operation in making this happen, because there are some people who have suffered terribly as a result of this illness.

In my own community I have been asked to go to a number of meetings over the last four or five years so that I could be taught by those who have been directly affected by mental illness what kinds of assistance they need and what changes our government might have to undertake.

There are some key people in my community who I think need to be complimented. Christine Pearson, for instance, is a woman whose son suffered from mental illness. She decided she was going to do something to make the discussion of mental illness more palatable to people. In years past, there has been an embarrassment to talk about mental illness, as though mental illnesses were different than a physical illness. Christine established what's called the Wizard Walk of Hope in Guelph. It's actually being adopted all across the province by the Schizophrenia Society. She turned a walk of families and interested people from a very small Saturday morning event to a very large community event where thousands of dollars were raised to help fight schizophrenia.

There are Donnie and Elvin McNally and people like Susan Moziar, who have seen first-hand the ravages of schizophrenia within their own families. They have been tireless workers in trying to bring our government's attention, and so many others, to take this illness seriously and to find ways to reform the Mental Health Act and address it.

One person who is very influential in my community is a gentleman by the name of Ian Chovil. Ian is a young man who suffered from schizophrenia while he was in his first year of university, and his life literally came crashing down around him. Ian wrote a letter that I would like to quote from because I think it's very significant.

"I've had schizophrenia for 25 years. It took five years to develop, I was psychotic for 10 years, and I've been taking medication for 10 years. Everyone with schizophrenia who stops taking their medication will eventually become homeless or end up in jail, excluding those who don't actually have schizophrenia and those who are rehospitalized. People go off their medication because they're feeling better, because they confuse their symptoms with side effects of the medication, or because they identify their personality with the symptoms of the illness. Relapse rates are about 90% within a year if someone goes off their medication.

"Your proposed legislative changes have my full support. Maybe if they had existed when I first became ill, I wouldn't have lost the 20 years of my life that I did. Even though I have been on medication for the last 10, nothing can undo the damage that a 10-year psychotic episode has wrought, and nothing will be able to make up for the lost time."

Ian suffered terribly with mental illness. It is absolutely delightful to see Ian now as a volunteer at Home-

wood, which is a major psychiatric facility in our community. He has helped countless people and has been a tireless advocate to assist us in bringing forward changes to this legislation and to give us, in his view, certainly shared by many others, his best advice on what is to be done.

I think that for many of us, looking to change the Mental Health Act has been a little bit nerve-racking, in a sense, and that we are very cognizant of finding that exact balance. We do not want in any way to usurp rights of individuals. I am very grateful that there has been wonderful co-operation in finding amendments, fine-tuning the bill, so that we, all parties, are comfortable with what we are doing.

The objective here is to assist. It has always struck me that if someone is suffering from mental illness, somehow we are a little bit more afraid to help them. We feel a little more challenged in helping them because it's not like they have a physical illness. If we were to encounter someone on the street with a broken arm, with a broken leg or bleeding profusely, we would not feel any remorse in assisting that person. But a mental illness is different, so it has required very intensive work on fine-tuning the legislative changes. The removal of the word "imminent," the introduction of community treatment orders, the ability for police officers and physicians and family members to take a more direct role in requiring assistance for those are suffering from illness, from what I can understand, is a very good thing.

I'm very pleased that our government, with the co-operation of our colleagues across the way, is undertaking this legislation. From what I can see, it is a very good thing. Although I haven't been part of the hearings, as I read through the notes and examined the various parts, clearly we have tried to implement checks and balances. Clearly there are appeal mechanisms. Clearly we are looking to the professionalism of the physicians and the psychiatrists who will be able to finally make the decisions. Clearly the sufferer, the person who will perhaps have a treatment order arranged in their name, has an opportunity for their voice to be heard, but the bottom line is what this is doing through mental health reform: finding a way to help people who are victimized by a most difficult ailment in a way that we have been unable to before.

I have personally felt that we've let these people down in the past by not having legislation that addressed it. From all of the meetings I have held in my community, I can say that the constituents who know most about this particular file are very supportive of what we have undertaken. I'm very pleased to add my voice to that support.

I haven't had a lot of recent correspondence on this. One call I did receive said simply, "Brenda, we're really grateful that you've undertaken this and we have every confidence that it's going to help our family." That's the kind of thing I'm proud of as a legislator and I'm pleased to add my support.

1640

The Acting Speaker: Questions and comments?

Mr Duncan: I wanted particularly to respond to the member from Scarborough East, who spoke of this new procedure that we have in our standing orders which allows us to debate legislation after first reading. It has been well applied, and my hat's off to the government House leader on that for choosing appropriate legislation and now under three circumstances where it has worked. I'm glad it was the official opposition who proposed this change to the standing orders to allow this to happen last summer.

But as I thought about it, I thought it's unfortunate that this kind of process isn't more equitably and charitably applied in other circumstances. For instance, today we had two hours of hearings on Bill 74, with another day of hearings, far below what we really need. I hope, based on what I heard from the member for Scarborough East, that we will have more hearings on more bills. This Legislature, under this government, has had fewer days of hearings on major pieces of legislation than any government in the Dominion. It has the worst record historically in terms of number of days of committees meeting and actually doing the work of the Legislature. I suggest this process demonstrates that the Legislature can play an important role in the making of laws.

I see the minister responsible for the disabled here. I would suggest to her that perhaps the Ontarians with Disabilities Act might be the next logical piece of legislation that we can treat in this fashion. It's something that all three parties have agreed needs to be done, it's something that lends itself to getting input from the public and it's something that ought to have been done by now.

Again, I will be supporting this bill. I'm looking forward to seeing what amendments are finally part of the bill. I trust that the process and the way it has worked to date will continue to work so that some of the amendments being proposed by the opposition will be adopted. This marks, in my view, an opportunity for all of us to reflect on the importance of this Legislature and on the importance of due consideration of changes to laws and regulations. Failure to give that proper consideration can lead to tragedies of immense proportion.

Ms Martel: I want to respond to the opinions that were raised by the member from Scarborough East. I think he is quite correct, and I certainly heard our health critic reference it yesterday, that there has been genuine co-operation among the members of the committee to deal with what is a very difficult issue. The committee members themselves have certainly heard from individuals and organizations who represent in some cases very different points of view about what they feel needs to be done, what they are worried about might be done etc. The committee has tried to work very hard during the course of its proceeding to find the balance.

Our concern would be the ability of the committee to continue to try and find that balance during the clause-by-clause, which I understand will begin next week. What we don't want to see is the long arm of someone from the Premier's office coming into that committee to try and urge government members to move rapidly

through amendments, to shut down that process, because that won't be good for anyone.

I think the member from Scarborough East was quite correct when he said that all three political parties are going to come forward with some very important amendments. My colleague, for example, talked about the need for the preamble at the beginning of the bill so that the bill makes it clear whom this applies to. There are a number of survivors who are very concerned about an abuse of power, who don't want to be captured by the increased criteria around involuntary admissions, for example. We need to spell out very clearly for everyone whom this is aimed at. We need to deal, for example, with a redefinition of mental illness or mental disorder, and perhaps we can use the definition they use in Saskatchewan for that.

While the word "imminent" has been removed, we still have to find some kind of time frame, and the committee has to struggle with what that will be. I think we need, as well, some safeguards around the community treatment orders. We need an amendment, for example, to establish an office of the mental health advocate to deal with systemic advocacy. So there are a number of things that still have to be done if we are going to find that balance.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): I listened with great interest to the speech by my colleague from Guelph-Wellington, recounting the story and some of the challenges that some of her constituents have had in dealing with this issue. I have the same story, where a number of constituents have visited me in recent years just desperately wanting to provide help for their family and for their loved one and having to confront the challenge that they know what the help is, they know what's required, but they lack the ability to do it. It has been an incredible challenge to hear the story that Alana Kainz, the widow of the late Brian Smith, speaks of. It is quite poignant and quite incredible. When she says that the bill could actually be named after the other individual involved with the case and not just that of her late husband, it is really an incredible story. The member for Ottawa Centre will know that. He has worked very hard on this issue as well.

I think it is a good sign, on an issue that is perhaps this sensitive, on an issue that is perhaps this delicate, but on an issue that is this important, that all three parties have come together at this stage. It is indeed a good sign that the legislative process is working well.

I want to put on the record, and add my voice to the member for Guelph-Wellington, my strong support for this bill. I think it's long overdue. I think it can make an incredible difference in the lives of many people in the province.

Mr Bradley: I think the member outlined the circumstances as they face this particular bill and I'm looking forward to hearing more with further debate.

The Speaker (Hon Gary Carr): Response?

Mrs Elliott: I'm pleased to have had the opportunity to speak to this bill and to hear the comments from my colleagues around the House.

I didn't mention in my presentation some of the stories about mental illness and why community treatment orders are so important. I was explaining to my colleagues that when someone suffers from a psychotic crisis and goes into a relapse, it has been illustrated that the damage the illness does to the individual in fact is increased with every single episode. So, being able to find methods of prompt and appropriate treatment is very important in maintaining the optimal long-term health of the person suffering from the illness.

The various stories I've heard from my constituents—and I think this is true for all of us who have met with families—have almost always been from the families of people who have psychiatric illnesses, and they have come to us because they have seen the effects first-hand. They have been the ones threatened by their children, by their spouses, who have lived in fear and, as my colleague from Nepean has said, have been unable to access help. This has been an enormous frustration and has ripped apart a number of family relationships. It's my hope that the changes to this act will in fact help these families overcome these challenges that have for the most part been in legislation.

I understand that the consultation has been very broad. We have looked at legislation in other jurisdictions across Canada, and hopefully we will have established a piece of legislation by the time all the amendments are put together that will be a model. I compliment my colleagues in supporting this.

The Speaker: Further debate?

Mr Bradley: I'll be sharing my time with the member for Scarborough-Agincourt. Unfortunately, there were only five minutes to canvass the issues with this bill, but one thing I will say is that there is a consensus, and I want to mention process as much as anything.

Very often there is a lot of contentious legislation that comes forward and indeed there's a lot of partisan argument that goes back and forth. On this particular bill I think there has been a genuine attempt to find, if not a compromise, at least what you would call a consensus among the three parties as to what is best to include in provisions in the bill.

Essentially it deals with a problem that is out there that all of us can no longer ignore, the problem of psychiatric patients who are not receiving appropriate treatment for their psychiatric illnesses. We see them on the streets of major metropolitan centres such as Toronto sometimes. That doesn't mean everybody out there who may be pan-handling or living on the street is necessarily a psychiatric patient, but many have psychiatric problems and those problems must be addressed.

1650

There was at one time a decided bent towards institutionalization of patients who required this kind of care. Indeed, those of us who are old enough to know this would remember a movie—I remember it from when I

was a little wee kid, of course, as the member from Scarborough will—called The Snake Pit. The Snake Pit describes some very unfortunate and horrifying circumstances within what was then called a mental institution, or a psychiatric institution. That has changed significantly as we've seen different ways of trying to provide treatment for people with psychiatric problems.

Nevertheless, there are a lot of people out on the streets and there are a lot of people in our society who simply require treatment and are not receiving that treatment. In some cases it's because they are refusing the treatment. Their families are at wit's end as they call our constituency offices. We know this. It is seldom the patient himself or herself who calls the constituency office, except perhaps in a way which is causing problems for the constituency office and the individual. But it's usually the family who calls, and the members of the family are desperate. We have to address that issue.

My colleague the member for Ottawa Centre has spoken about this on many occasions. If you said Richard Patten has been in the forefront of trying to find a solution to this problem, I think you'd be accurate, and I'm glad to see that there has been a response to that. I want to commend my colleague, as others in the House have, including the Minister of Health who quite graciously, in making an announcement, commended the member for Ottawa Centre for his efforts.

Brian's Law is an appropriate name. Brian Smith was a much-loved and much-admired individual who lived in Ottawa. He was well known in the sports world. He was a victim of an individual who had a psychiatric problem, and lost his life as a result.

But so many have called our constituency offices. The parents know or the family knows. They've called and said, "My daughter will be dead in two years unless you do something about it." We always wish there were something we could do. We always wish a law were there that would allow the parent or the family or somebody else to assist that patient. And unfortunately they were accurate in that prediction all too often. I remember looking at one individual who had called—she had called my office a few times—and she actually predicted that, and two years later her daughter was indeed dead. And that's sad.

I know there are people who are psychiatric patients themselves of the Canadian Mental Health Association who are apprehensive that some of the provisions of this legislation may be detrimental to patients. But I think when you look at it in balance, members of the committee have tried to address those concerns, have tried to put those safeguards in. What obviously is required is a lot of services in the community to meet those needs. If you're going to deinstitutionalize, you have to have the services in the community. One significant service is going to be adequate housing for psychiatric patients. There also may be some who are best treated within what you would call an institutional setting. I call it a hospital setting. There has to be a wide variety of services available.

But we must help to quell the anguish, to meet the needs of those who have within their families or their circles of friends people who are doing almost irreparable damage to themselves and perhaps to those around them. If this bill can address that problem without infringing in a massive way on the rights of those individuals, then it deserves the support of all in the House.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join with my colleagues in the debate on the bill. I think every one of the members of the provincial Legislature has at one or another had a parent or parents in to see them who are really at their wit's end in dealing with one of their children who experiences, often, schizophrenia, and the family just have nowhere to turn. I, like my colleague from St Catharines, have seen where in many respects it ends up being a life-and-death situation.

As we look ahead at more community-based services—I think that's a trend that all of us support—we also have to kind of adapt our legislation to ensure we have the necessary legislative framework to deal with much more of a community-based care in all areas, including mental health.

I'm supportive of the bill. For many who have had to deal with these situations it will be a significant step forward. I compliment my own colleague from Ottawa Centre. I know that he has spent an enormous amount of time working with our caucus, articulating the issue, trying to respond, frankly, to concerns that many members in our caucus have about the legislation. I take my hat off to him and to other members who have participated in it.

We would be wrong if we didn't reflect, as the committee has but as I think all members of the Legislature must, that there are some legitimate concerns out there. There was a former member of the Legislature who was a passionate and a persuasive individual, who reminded me and I think all of us of the dangers and the challenges in legislation like this where, while in the public good it deals with the problem of an individual who's unable to deal with himself, we do take away some fundamental rights. He pointed out the need to be very, very cautious in this area.

I happen to think that's probably been the number one issue with the committee as they travelled, I would speculate. As I look at some of the amendments that I understand have been agreed upon by the committee and other amendments that I believe are still in the works, the bill goes a long way towards providing some reassurance to those who are concerned about trampling on some fundamental rights of individuals. We all have to recognize that for an individual inappropriately handled under this legislation, perhaps nothing could be more frightening and no prospect more frightening than that. I happen to believe, as I say, that many of the amendments that I gather have been agreed upon and others that are close to being agreed upon will address that, not the least of which is that after a certain period of time there will be a thorough review of how well it's working.

Finally, I think this process has been helpful to the Legislature in showing that there's an opportunity to take sensitive pieces of legislation and work them through. I wish we would do more of it. I happen to sit on the finance and economics committee. We have the most major tax bill I think in the history of Ontario. It reduces corporate taxes by 40%, it's part of a package to reduce capital gains by a third, it's part of a package to reduce personal incomes taxes by 20%, and we've had virtually no debate. The minister would not come to the meeting. We had no opportunity to discuss the policy aspects of it, and it's all dealt with almost on a pro forma basis. I wish we could have had the same opportunity, for something very important to the province, to deal with it much as this committee has dealt with this bill. Perhaps we can take a lesson from that.

The Speaker: Questions and comments?

Ms Martel: The member from St Catharines said that if the bill works and will not infringe on people's rights, then it deserves the support of members in this Legislature. I think he's hit the nail on the head.

I believe the committee has worked very hard to put aside the partisan differences that we normally see around here and has tried to work towards finding a balance. They have done that in terms of the people who have come before it to make presentations and in terms of the discussion that's gone on at the committee. But I think the committee has a ways to go before people in this Legislature and outside who are watching this process eagerly can have really concrete assurances that that won't happen.

For example, everyone who would have been at the hearings, and I mean the members who participated, would know there is a huge divide between those who are advocates of community-based treatment orders, who are advocates of changes to involuntary committal criteria, and those, many of whom are survivors, who have a great fear of abuse of power and who probably have a legitimate reason to be very concerned about abuse of power.

1700

There has been a great divide, and I'm sure it was seen at the committee again, between those health care professionals, for example, psychiatrists, who work in institutions and their opinions about how we deal with mental illness, and those who work in the community and have a very different view, I suspect, about how we deal with those who have mental illness.

The role of the committee, and it's a continuing role that has to be addressed during the amendment process, is how to try and strike that balance between those two very different points of view. Having a preamble, for example, in the legislation which clearly sets out who is intended to be captured by this legislation and who isn't will go a very long way to dealing with that. A redefinition of mental illness and mental disorder, for example, perhaps using the Saskatchewan definition, will go a long way too. The committee has come a long way, but it has a long way to go yet to try and find that balance.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I am pleased today to enter into this debate. I have heard a number of my colleagues talking about things we've heard in the constituency and how it affects some of our constituents.

As you know, I have been elected for five years as of tomorrow, I guess is the right day, and in that time frame I have had an elderly couple come into my constituency office. They sat there, and I have to tell you it was probably the saddest meeting I ever had in my constituency office. They begged, they pleaded for someone to do something to help their 20- to 30-year-old son who was refusing to take his medication. When this has happened, and I guess it had happened to their son in the past, they were unable to keep him in the house. He started to live on the streets—in Huron county in the wintertime that's a pretty cold environment—and lived in a garden shed. They couldn't find him. He was eating out of garbage pails. It was just a very sad story for two very elderly parents to have to handle.

As they sit at home today and watch this legislation move through the process, it will provide them with a sense of well-being, as they reach their golden years, that their son will be taken care of. With these community treatment orders, we will now as a community be able to do something to help this young man and make sure he gets the health care he needs to lead the life he deserves to live, as a result of all the work his parents have done and all the worry his parents have had for him over the last 30 years.

Mr Michael A. Brown (Algoma-Manitoulin): I want to commend the member for St Catharines and the member for Scarborough-Agincourt for their comments. But having listened to virtually all the debate in the chamber on this bill, it strikes me that in some ways we're a little self-congratulatory. This is a tremendously difficult issue. I, like most members who have been here for a while, understand the pain of families who come to your office. We have had to assist families on various occasions where people have been admitted to the North Bay psychiatric facility and then released prematurely, often into situations that are dangerous not only to themselves but to others.

I've also met with groups like Club 90 in Elliot Lake, which does absolutely wonderful work with people who have mental illness, and I understand that there are real problems in how we get to the point of deciding how these orders will work. It sounds to me as if we're moving down the road very well, but I think I hear some members speak of this as if it is some grand solution. It will resolve some of the problem. It is not, however, really the grand solution that some folks seem to think. I don't believe there is a grand solution. It isn't going to happen.

What this Legislature needs to do is focus on this issue over a longer period of time. Don't pass this bill and say, "It's fixed," because it will not be fixed. We will still see problems until we put the resources into the system.

Mr O'Toole: It's a pleasure to try and relate the important issue before us of both community safety and patients' rights to my own community. I've had inquiries from parents and others in the community to try to look out for the needs of individuals in the community. I did listen to the member for Scarborough-Agincourt's comments with some interest. That's why I'm responding. The member for Ottawa Centre, I know the work you've done on this to make sure that we do find the balance.

If you look at some of the provisions within the bill, it's important to put them on the record. Related to reducing the possible delays to either go through and go to the courts and to the Consent and Capacity Board, it's intended to eliminate those delays and get to the immediacy of providing appropriate treatment. Of course, the appropriate treatment is defined in the explanation clause as someone who has already been in an institution or has had reasons to be under medication in prior events. That's pretty well defined.

The procedures include application for a representative to make treatment decisions on behalf of an incapable person concerning his or her capacity to consent to treatment. We have there a substitute decision-maker who is going to look out in some reasonable fashion for the individual's rights. That could be a parent, a close friend, a partner, a spouse, whatever. That balances. I repeat, perhaps for the fifth time that I've had occasion to mention it on this bill, I recognize it's very sensitive. The reason for the compassion here is to find a balance of rights between safety in the community and the rights of those individuals who suffer from mental health problems in their lives. It's important that we all listen and be sensitive. There is no final solution.

The Speaker: Response?

Mr Bradley: On behalf of the member for Scarborough-Agincourt and on my behalf, I thank the members for their input and the responses to our remarks. I think one of the good provisions—and this did happen; I was just checking with my colleague—is that this is a bill that went directly to committee after first reading. That is a good provision. I've been very critical of many of the rules changes that have been made, and I think my criticism is justified. One I want to put on record as being in favour of is this provision which allows a bill to go directly to committee when there's a consensus among the three House leaders that it should do so.

We've seen the product of that now. We've seen all three parties have a more open mind to some of the representations made by the public and made by one another within committee. It's been a good procedure. That's why we're going to have a better bill than we would have had we decided to go a different procedure where political stances were set in cement, so to speak.

The community treatment order is a tool that can be used to assist people with psychiatric problems. It isn't the only tool and it isn't the final solution, but it is an important one. Action simply had to be taken to confront this situation. Nobody is asking to go back to the old days where people were unjustifiably confined in some

circumstances to psychiatric institutions. What we're looking for is to assist those who are perhaps not capable of making those decisions to seek and to find the necessary treatment that will be of assistance to them.

The debate this afternoon, as it has been previously on this bill, may not have been loud or dramatic; it has been much more civil than most debates in this House. I want to commend all members from all parties on the role that they have played in developing what I think is a good piece of legislation.

The Speaker: Further debate?

Ms Martel: I appreciate the opportunity to participate in the debate this afternoon. I think it's fair to say that all members will make a decision about how they vote on this based on what their experiences have been, whether that has to do with personal experiences in dealing with family members who have experienced mental illness, whether it is dealing with constituents who have come in seeking help, who are desperate, who are frustrated, who are financially strapped and trying to get treatment, or based on what they know in terms of their experience of what supports are available for the mentally ill in their communities.

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So I come at it from that standpoint, that I have thought about this for a while now and am trying to balance a need for some of those constituents who have come to see me who have been at their wit's end in trying to deal with a family member versus the hope that we offer people through this bill that may very well be a false hope indeed in my community, because when it comes right down to it we have so very few of the supports we need to have in place to make community treatment orders work or to deal with an increased number of admissions that I think is going to well come because of the change in criteria of involuntary admission. Let me begin from there.

One of the cases that is most clear in my mind is that of two sisters who came to see me a couple of years ago with respect to an adult brother who had suffered for many years from mental illness. The pattern was always the same, and it was so very destructive for him and them as a family. The pattern was that he would be in a facility for some time. He would be back on his medication. He would be released. He would end up in an apartment because they couldn't find supportive housing for him. After a certain time, he would come off the medication. He would use his meagre resources from his disability pension to buy a plane ticket and would take off across the country or take off out of the country, to Mexico and other countries, until such time as he was incarcerated by the local authorities. The Canadian embassy would get involved in that particular country, the family would be called, and someone would have to spend their financial resources to go down and try to bring him back.

At the point that they came to see me, this had happened at least 11 times, if not 12, for this particular family. They had tried to set him up in an apartment. It didn't work. They were financially strapped themselves

because they always had to go and try to bring him back, and they were at their wit's end about what to do. Clearly we all want to do something for that family and so many others who are in that predicament.

I balance that against a hope that the legislation offers to people, which is that we are going to somehow resolve these problems through the use of community treatment orders or expanding the criteria for involuntary admissions to psychiatric facilities. I look at my own community and I say: "What hope do we really offer people if we don't have those supports in our community? What justice do we do to those families if we pass a bill and don't put into place those very necessary supports?"

I spoke earlier today to the executive director of Network North in my community, Mr Randy Hotta. Network North provides mental health services in our community both in a facility where there are long-term patients who suffer from mental illness and in a number of community-based programs. They offer that throughout Sudbury and Manitoulin.

His concern is that we don't have enough services now in place in our community before we even pass this bill. We don't have enough services in place in our community now to deal with those suffering from mental illness. What do we offer people after we pass the bill and some of its provisions go into place? We need more day programs in our community. We need more supervised recreation programs for the mentally ill. Even though the Sudbury branch of the Canadian Mental Health Association has a drop-in centre and is trying to do the best job it can, they don't have enough financial resources to meet the needs.

We need supportive housing in our community to ensure that when people come out of institutions they have a place to go where they will be supported, where someone will ensure that they will take their medication, that they will eat properly etc. We need a whole bunch more support for the assertive community treatment teams in our community, who are having a problem because there are not the health care professionals and providers attached to those teams to actually put a treatment plan into place for someone suffering from mental illness.

If I may just deal for one very brief moment with respect to supportive housing, in our community, on June 19 an inquest will begin into the death of Lee Segarra, who died from exposure on March 18, 1998. Lee Segarra was manic-depressive, suffered greatly. He lived in his own apartment. He died from exposure a few yards away from that apartment on a very cold evening on March 23. His mother, who has been talking to the media as the inquest gets underway, says very clearly he needed some kind of transition house. He needed somewhere he could go where there would be 24-hour care to make sure he took his medication—not an institution, not hospitalization, but supportive housing. Of course, she is hoping that through the inquest there will be recommendations made for supportive housing. Whether or not the resources are found to deal with that potential request or recommendation is a whole other thing. Clearly, we have

a number of services that are lacking in our community, even before this bill would be passed.

If I look at the ability of the hospital system, for example, to deal with increased admissions that I think will come when we change the criteria around involuntary admissions, again I have some very serious concerns about the ability of our regional hospital and others to deal with increased admissions. Our hospital is one that has been affected by the Health Services Restructuring Commission. Right now we have 68 acute care beds in the community to deal with people suffering from mental illness. Some 44 of those are at the Algoma site, which is the site operated by Network North; 25 are at the Sudbury Regional Hospital. But because of the commission's changes we are going to drop down to 39 acute care beds in our community by the year 2003.

Can we meet the needs of the increased admissions that I think will flow from this bill? Can other communities, like Thunder Bay, North Bay? Any of the other communities that have psychiatric beds that have been impacted by the recommendations—and all of those recommendations have led to a decline in beds—are they going to be in a position to meet the needs that will surely come when we broaden the criteria around involuntary admissions? The government has to very clearly take a look at what the commission has recommended, the cut in beds, and whether or not in those communities those hospitals that are left are going to be able to meet the needs that will come from this bill.

If I look at the number of psychiatrists, for example, in my community and the number of doctors—because both groups of health care professionals will be impacted by this bill—I have some really serious concerns about calling on our health care professionals to meet the needs and their capacity to respond. I said earlier that as I look at the underserved area list for our community for June 2000, we have a designation for 20 psychiatrists in our community now to serve Sudbury and Manitoulin. We have 11; we have a need for nine. We have half the complement we are supposed to have to deal with people who have very serious needs in our community and in the communities in Manitoulin—half the complement.

If you look at the physician complement, it's not much better. If I look at the underserved area list, we have a need in Sudbury and outlying areas for 11 physicians. We know that under this bill, for example, there are additional responsibilities granted to physicians, which will require additional physicians to meet those needs, and we are already facing a crisis and doctor shortage in my community now.

My real concern is that we have neither the community supports in place with respect to supportive housing, with respect to day programs for the mentally ill, nor the health care professional resources in our community to deal with the needs that are going to come. I remain very concerned that what we will do is create much false hope and false expectations for so many families who have a desperate need.

I, for one, don't want to be in that position. That's why one of the amendments we will put forward calls for a basket of services to be available in communities, so that not only will a community that is well staffed in terms of psychiatrists, psychologists, doctors, supportive housing and other things that we need benefit if the bill passes because the resources are in place, but that we work very hard to make sure that other communities across the province that lack those resources are going to have them in place when this bill is actually passed. That means a very significant commitment by this government to additional resources: human resources in terms of psychiatrists, psychologists, family physicians who have some competency in mental health illness, and other additional resources in terms of housing and all the other community needs.

The government has to be aware that as we move forward, those needs are going to have to be addressed. I hope the government is going to be committed to making sure those financial and human needs are addressed.

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The Speaker: Questions and comments?

Mrs Elliott: I'm pleased to have a moment to respond to my colleague from Nickel Belt, who has been speaking about Brian's Law. There have been a number of comments made about resources available, and I thought it would be useful for the following points to be placed on the record to illustrate how our government has committed resources to ensuring that community services are available. Since 1995 over \$150 million has been invested in community-based and hospital-based mental health care. In fact, community-based funding has increased by 95% since 1995, from \$239 million in 1994-95 to \$466 million in 1999-2000. The Ministry of Health and Long-Term Care will be spending \$2.47 billion in total on mental health programs and services. This is an increase of 19% since 1995.

So not only are we undertaking extensive reform to the Mental Health Act, but we have been very diligent in ensuring that funding is available to provide the kind of community-based resources that everyone agrees are necessary and are being put in place to help those who require the help locally.

Mr Richard Patten (Ottawa Centre): I might point out that we have some former employees of Hansard visiting today: Pat Girouard and Beth Grahame. Welcome. I hope you're being recognized for the fine work you've done in the past.

I listened very carefully to the member for Nickel Belt because she often provides very thoughtful and considered advice with legislation that is here in the House. I want her to know that I share her concern, especially about resources. There are indications that the government has moved on increasing and addressing some of the community needs. I know some of the ACTT teams, which is not the complete answer to all of this, 51 are pretty well in place. The person responsible for doing that has testified publicly and said, "We need to have three times this amount." The government has given

indications that there will be. Any decommissioning capital—which means land, buildings, whatever—will be transferable to the community, and any operational budgets from any psych hospitals will go into the community. The minister is on record as having said that. In spite of that, it's probably still not sufficient, but there will have to be a gradual increase in resources.

I want to quickly add, and I'll address this later on more thoroughly, that with the safeguards that are there with what I call the community treatment agreement—because this is a medical model; it's not a court model—I'm led to believe, in consultations with medical practitioners and others from other jurisdictions, that we have the most stringent criteria. With the involvement of teams that would be part of this particular area, it of course reinforces the opportunity for people to always raise questions about the rights issue. I think that will occur.

Mr Brown: I appreciate very much the comments of my colleague from Nickel Belt.

I want to spend a moment to reflect upon the death of a young person whose father resides in my constituency. There will be an inquest held into Lee Segarra's death, I believe on the 19th of this month. It is significant, because this is a person whom this system has failed. Clearly, people are victims of mental illness, just as they are victims of cancer or heart problems or any other disease, whether it's chronic or otherwise.

The system obviously has failed. When I spoke to his father, Israel, who resides in my constituency, he was heartbroken. He had attempted to do whatever he could to make sure that his son did not die an untimely and unnecessary death. We are hopeful that the inquest will come with some solutions. But in my last conversation with Israel I spoke about this proposed legislation and I said, "Do you think this will help?" He said, "I think it will, but I also think what my son Lee needed most was a halfway house, a place that, when he was discharged from hospital, he could go to and have some small amount of supervision, but still some supervision, and integrate himself into the community." I'm afraid that without that kind of support, perhaps we are raising some false hopes here. I hope not.

The Speaker: Response?

Ms Martel: I would like to thank all the members who made some comments. Maybe I can end on this note. I appreciate that the member for Guelph-Wellington put into the record the investment that the government has made. The point I'm trying to make is, today, when I call the executive director of Network North, an association that deals with the mentally ill in our community, he will say to me that whatever the government has done, as we stand here today, we don't have enough supports in our community to deal with those who suffer from mental illness. So I'm working from the premise, before this bill has even been passed and the changes that I think we all assume will flow from it come to pass, that we find in our community of Sudbury and the outlying region that we cannot cope now with what we are being asked to cope with.

As I look at this bill and what we are offering people, and the hope that we are offering people through this bill, I remain very concerned that we are going to end up dashing the hopes of so many and leaving them as frustrated as they have ever been. Despite the legislation that may be put in place which will allow for community treatment orders or more involuntary admissions, in fact the supports in the community to allow community treatment orders to work, the supports in our psychiatric institutions or our regional hospitals that have acute care beds for psychiatric patients, those beds and those health care providers won't be there to provide the service that we need.

As we move forward in the clause-by-clause, I hope the government will be able to take the necessary time to deal fully with the amendments that will come, because we are all trying I think to make this work. I hope the government will bear in mind very much that we don't want this to work in different ways or not at all in northern Ontario or in rural areas, and without some very significant additional resources, I fear that's what's going to happen.

The Speaker: Further debate?

Mr Brian Coburn (Carleton-Gloucester): Thank you for the opportunity to speak to this issue and on Brian's Law.

Sitting here this afternoon and listening to the debate back and forth, I couldn't help but think how everybody talked about their personal experience with somebody they knew and how it affects the lives of pretty well all of us, where we have a family member or a friend or a neighbour or someone we know who needs some help.

In my former life as mayor of Cumberland, in the nine years I was there, on many occasions where I had people coming to me, I thought at some points that maybe I was in the priesthood or I should have been a minister. They come to you looking for advice and help, and you struggle for answers of where you direct individuals who have a family member or a friend they care for, a loved one, and they're in some extreme difficulty, deeply troubled and in fact frantic, trying to find some form of assistance or help in our society. Those situations were very traumatic to me as an individual, not having any training or experience, when they would come to a leader in a community looking for some direction and it seemed as though, as I called one place and another for help and talked to some professionals, getting shunted from one to another, that there wasn't necessarily a solution.

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As everybody struggled to try to provide something concrete to grasp on to, that generated some hope that you could help a certain individual, it left you feeling helpless, empty and totally incapacitated. That's why this bill provides some hope. For me, as an individual who has experience with family, friends and some of my constituents, it provides hope that we're moving. This may not be the ultimate solution, but as we move forward you can certainly feel that we are making progress as a result of the consultation we have had with our stakeholders in

the community. Certainly it's a debate on a difficult issue that's stressful and emotional, but I think it's through the humanity and the love of our fellow man that we struggle to try to find better solutions.

I didn't know Brian Smith as well as my colleague from Nepean West, Mr Guzzo, but I did know him, and on several occasions I had the pleasure of listening to him at fundraisers and at different functions. He was a highly respected individual who was dedicated to his community, to his fellow human beings, and he was in many areas idolized for his energy and his commitment to our community in an effort to help others through the fundraisers and through his speaking engagements. The last one I was at was in the village of Cumberland. It was at the annual banquet of the Cumberland Lions Club, and Brian was a guest speaker. It was a very enjoyable evening. I was mayor at the time and I was the brunt of many of his jokes, to the pleasure of some of my constituents. But I can vividly remember how he energized the crowd that evening. So I think this bill is appropriately named and provides some remembrance of an individual who cared so deeply for his community and certainly for his family.

In our Blueprint, our government committed to ensuring that people who pose a danger to themselves or others would be able to receive the treatment they need, and Ontario's mental health system must provide a continuum of institutional and community-based care. Our government undertook a comprehensive review of the mental health system in 1998 and, based on those recommendations in the report, we committed \$60 million into the mental health system, and specifically into community-based service.

Our government has committed to a public policy that will indeed balance individual rights, public safety, treatment and protection of individuals with mental illness.

There must also be a recognition of the public's expectation to safety and security. To further our commitment, we have consulted extensively, and those consultations have been headed by the parliamentary assistant to the Minister of Health, my colleague Brad Clark from Stoney Creek. Earlier this afternoon, he once again informed us of the common concern that he heard in those hearings and those consultations: that there be sufficient resources put into the community to fund the community-based services and homes for special care.

Our government is committed to creating an integrated and comprehensive mental health system that emphasizes prevention, access to services, and that improves public safety. The Ministry of Health spends \$2.4 million on mental health programs and services, programs such as the community-based services, homes for special care, provincial and speciality psychiatric hospitals and general hospital psychiatric units.

Since 1995 our government has invested \$150 million in mental health care programs in Ontario. More specifically, in the eastern region of Ontario, around the Ottawa area, we have benefited in a number of ways: \$10.5 million to expand community-based mental health services

to a total of 51 assertive community treatment teams, and to enhance court diversion, psychogeriatric outreach, case management, crisis support services; \$2.5 million for community investment funding to establish and enhance the assertive community treatment teams, case management, family support, crisis response services across the province; \$3.5 million for additional mental health beds and increased community-based services in case management, family support and crisis services; \$2 million to provide housing support and mental health care supports and services for homeless individuals with serious mental illness.

We have also committed \$350,000 for hard-to-reach and socially isolated individuals with serious mental illnesses. The Royal Ottawa Hospital has received \$1 million to develop an assertive community treatment team with a specialized focus on individuals with schizophrenia. Hôpital Montfort has received \$1 million for a franchophone team for Ottawa-Carleton and a \$200,000 enhancement for the existing assertive community treatment team serving Prescott and Russell counties.

The Royal Ottawa Hospital has also received \$600,000 to enhance its existing capacity to provide psychogeriatric long-term-care facilities in Ottawa-Carleton and to begin developing a regional psychogeriatric service capacity starting with Stormont, Dundas and Glengarry counties in the Cornwall area.

Psychogeriatric Community Services of Ottawa-Carleton received \$400,000 to enhance its existing community capacity to provide specialized services to older consumers and their families in Ottawa-Carleton.

The Ottawa Hospital has received a little over \$1.6 million to provide a 16-hour community crisis support system for Ottawa-Carleton. The Sandy Hill Community Health Centre will provide the following crisis service through a purchase of service agreement with the hospital: mobile outreach capacity, telephone crisis line, consumer peer support training program, and training for consumers involved in providing peer crisis support services.

There are numerous other initiatives we have taken in the Ottawa area.

This is a step forward, and I support the bill.

The Speaker: Questions and comments?

Mr Steve Peters (Elgin-Middlesex-London): I am pleased to respond to the comments from our colleague from Carleton-Gloucester, and I take this opportunity to commend the efforts of my own colleague Richard Patten, the representative from Ottawa Centre, for his long-term commitment to this issue.

I've got to be straight up with everyone. I have some serious difficulties in supporting this piece of legislation in its present form, but I have seen put forward some very good amendments that I believe should be incorporated in the final version of this bill. I think it's important we take into consideration and incorporate the comments put forth by organizations like the Canadian Mental Health Association and by other individuals, and

such as I've received from the patient advocate at the London and St Thomas psychiatric hospitals.

We need to ensure that if this is going to be a good bill and a good piece of legislation that is going to help us make strides in dealing with mental illness in our community, we get and incorporate that input from as wide a cross-section and variety of organizations as possible. It's incumbent upon all of us and upon those individuals who are going to be part of the committee that those views are listened to and are part of the final product.

I can't stress enough the need for community supports. Having been a mayor of a community that has been the home of a psychiatric hospital for over 60 years, and having seen a hospital that is scheduled to close, I have some grave concern that those community supports are not in place yet. We need to ensure that there is the supportive housing in the community, that the PACT and the ACT teams are there. We've heard that we need to more than triple the number of PACT teams, but also programs like the community kitchen and the ACES program in my own community have been under threat of closure. These are important community supports. We need to make sure there are beds.

I've been advocating trying to get a patient moved from St Thomas Psychiatric Hospital to Whitby. There's no bed in Whitby; it's going to be two years. Community supports need to be in place.

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Ms Martel: In response to the comments made by the member for Carleton-Gloucester, I won't repeat again the concerns I have already raised during the course of the debate around the community supports. I do, however, want to reinforce my concern around whether some of our hospitals will be in a position to deal with the additional patients that I think are going to be involuntarily admitted when this bill is passed.

There were a number of people who made claims during the committee hearings that this would not be the case. But yesterday my colleague from Beaches-East York referred to a study that is worth referencing again with respect to a potential burden on the psychiatric facilities in the province, with the passage of this bill. It had to do with a study that was done in Washington state in 1979 when the state government there broadened some of its criteria from dangerousness to include grave disability, meaning someone who is in need of treatment because they would otherwise mentally deteriorate.

The study examined what was happening in the system two years before the change in legislation and then two years after. So it went from 1977 to 1981. The study showed that there was a massive increase in admissions to psychiatric facilities as a result of that change in legislation and that change in definition. In the first year after the legislation was passed, there was an increase of 45.2% of involuntary committals to state hospitals. In year two that number shot up to 91%. So we had almost a doubling of admissions within two years of the change in legislation in terms of increasing the numbers of those who were involuntarily committed to state facilities.

I say to the government, get out in front of this situation because we already know that in many communities like my own, as a result of the Health Services Restructuring Commission, the number of acute care beds available to deal with psychiatric patients is being cut, not increased. In my community it was cut from 68 to 39. You really have to deal with this issue too as you deal with this bill.

Mr Patten: I'm pleased to respond to my friend from the Ottawa-Carleton area, from Carleton-Gloucester. I know, as have most people here who have spoken, and have had first-hand experience. The situations he described are euphemistically called a revolving-door syndrome, people who are in and out of hospital. Of course what the bill is attempting to do is to address those individuals, that very small proportion.

Something that hasn't been dealt with, and I will deal with this more at third reading, is that it's very important to understand that every time someone has a psychotic episode, brain damage occurs. So if we think of how we respond, would we allow someone with other afflictions to continue to disable themselves? No, we wouldn't. We would provide the very best that's possible. But it's not just that because they have the right to refuse treatment, they can refuse treatment and that's OK. It's not OK. We have not talked yet on the medical side, of the brain damage that is occurring and the crippling of people and the agony that that individual, or families, very often, or others experience by virtue of this.

I would like to cite one example from a deposition on community treatment orders from British Columbia, in which a woman had been hospitalized 55 times over 15 years in Kenora and Vancouver, her stays in the hospital most commonly precipitated by non-compliance. In the last few months in 1996 she was assessed in several emergency departments on five separate occasions because of suicide attempts. Of course, she had a right. She would get off her medication. Then she eventually committed suicide. That's the kind of people we're trying to help, to make sure they get the treatment they need.

The Speaker: Further questions and comments? Seeing none, response?

Mr Coburn: When you're of my vintage, which isn't ancient, but I've been around for a little longer than some of my colleagues—when I look back, when I was a kid growing up, this was an issue that you didn't talk about, that you didn't want to talk about. When you think how far we've come, it's part of the evolution of our society. For the member from Ottawa Centre, as I understand it, this has been an issue he has been working on for quite some time now. With his persistence, and the Minister of Health bringing this particular bill forward, it is a step forward and a very significant step forward. The sensitivity of this issue by its very nature ensures caution, and the experience we gain from this step will guide us in the next step in our communities and the experiences we will have with the individuals we're trying to help and with the medical profession, whose dedication we rely on. Their professionalism and their caring nature will

help us implement these programs and ensure that we expand upon them in the right and appropriate areas.

This bill provides hope to many, and for those of us in this place it will identify that there is certainly more to do.

The Speaker: Further debate?

Mr Duncan: I'm pleased to join the debate this evening on Bill 68, Brian's Law. I want to begin by congratulating my colleague from Ottawa Centre, Richard Patten who, as other members on all sides of the House have acknowledged, has really, through his sheer persistence and dogged determination, brought us to the point where we are today and taught all of us a lesson about the role a member of provincial Parliament can play in changing the law. We all owe him a debt of gratitude.

I congratulate the government for bringing forward this legislation, and to the government House leader—I spoke earlier in response to another member—we're using a new parliamentary procedure for the second time on substantive legislation, for the third time in total. Both cases where we've used it to date I think have produced a result that has reinforced my view that members of provincial Parliament can and should play an important role in the development of legislation.

I also wanted to comment on the remarks that my colleague from Ottawa West-Nepean, Judge Guzzo, made earlier today. I had the opportunity to see part of them here in the chamber and view the rest on television. His remarks reflected to me the very best in what members of provincial Parliament can be. His personal, lifelong friendship with Mr Smith and a deep understanding of the issue were indeed most impressive.

My colleagues and I will be voting in favour of this legislation. I think we've made that pretty clear. We've talked about a variety of changes. Earlier today we negotiated the opportunity to have two days of clause-by-clause consideration. I know my colleague from Thunder Bay-Atikokan, Mrs McLeod, and Mr Patten presented to the government a series of amendments we believe will strengthen the legislation. Those sorts of amendments will deal with the questions that were raised in the public hearings and merit, I hope, the serious attention of the government. My understanding is that the government has already indicated a willingness to accept some of the amendments, and we hope in the course of clause-by-clause consideration they will adopt those amendments.

I would be remiss if I didn't mention Frank Sheehan and his group in Windsor. I congratulate and thank them for, first of all, educating me about this issue from their perspective as the parents of schizophrenics. They started more than five years ago sharing their views with me on this issue and helping to educate me about the concerns they had, and they have been an invaluable resource to me as an MPP and, I might add, an invaluable resource to our community in helping to have a greater understanding of all of these issues.

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For nine years I was the administrator at the Brentwood Recovery Home in Windsor which, for members

who don't know, is the largest alcohol and drug recovery facility in the country. It caters to a variety of clients. Many of the people we saw on an ongoing basis, many people who came to us, not necessarily for treatment per se but for help, had suffered as schizophrenics all kinds of different conditions, and many were off their meds and were not receiving treatment in the community.

There was no support. We often provided support in the form of housing, in the form of meals, in the form of legal counsel, because many of these people wound up in trouble with the law. Many people wound up in jail. It became apparent to me in those nine years, as I witnessed this—and, I might add, on a daily basis—that the great commitment to the late 1970s and early 1980s with respect to the reform of mental health services in this province, well-intended by successive governments, had flaws. I believe that this bill takes us a part of the way to addressing what those flaws are.

I listened with great interest, as I always do, to my colleague from Renfrew, Mr Conway, as he reflected on recent experiences. He observed trials going on in courtrooms in his riding and the types of issues that are dealt with in courts of law on a daily basis, the types of challenging issues that are going on. It struck home with me as well. My wife is a criminal lawyer and often deals with people in the courts who have very substantive problems that need to be addressed and, quite frankly, haven't been addressed. This legislation, I believe, begins to do that.

However, it is important to note, amid the goodwill we've established on this particular issue, amid the very meaningful substantive debate that we've seen occurring between legislatures, that the legislation itself is but one component of this issue. The other component is community supports for those who have mental health issues and for their families. One without the other just isn't going to work. It will not work in my community, by way of example, if we continue to have a shortage of psychiatrists, if we don't have the sorts of community supports on an ongoing basis for these individuals who suffer the tragedy of mental disease. I'm of the view that this problem is going to become much worse. I mentioned to you my friend Frank Sheehan and what his group has done in Windsor. These are all people who are seniors, in many instances, and they have adult children. They're very concerned about the future of their children when they won't be there. I can tell you the difficulty they have in coping with the issues their children present on a daily basis.

When we speak of children, we're oftentimes referencing 40- and 50-year-old adults. These people have made the sacrifice over the years. These people are the stalwarts of this province. They didn't want their children institutionalized and they have made the sacrifices they had to make to support them and to be at home for them, in many instances without a lot of support from the

community and from government. They view this legislation as an important step forward. This Legislature and this province are going to have to deal with this issue and a number of other issues related to the aging population, whether it be people with mental disorders or other types of disorders, where the parents are becoming elderly and will not be able to continue to provide the care.

I was referencing my time at Brentwood. As long as five, six years ago, families were beginning to come to us to ask if we would act as trustee in the event of their demise, because there was no immediate family member who would be in a position to provide ongoing care to a child or a brother or a sister who might already be 40 or 45 years old. Unfortunately, we had to say no because we didn't have the resources to do that. I think we all recognize in this House that that sort of challenge is going to become more and more prevalent. Think of your own communities, your own neighbourhood, families that for years have supported someone who is now an adult child with one of these challenges.

We've got to examine the whole range of services we provide and the quantity of those services we provide, and recognize that, in addition to what we're dealing with now, there is a greater challenge emerging. That challenge will require resources. That challenge will require money. I'm one of those who believes that we should be spending money to help give these people in our community, these people who are now in their golden years, who have done the duty they felt compelled to do for their children and their family, who are approaching the future with trepidation, not knowing what will become of their child—we have got to contend with that issue.

I, for one, believe that those sorts of initiatives are more important at this time than tax cuts, because those people paid their taxes for years, and I believe that we, as a society and as a community, ought to give them some kind of comfort in their golden years.

I look forward to voting for this bill. I thank the government for adopting our proposal to do this and I look forward to it passing in several days.

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: In light of the time constraint we have, I would ask for unanimous consent that we pass on the questions and answers and that the question be put.

The Speaker: Unanimous consent? Agreed.

Mr Clark has moved second reading of Bill 68. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

Hon Mr Klees: I move that the bill be referred to the committee on general government.

The Speaker: The bill is accordingly referred to the committee on general government.

This House stands adjourned until 6:45 pm.

The House adjourned at 1758.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr
Clerk / Greffier: Claude L. DesRosiers
Clerk Assistant / Greffière adjointe: Deborah Deller
Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
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Halton	Chudleigh, Ted (PC)		
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Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
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		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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