



**Legislative Assembly  
of Ontario**

First Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 4 October 2000**

**Mercredi 4 octobre 2000**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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**LEGISLATIVE ASSEMBLY  
OF ONTARIO**

Wednesday 4 October 2000

**ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO**

Mercredi 4 octobre 2000

*The House met at 1330.*

*Prayers.*

**WEARING OF RIBBONS**

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: October is Child Abuse Prevention Month, and all the members of the Legislature have received some materials and information regarding a purple ribbon campaign. I seek unanimous consent of the House to be able to wear the purple ribbons during that important time.

**The Speaker (Hon Gary Carr):** Agreed? Agreed.

**MEMBERS' STATEMENTS**

**WATER QUALITY**

**Mr Michael A. Brown (Algoma-Manitoulin):** I want to bring to the attention of all members of this House the unacceptable position of the people of Bruce Mines and Plummer Additional township. For months the townfolk have been under a boil order for their communal water supply, this same communal water service that was downloaded from the province of Ontario without the necessary upgrades demanded by the town.

The town has been working very hard to remedy this situation, but clearly the town of 600 people cannot afford to provide the necessary upgrades to the filtration system itself. So where's the province? The Minister of the Environment refuses to meet with Mayor Jean Kettles. The minister of Niagara development and wines is absent without leave. The ministers need to step up to the plate and assure the town that the necessary capital funding is in place.

Businesses in Bruce Mines have undertaken expensive and extensive additions to their water systems just to stay in business. The people of Bruce Mines and Plummer Additional need commitments from this government today. They need the province to do more than lecture, impose costs, download and hand out report cards. They need a government which will commit dollars to solve problems. They don't need a government which has spent \$12 million since Walkerton on cleaning up its image. They need a government that will work with communities to clean up the water.

**WALK TO SCHOOL DAY**

**Mrs Brenda Elliott (Guelph-Wellington):** It gives me great pleasure to announce that the students at Gateway Drive and Westwood public schools of Guelph, in my riding of Guelph-Wellington, will be among hundreds of elementary schools and students across Canada and around the world who are participating today in a special event designed to make streets safer, make communities safer and improve the health of students and the environment. Walk to School Day is taking place across Canada, the US, the United Kingdom and other countries.

By encouraging parents and caregivers to walk their students to school instead of transporting them by vehicle, this annual event promotes physical activity, reduces air pollution from automobiles, and creates safer communities through reduced traffic hazards and more eyes on the street.

Walk to School Day is also an excellent opportunity for parents to spend some quality time with their children. This special day alleviates traffic congestion around schools at the beginning and close of each day and is part of a larger, ongoing effort to see students use their own transportation, like walking, biking and in-line skating, wherever possible.

Greenest City's Active and Safe Routes to School program was launched in 1996, following the success of similar programs in the UK, Australia, Japan and the United States. It addresses the physical inactivity of many Canadian children and of course contributes to the long-term health of our environment.

It's my view that this is a terrific initiative. I heartily congratulate the schools in my riding that have decided to partake in this heart-healthy and environmentally friendly event.

**CARMEN ROAD OVERPASS**

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** Yesterday I questioned the Minister of Transportation on bridges and overpasses in my riding. Later in the day I presented a petition by the Stormont-Dundas chamber of commerce and signed by 500 people concerning the disrepair of the Carmen Road overpass. This is a serious issue of public safety, and I want to take this opportunity to ensure that the government members are listening.

There are currently six overpasses in my riding that need repairs. Three of these overpasses are in such ter-

rible condition that the municipality had no choice but to impose load limits and, in some cases, limit traffic to one lane. With traffic limited to one lane, it significantly increases the risk of accidents. It is only a matter of time until someone gets hurt or killed. The load limits force trucks, firetrucks, school buses and emergency vehicles to take alternative routes to get to their destination; increase the response time; and put innocent people's lives in jeopardy.

The current condition of these bridges and overpasses also negatively impacts the business community. In the town of Iroquois it is feared that many businesses will suffer financial hardship and possible bankruptcy if the Carmen Road overpass, which leads through the heart of town, isn't fixed immediately, and the same in other parts of the county.

I thank you very much, Mr Speaker, and I would suggest that the government use some of their political advertising money.

#### HOLY NAME OF MARY SCHOOL

**Mr Bert Johnson (Perth-Middlesex):** Last Thursday I had the opportunity to attend the opening and blessing of the new addition to Holy Name of Mary, an elementary school in St Mary's. This was a special celebration for both current and former staff and students.

Following the official welcome by principal Joe MacDonald and grade 5 teacher Sue Longfield—you'll remember that Sue was here May 23 with her grade 5 class—and presentations by special guests, the students of Holy Name of Mary school put on a skit to mark this special occasion. The celebration then wrapped up with a barbecue and open house.

I was pleased to be part of this official opening and I congratulate the Huron-Perth Catholic District School Board and the Holy Name of Mary school in St Mary's for their hard work in making this new building a reality. This new addition has eliminated the need for portables at Holy Name of Mary school. Students will now have first-rate classrooms and washroom facilities in a convenient, permanent location.

I am pleased to be part of a government that has invested in education and brought excellence to our schools. We are a government that has spent a record \$13.2 billion on education in the 1999-2000 school year. Clearly, Holy Name of Mary school in St Mary's is just one of those schools in my riding of Perth-Middlesex that are benefiting from our reforms.

Again I congratulate the students, staff and the alumni of Holy Name of Mary school and I wish them the very best for the future.

#### SCHOOL EXTRACURRICULAR ACTIVITIES

**Mr Michael Gravelle (Thunder Bay-Superior North):** I want to use my time today to try to convey to the Minister of Education the anger, frustration and dis-

appointment that have been felt by high school students in my community of Thunder Bay and northwestern Ontario over the loss of extracurricular activities this school year. Whether it's on the football field or the student council, the impact of this loss is affecting thousands of students, whose growth and potential are being threatened as a result and whose enjoyment of their high school years has been severely diminished.

I've heard from hundreds of those students, and their voices need to be heard. Many of these students and their parents are actively working on a solution to this situation and, in doing so, are striving not to take sides. They simply want extracurricular activities to be part of their high school experience again. For that, I applaud them.

But the truth is that it is very much within the power of the Minister of Education to solve this problem. By giving boards of education more flexibility regarding the definition of instructional time, we can move toward a solution. With that flexibility, the school band can rehearse as needed for the regular band concerts we all enjoy. Without that flexibility, the band may simply cease to exist.

I understand, Minister, that you have moved down this road quite deliberately, first with Bill 160 and now with Bill 74. But today I am imploring you, on behalf of the high school students in Thunder Bay, to recognize the damage your legislation has brought about. Put away the hammer and do the right thing. High school students deserve a full educational experience, and it is absolutely within your power to see it properly returned to them.

1340

#### ROSH HASHANAH

**Mr David Young (Willowdale):** Today, Jews around the world are observing the Days of Awe, more commonly known as the High Holy Days. The High Holy Days begin with Rosh Hashanah, the Jewish New Year, and end 10 days later with Yom Kippur, the Day of Atonement.

Rosh Hashanah is a day of judgment, a day of remembrance, of introspection and of repentance. Rosh Hashanah is also a day of optimism. On Rosh Hashanah it is customary for families to attend their local synagogues and also to gather together for a holiday meal. Traditional foods sweetened with honey, apples and carrots are served, symbolizing sweetness, blessings, abundance and hope for the new year. A special prayer is recited: "May it be thy will, O Lord, our God, to grant us a year that is good and sweet."

Yom Kippur is the most solemn day of the Jewish year and is celebrated on the 10th day. Yom Kippur is a day of fasting, of reflection and of prayer.

I would like to extend to members of the Jewish community in my riding, in this province, across Canada and around the world a healthy, peaceful and happy New Year. La Shana Tova.

## DOCTOR SHORTAGE

**Mrs Sandra Pupatello (Windsor West):** Last week I spoke of Eva. Eva is an 85-year-old constituent of mine who has been waiting a year and a half to see a specialist, a neurosurgeon, about a degenerative disc which her family doctor says is certain to require surgery. Today, after a very busy week, we can confirm that we now have out-of-country support, through OHIP, to send her to Detroit within a couple of weeks to have that very necessary consultation with a neurosurgeon.

What I ask this House is, is this an optimal solution? I say no. What we want are very real solutions for the people of Windsor. But this is precedent-setting, because she is going there for the consultation and may in fact have to go there for required surgery. I'm asking our family doctors to do a review of their files and ask themselves, do we have Windsor patients who are waiting far too long for their consultation with specialists? With the lack of government action on this issue, with a lack of government leadership, for an underserved area where we lack significant numbers of specialists and family doctors this is only an interim solution, but I'm asking our family doctors to do a very thorough review. Windsor patients deserve to have the same level of care that exists in areas that have sufficient numbers of doctors.

I am asking the government to come forward with very meaningful solutions to a very significant problem.

## TEMBEC

**Mr Gilles Bisson (Timmins-James Bay):** On Friday of this week I had the pleasure to participate in a very interesting project that was started by Tembec up in Timmins. What they are doing is trying to find a way to provide opportunities for First Nations communities across the north to deal with trying to find economic opportunity and hope for those people.

What was interesting was that for the first time we have seen a forest company in northern Ontario do such an undertaking. I want to underline my congratulations to Martin Michaud and Pierre Corbeil, the two people who spearheaded this initiative to bring the First Nations people and the companies to the table to try to find some mechanism by which we are able to deal with providing hope and opportunity for First Nations people across their area.

What was interesting was that Ed Sackney and Allan Linklater, who were both First Nations people working on this project, undertook a survey in the company to find out just how much first-line managers understood about First Nations communities around their mills. It was actually fairly interesting, the number of things they didn't know as front-line managers.

I think this is the beginning of a process to open the dialogue necessary to give First Nations people and the companies a way to find a way forward in helping to develop the economy in northern Ontario.

I want to say to the government directly: you're not at the table. We need you to play the role that Minister Snobelen and other ministers should be playing in making sure that the province is there, not just letting the First Nations and the employers do it alone but that the government takes its responsibility as well.

## EDUCATION REFORM

**Mr Doug Galt (Northumberland):** I rise in the House today to talk about an invitation from the member for Parkdale-High Park to visit a school this fall. Frankly, I am pleased to see that the Liberal caucus is finally taking an active interest in visiting our schools and encouraging dialogue with teachers and students.

Since my election in 1995, I've visited many local schools, including visits to classrooms at St Mary's Secondary School in Cobourg, Trenton High School in Quinte West, and East Northumberland Secondary School in Brighton. Those are just a few.

In May 2000, the Minister of Education and I visited Camborne Public School, where we met with students, teachers and parents on the school council. We spent the afternoon with the teaching staff, listening to their concerns and answering their questions. Overall it was a very enjoyable and informative experience.

I must say to the members across the House, especially to the member for Parkdale-High Park, you are rather late in organizing these visits. But, as they say, better late than never. It's better late than never for the members opposite to learn about the success of our government's education reforms. I sincerely hope the opposition's intention is to learn about how we can further improve the education system and not to attempt to score cheap political points at the expense of students, teachers and parents.

## VISITOR

**The Speaker (Hon Gary Carr):** Before we begin, we have in the Speaker's gallery today the former member for Elgin, Peter North, who was the member in the 35th and 36th Parliaments, if all members could welcome our former member.

## INTRODUCTION OF BILLS

## RED TAPE REDUCTION ACT, 2000

LOI DE 2000 VISANT À RÉDUIRE  
LES FORMALITÉS ADMINISTRATIVES

Mr Hodgson moved first reading of the following bill:

Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts /  
Projet de loi 119, Loi visant à réduire les formalités

administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant deux nouvelles lois.

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

The minister for a short statement.

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** I'd like to do a ministerial statement.

HIGHWAY TRAFFIC AMENDMENT ACT  
(IGNITION INTERLOCK DEVICE), 2000

LOI DE 2000 MODIFIANT  
LE CODE DE LA ROUTE  
(DISPOSITIF DE VERROUILLAGE  
DU SYSTÈME DE DÉMARRAGE)

Mr Dunlop moved first reading of the following bill:

Bill 120, An Act to amend the Highway Traffic Act to establish an Ignition interlock device program / Projet de loi 120, Loi modifiant le Code de la route afin d'établir un programme d'utilisation de dispositifs de verrouillage du système de démarrage.

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

The member for a short statement.

**Mr Garfield Dunlop (Simcoe North):** This act provides for the implementation of an alcohol ignition interlock program for the province of Ontario.

1350

ONTARIO WATER RESOURCES  
AMENDMENT ACT  
(WATER TAKING PERMIT  
NOTIFICATION), 2000

LOI DE 2000 MODIFIANT LA LOI  
SUR LES RESSOURCES EN EAU  
DE L'ONTARIO  
(AVIS RELATIFS AUX PERMIS  
DE PRÉLÈVEMENT D'EAU)

Mrs Dombrowsky moved first reading of the following bill:

Bill 121, An Act to amend the Ontario Water Resources Act with respect to water taking permit notification / Projet de loi 121, Loi modifiant la Loi sur les ressources en eau de l'Ontario à l'égard des avis relatifs aux permis de prélèvement d'eau.

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

The member for a short statement.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** The purpose of the Ontario Water Resources Amendment Act (Water Taking Permit Notification), 2000, is to require the director to notify a municipality and/or a conservation authority of an

application for a permit to take water that, if granted, will affect or is likely to affect its water supply. At the present time, municipalities and conservation authorities are not notified of these permits, which can have significant implications for land use planning and watershed management. This change has been requested by a number of provincial organizations, including the Association of Municipalities of Ontario.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

RED TAPE REDUCTION

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** The Mike Harris government was elected and re-elected with a mandate to make government more efficient, lower taxes, create a positive climate for job growth and cut red tape. We're doing just that. We've listened to the public's concerns and we're responding with the passage of red tape reduction bills.

Today I have tabled the Red Tape Reduction Act, 2000, which builds on previous bills already passed by our government. This bill reflects the government's continuous fight against unnecessary rules and regulations that put a burden on businesses and get in the way of providing better services to the public. This bill offers the latest proposals to cut red tape in 15 ministries. If passed, it would remove two unused acts from the books and streamline 75 acts to provide improved customer service and more efficient government.

Among the changes, the act proposes to eliminate the requirement to apply for a change of name within 90 days of marriage. In these busy times, this requirement is restrictive and forces Ontarians to take this action within an arbitrary time.

This act proposes to protect consumers by prohibiting the charging of significant upfront fees by credit repair companies for services that consumers can do for themselves at little or no cost.

This act proposes to provide insurance benefits to volunteer auxiliary police officers if they are injured while providing service.

Mr Speaker, as you know, red tape reduction is about making it easier, faster and less expensive for both business and the public when dealing with government, encouraging investment in Ontario by breaking down barriers to conduct and manage businesses, simplifying processes to reduce overlap with other legislation and improving overall efficiency in customer service and, finally, harmonizing and modernizing legislation among ministries.

I believe this bill provides us with another opportunity to meet these goals. I would encourage all members of this House to support this bill.

**Mr Bruce Crozier (Essex):** I am pleased to rise today to respond to this very minimal introduction that the

minister has given when what he is really going to do is amend 75 statutes and eliminate two of them.

I take particular note of part of his statement where he says that “red tape reduction is about making it easier, faster and less expensive for both business and the public.”

We know that in the past, these guys have taken the environmental act and they’ve gutted it. That has made it easier for business. But you know, it makes it easier to pollute. Things were easier when the Walkerton tragedy occurred. We’re going to want to look very closely at this to see that there isn’t the same kind of reduction in regulations that led to the tragedy in Walkerton.

We know now that there’s less red tape when it comes to amusement rides. We know what’s happened there. There have been more people injured on amusement rides since the government got out of the business.

That part of the bill where they’re going to reduce the fees for credit repair companies I take to mean that where someone’s credit rating has been misused or abused, they’re going to reduce the fee the companies charge to get that corrected. If they protected the consumer in the first place, you wouldn’t have to go through any kind of fee like that.

I’m surprised that they even consider reducing fees when they’ve downloaded so much on to municipalities and fees have been increased so dramatically. Maybe they should have taken note about fees then. We had the Minister of Municipal Affairs just within the past day or two say he’s going to make municipalities more accountable, he’s going to make them report. What more red tape can that be? Why don’t you talk to the Minister of Municipal Affairs?

Minister, we don’t mind when you try to help people. You’ve mentioned two items here where, yes, it will make it easier for name changes and some changes in insurance for auxiliary officers. We don’t mind when you help people. When you help those who should protect our environment, when you help those who are in our municipalities, our municipal government, we don’t mind that either. But you’re making it more difficult, and you’re making it more dangerous in some cases, by your mad rush to eliminate regulations and what you call red tape.

We’re going to be looking very closely at this, and if there’s anything in this bundle of paper that takes away protection from the people who live in the province of Ontario, we’re going to be asking you about that and you’re going to be accountable for it, just the same as you have to be accountable for what happened in Walkerton.

**Mr Dwight Duncan (Windsor-St Clair):** There is one small provision tucked into this bill dealing with the Compensation for Victims of Crime Act. I’m surprised that the Attorney General didn’t speak to it. Actually, I’m not surprised.

My constituent Mr Montforton’s benefits ran out seven months ago and this Attorney General has done nothing at all since then to help him and his family. You

should be ashamed of that. You did not respond to our letters. You did not respond to our calls. You talk a good game when it comes to victims’ rights, and the amount of increase doesn’t even keep up with inflation. You ought to be ashamed of it. It’s no wonder you hid it in this bill, a bill that deals with a whole bunch of things, a number of things that need careful and clear consideration.

You people talk a good game when it comes to victims of criminal acts, but you let someone who is the first person in Ontario whose benefits ran out wait seven months. You were notified more than a year ago that this problem was coming. You were told repeatedly in letters, in questions in this House and in statements, and what did you do? You ignored his pleas, you ignored the pleas of the official opposition, you ignored the pleas of Dalton McGuinty, my leader, and now you tuck your measly little response into a bill where it’s hidden so you can hide your own crime, a crime where you ignored a victim, someone who was left in a wheelchair because of crime.

So I look at this and I have to smile. The message and the reality are very different for this government: all talk, no action; too late; and you didn’t even raise the limits enough to compensate for inflation.

**Mr Tony Martin (Sault Ste Marie):** Here we go again: another political exercise by a government running out of meaningful things to do, trotting out another red tape bill. There’s enough paper here to choke a horse.

This red tape bill was promised in the Common Sense Revolution and people out there actually thought you were going to do something where red tape is concerned, something meaningful and something helpful, and they were supportive of that. We would be supportive over here if there was truly a red tape bill here that was going to help government be more efficient and deliver programs more effectively and actually help people out there. Alas, as we saw with the last red tape bills—and we keep seeing them go through here; this is probably the third package we’ve had in the last six years—what we have is another Trojan Horse. It isn’t about getting rid of red tape; rather, it’s about doing away with very important regulation to support the agenda of this government, which is very clearly and simply to reduce government spending and to give tax breaks, to reduce government and to allow the private sector free rein to exploit and to pillage with no concern about environmental standards, about employment standards or about health and safety regulations. They are but a few of the things that are being attacked by this government in the use of this Trojan Horse, red tape bill that they keep trotting out here and running before us time after time.

**1400**

We’ve had a number of very troubling examples of what you and some of your overheated backbenchers are wanting to do by reducing red tape in this province. Last week Marilyn Churley, our critic for the environment, introduced Bill 96, the Safe Drinking Water Act. The Minister of the Environment, instead of taking it seriously, instead of taking a look at it and deciding what in

it they could use, how they could help us make sure that we protect the water of this province, called it just more red tape. If that's red tape, then we're in trouble here as we look at this package, because we don't know what's in here. We have no idea what little gems are hidden inside this mass of paper that we have in front of us here today. Call it just more red tape.

Can you imagine the Minister of the Environment, after what we've experienced in Walkerton and what has unfolded in this province over the last few months where safe, clean drinking water is concerned, responding to a bill coming forward in all seriousness from this side of the House to protect the drinking water of this province and calling it simply "an exercise in adding more red tape to this very important ministry," an exercise he should have more interest in? That is what happens when you ideologically reduce standards and regulations under the guise of reducing red tape. You put lives at risk; you put communities at risk. Water becomes unsafe, communities become unsafe and workplaces become unsafe.

Who knows what's in this bill? For example, just in the couple of minutes we had to take a look at it I saw a clause in the introductory section on page 8 that says that the government will be given the right to dismiss an appeal without holding a hearing where an appellant has not responded to a request by the board for further information within the time specified by the board. Rights that we thought we took for granted, that we thought were enshrined in the law of this land, now have been just tossed out under the guise of reducing red tape.

Even some of the government ministers have been taken by surprise. For example, when Frank Sheehan brought forward the results of the work of the infamous Red Tape Commission last year, it had in it pieces that would slash the Labour Relations Act of this province, going further than even the minister, Mr Stockwell, wanted to go. Can you imagine suggesting in this province in the year 2000 that we should drop the Rand formula under the guise of red tape?

But we only have to look at the origins of some of this red tape reduction to understand how ridiculous and foolish and un-thought-out this is. The Red Tape Commission falls under the aegis of the same orders as the gas busters and the crime commission in this province, and you know what a joke they were and what a job they did and how it's about nothing but public relations for this government.

I'm asking the government today to rethink their program, rethink their platform, consider the safety of the drinking water of this province and the people of this province, consider the safety of communities, consider the safety of workers and stop bringing in red tape. If you want to do something, do it through regular line ministries and involve us in that process so we do something right instead of this sham that we have today.

## DEFERRED VOTES

### McMICHAEL CANADIAN ART COLLECTION AMENDMENT ACT, 2000

#### LOI DE 2000 MODIFIANT LA LOI SUR LA COLLECTION McMICHAEL D'ART CANADIEN

Deferred vote on the motion for second reading of Bill 112, An Act to amend the McMichael Canadian Art Collection Act / Projet de loi 112, Loi modifiant la Loi sur la Collection McMichael d'art canadien.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1405 to 1410.*

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

#### Ayes

Baird, John R.	Hastings, John	Palladini, Al
Barrett, Toby	Hodgson, Chris	Runciman, Robert W.
Beaubien, Marcel	Hudak, Tim	Sampson, Rob
Chudleigh, Ted	Jackson, Cameron	Snobelen, John
Clement, Tony	Johns, Helen	Spina, Joseph
Coburn, Brian	Johnson, Bert	Sterling, Norman W.
DeFaria, Carl	Kells, Morley	Stewart, R. Gary
Dunlop, Garfield	Klees, Frank	Tascona, Joseph N.
Ecker, Janet	Marland, Margaret	Tilson, David
Elliott, Brenda	Maves, Bart	Turnbull, David
Flaherty, Jim	Mazzilli, Frank	Wettlaufer, Wayne
Galt, Doug	Molinari, Tina R.	Wilson, Jim
Gilchrist, Steve	Munro, Julia	Wood, Bob
Gill, Raminder	Mushinski, Marilyn	Young, David
Guzzo, Garry J.	Newman, Dan	
Hardeman, Ernie	Ouellette, Jerry J.	

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

#### Nays

Agostino, Dominic	Curling, Alvin	McGuinty, Dalton
Bartolucci, Rick	Di Cocco, Caroline	McLeod, Lyn
Bisson, Gilles	Dombrowsky, Leona	McMeekin, Ted
Bountrogianni, Marie	Duncan, Dwight	Parsons, Ernie
Boyer, Claudette	Gerretsen, John	Patten, Richard
Bradley, James J.	Gravelle, Michael	Peters, Steve
Brown, Michael A.	Hampton, Howard	Phillips, Gerry
Bryant, Michael	Kwinter, Monte	Pupatello, Sandra
Christopherson, David	Lalonde, Jean-Marc	Ramsay, David
Cleary, John C.	Lankin, Frances	Ruprecht, Tony
Colle, Mike	Levac, David	Smitherman, George
Conway, Sean G.	Marchese, Rosario	
Crozier, Bruce	Martin, Tony	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 46; the nays are 37.

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

Shall the bill be ordered for third reading?

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** Referred to the general government committee, please.

**The Speaker:** So referred.

## ORAL QUESTIONS

### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Dalton McGuinty (Leader of the Opposition):**

My first question today is for the Minister of Citizenship, Culture and Recreation. Minister, we in our party believe that people with disabilities should have every possible and reasonable entitlement to opportunity and to getting everything they need to find success in Ontario. Mike Harris promised to enact a strong Ontarians with Disabilities Act by the end of his first term, and he broke that promise. Last November, you promised a tough new act to meet the needs of people with disabilities.

Minister, you will shortly be breaking that promise too. I have here in my hand a copy of a secret cabinet briefing document presented by you. It's dated Tuesday, August 29 of this year. This is presented to cabinet's most powerful committee, and in this you make it abundantly clear that you have no intention whatsoever of putting into place any kind of legislation that is going to advance the cause of persons with disabilities here in Ontario. Why are you continuing to betray the rights of people with disabilities in Ontario?

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** Let me just say that the government has made a commitment that we would put forward an action plan in the first session of the House, and we intend to do that. We also made a commitment that we would come forward with legislation by November 2001, and we also intend to do that. We've made a promise in the Legislature.

Let me say that I completely disagree with the member opposite when he says Mike Harris didn't keep his promise. He put forward a bill that the disability community wanted to have another look at, to have some more discussions on, and we certainly have been doing that over the summer. We've done that in the past, and we will continue to do that in the future. We did what the disability community asked us to do: we withdrew the bill and we're working on it again.

**Mr McGuinty:** Minister, I have a copy of your recommendation to cabinet. It talks about a recommended approach, it talks about your action plan and it talks specifically about a new Ontarians with Disabilities Act. This is pretty good stuff. Listen to this: "This new act is going to use existing mandatory requirements and enforcement." They're going to use the existing Human Rights Code definition of disability, they're going to reference other statutes, and here comes the real teeth of this matter.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Would the member take his seat. Rude comments back and forth are not helpful, I say to the member for Hamilton East. The leader of the official opposition.

**Mr McGuinty:** In addition to merely referencing existing legislation, the new and compelling legislative objective will be the following—and listen to this; this is nothing less than earth-shattering, groundbreaking and something we're all going to want to write home to our mothers about. It says this government is going to strengthen penalties for unlawful use of disabled parking spaces. That is the earth-shattering, compelling commitment being made by this minister.

I ask again, Minister—this is your document, your recommendation to cabinet—why are you continuing to insult and betray Ontarians with disabilities?

**Hon Mrs Johns:** Let me be very clear: the legislation and the action plan will be fair and reasonable. We have every intention of moving the bar forward so that people in Ontario have more access to more facilities in the province.

I have to say to the member opposite that I think disabled parking is a problem in this province. I think it's a disgrace that we have people who aren't disabled who have parking passes and use them. I think it's a disgrace that there aren't spots for people with disabilities to be able to park. If you disagree with us, please tell me.

**Mr McGuinty:** It's of passing interest to see that the minister is showing a little passion when it comes to parking spaces. What about everything else that Ontarians with disabilities need so they can enjoy opportunities in Ontario?

The cynicism which is found throughout this document is nothing less than breathtaking. On page 4 of this minister's document, this champion of Ontarians with disabilities, it says, "Public opinion research has shown that the general public has little awareness and interest in an Ontarians with Disabilities Act." It goes on to say, under "Anticipated Stakeholder Reaction," that "the general public may not have much interest." I want to tell you that we have one hell of a lot of interest in making sure Ontarians with disabilities have every opportunity. We want room for them at the Ontario table.

Why don't you admit you have given up as any kind of champion when it comes to the cause of Ontarians with disabilities?

**Hon Mrs Johns:** I couldn't disagree more. I see my job as minister responsible for disabilities as building bridges between the disability community and the private sector, the public sector—all communities—so we can all move forward together and lead by example. As everyone in the House will know, the ODSP that we have is the most generous plan in all Canada. This government spends \$6 billion annually on services for people with disabilities. That's an increase of—

*Interjections.*

**The Speaker:** Order. Would the member for Essex come to order, please. Minister.

1420

**Hon Mrs Johns:** This government spends \$6 billion annually on services for people with disabilities. That's an increase of more than \$800 million since Mike Harris came to government in 1995. I don't think anyone can

complain about the way we're moving forward. Let me once again confirm that we're coming forward with an action plan, as promised, and with legislation, as promised, to make sure that we move forward in the province of—

**The Speaker:** The minister's time is up.

New question.

**Mr McGuinty:** This is for the same minister. Minister, a short while ago I got off the phone with David Lepofsky, who represents Ontarians with disabilities. You met with him on September 8. I want to remind you that your document here that you presented to cabinet is dated August 28. You met with him a week later. You had already taken a hard and fast position.

I told him about this document. He said that during your conversation you assured him that you had an open mind and that you were still in a consultation phase. Now I want you to tell Ontarians with disabilities right now—because they are very, very interested in your answer—why is it that you told their representative—you sat across from him, face to face. He asked you, “Are you still consulting or is your mind made up?” You said, “No, my mind's not made up. I'm still consulting,” and yet a week earlier you submitted a recommendation to cabinet which clearly said that your mind was made up. Tell Ontarians with disabilities what this is all about, right now.

**Hon Mrs Johns:** Let me say that we continue to work on the action plan and the legislation as we speak. I'm always looking for information. In fact, the week before the House came back, I was in Washington looking at the Americans with Disabilities Act and other legislation that the States have, because as you know, when we come forward with legislation here it will be the first in Canada that we will be presenting. I'm looking at jurisdictions all around the world. I'm talking to all of the different ministries within the government to make sure that I understand the services we provide for people.

Let me also say that I've met with Mr Lepofsky more than once. I met with Mr Lepofsky last year at this time and this year at this time. In fact, Mr Lepofsky has had the opportunity of meeting with 13 ministers over the time that this government has been elected.

**Mr McGuinty:** Minister, if I go back to your document which you presented to cabinet, under “Strategic Goals” it says “Stakeholder Management and Issue Containment.” It says, “We will seek controlled opportunities to frame the discussion and get government messages to the media.” That's what your document says. See? Well, I want to tell you, Minister, you can forget about issue containment and you can forget about controlled opportunities to frame the discussion. You may not believe in the dignity of Ontarians with disabilities, and you may not believe in opportunity for Ontarians with disabilities, but we in this party do and there will be no such thing as issue containment.

*Interjections.*

**The Speaker:** The member take his seat. Minister of Education, come to order. Thank you very much. Leader of the official opposition.

**Mr McGuinty:** Ontarians with disabilities are looking for somebody in the inside of government who's going to champion their cause. Now it might be one thing if this document had been prepared by the cabinet or by the Harris inner sanctum and sent back to you, but for you to prepare this on behalf of Ontarians with disabilities and to introduce this into cabinet is nothing less than disgraceful. You have betrayed those people whose cause you're supposed to be championing. You should do the honest and honourable thing here and now: you should resign.

**Hon Mrs Johns:** It's hard to take criticism from the members opposite. As we all know, both of these governments were in power in the last 10 years and neither of them did one thing to help people with disabilities in this province.

As everyone knows, when the legislation is passed in the province of Ontario, it will be the first legislation all across Canada, and I think that's a milestone.

When we were campaigning—

*Interjections.*

**The Speaker:** The member take her seat. Member for Elgin-Middlesex-London, this is your last warning. Minister?

**Hon Mrs Johns:** In 1999, when we were all campaigning, the Liberals told the ODA committee that they could introduce legislation within the first three years of the mandate. We said that we'd be able to do it by November 2001. I don't want you to forget that we're moving ahead of you faster.

Let me also say that the NDP, who are sitting quietly here, even had a private member's bill with respect to this, and they did nothing with that bill.

**The Speaker:** The minister's time is up. Final supplementary.

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is to the same minister. The number one priority for people with disabilities is opening doors, not parking spaces. It's the dignity of entering a public building by the front door. It's the dignity of having access to education. It's the dignity of employment.

Your government has a mantra about jobs, but thousands of citizens in Ontario cannot even get to a job interview. There is 85% unemployment among our deaf community because of your funding cuts to translators. A real Ontarians with Disabilities Act would open the door to employment for people with disabilities.

Your plan will raise yet another barrier for the disabled. Minister, you are a barrier to 1.5 million disabled people in this province. Will you do the right thing now and resign?

**Hon Mrs Johns:** We've introduced \$800 million worth of new programs over the last five years to ensure that people with disabilities have more access, one of the best things that can happen for people with disabilities if

they need supports, and we've doubled those supports in the province of Ontario.

We're going to move, and we're going to be fair and we're going to be reasonable, not only for people with disabilities but also for those who are in a position to accommodate people with disabilities. That's an important balance that we intend to meet. The action plan and the legislation will come together by the end of the session and by November 2001. That's the commitment we made and that's the commitment we're moving forward to make.

#### WASTE MANAGEMENT

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of the Environment. Imagine our shock today when we find out that the very people who are supposed to vote on your so-called Adams mine proposal aren't being allowed to see the details of it.

Doesn't it bother you as Minister of the Environment that you've presided over such an absurd process, that the very city councillors who are supposed to vote on the Adams mine proposal aren't being shown the details of it? Doesn't it bother you that there's a gag order that stops them from talking publicly about the details of the deal?

Minister, if this is such a good deal—and your government says it is—why do you have to hide it in the backrooms? Why do you have to keep it secret from the public of Ontario? Will you tell us that?

**Hon Dan Newman (Minister of the Environment):** In fact, the contract that the leader of the third party is talking about is not a contract with the government of Ontario. So perhaps he may want to direct the question to the parties involved within that contract.

**Mr Hampton:** You're supposed to be the Minister of the Environment for Ontario. You're supposed to care about these issues. You're supposed to ensure before anything like this happens that it does meet the tests of public approval, that it does pass all the tests, that it isn't signed in a backroom somewhere.

1430

Let me get to some other questions. Since your government approved this deal, we've shown you that there exist drilling reports from the 1980s that show how fractured and cracked that mine pit is. We've shown you that in the last three months alone there have been three earthquakes within 30 miles of the proposed dumpsite. We've shown you that the company you're going to deal with, WMI from the United States, has been fined over \$50 million in the United States for environmental and other infractions. Doesn't any of that bother you?

**Hon Mr Newman:** I say to the leader of the third party that he knows that a full environmental assessment did take place with respect to this Adams mine landfill site. I want to assure him and all members in the House today that this government takes its responsibility with respect to the environment very seriously. We want to see the environment preserved and protected.

This project has undergone extensive and thorough technical analysis. There was the full environmental assessment that took place under the Environmental Assessment Act. There were hearings under the Environmental Assessment Board that lasted for six months, and the board actually attached 26 conditions to that plan. The certificate of approval that was issued carried with it 66 conditions. There were the eight independent peer reviews done on this project.

We have done our part with the environmental assessment process, and it is ensuring that the environment is protected in our province.

**Mr Hampton:** This minister wants to put on a good show. Why don't you admit that before you put together this so-called environmental assessment, you gutted the Environmental Assessment Act, and you gutted the Environmental Assessment Act so that you could approve this project quick and dirty? There was no assessment. There was a 15-day period—a 15-day period to consider a project that could have implications 100 years down the road. That is how inadequate, that is how ridiculous your process has been.

Now, as the evidence mounts, as you have to keep the deal secret, when you find out that you've had earthquakes in the area, when you find out that the pit itself is cracked and fissured and leaks, all you can say is, "Well, we approved it."

I want to ask you one more question that should give you pause for thought. Your partner in this deal is WMI. At one of their trial hearings in the United States, the trial judge, reflecting on their bad environmental record, said this: "Better that you do a deal with the devil than do a deal with this company." Does that bother you, Minister, or do you think that's OK, too?

**Hon Mr Newman:** I'm pleased that the leader of the third party has raised the issue of the Environmental Assessment Act. I want to note what the two opposition parties have said. The Liberals, in their red book, outlined that changes needed to be made to the Environmental Assessment Act.

But more specifically, I'm going to talk about the NDP stance and the position that I hope they still hold today. Former environment minister Ruth Grier stood in her place and outlined changes that the NDP knew had to be made. I want to quote her from April 15, 1992, in Hansard, when she said, "First, we want to provide clearer direction to proponents and the public." She went on to say, "Second, we want the government to review individual EA documents in one third of the time it takes today." She goes on: "Third, the ministry will be working with the Environmental Assessment Board to reduce the average length of hearings and use negotiation to reduce the need for hearings."

The NDP called for changes to the Environmental Assessment Act. The Liberals called for changes to the Environmental Assessment Act. We're the ones that actually made those changes.

## WALKERTON TRAGEDY

**Mr Howard Hampton (Kenora-Rainy River):** Again to the same minister. Yes, different governments have called for changes in process in terms of environmental assessment. You're the first government to gut the process.

The question I want to ask you now is on behalf of some people in Walkerton. With much fanfare, you're going to be mailing out your \$200 cheque scheme. The people in Walkerton want to know this: how is it that a year ago when they needed money to fix up their water system, your government's response was, "Sorry, no money"? After the Walkerton disaster, after six people died and 2,000 people became ill, you still haven't found the money and organizational skill to fix the water, but when it comes to financing your \$200 cheque scheme, there's no problem at all. Can you answer that question for the people in Walkerton? Can you answer it today?

**Hon Dan Newman (Minister of the Environment):** I wish the leader of the third party would be a little more specific in his questions. He raises these allegations here. But I want to tell you what we've done with respect to assisting the people of Walkerton to ensure that they do have a clean, safe supply of drinking water.

We've replaced 4.6 kilometres of water mains in Walkerton. The pipe replacement is complete and we're continuing work on the service connections within Walkerton. We've issued orders to stop using well 5 and ordered a hydrogeological study in the areas surrounding the other wells. There's an interim filtration system that will be in place by October 30. Each and every house and business within Walkerton is being sampled as part of our confirmation program to ensure the efficacy of the house-to-house decontamination, to ensure that has taken place. We've continued to supply an alternate supply of water to local long-term-care facilities, to the hospital, to the jail, with water that's being trucked daily from Hanover.

**Mr Hampton:** Let me add what the minister forgot to give in his response. The people of Walkerton did request money from your government to fix up their water system, and your government said there was no money. Six months ago people died in Walkerton and you still haven't been able to provide them with safe, clean drinking water. Six months ago you announced your \$200 cheque scheme, and there's no problem: you can find the money to finance that like nothing.

Three days ago, four days ago we had a chance to put forward a Safe Drinking Water Act for this province to really take the first steps to do something. What does this minister say? "Oh," he says, "it's merely red tape." Minister, explain to the people of Walkerton: you couldn't find the money to help them with their water system in the first place. You haven't been able to clean up their water since then. When someone brings forward a Safe Drinking Water Act, you dismiss it as red tape. How is it, Minister, that you can so easily find the money to finance your \$200 cheque scheme?

**Hon Mr Newman:** Speaker, I'll refer the question to the Attorney General.

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** Unlike the leader of the third party, I have listened to the people of Walkerton, including last night when I was at the public meeting in the town of Walkerton. I can tell you, listening to the mayor, the deputy mayor, the clean water people, the people from the Ministry for the Environment, the medical officer of health and the people of Walkerton last night, that they're very encouraged by the progress that has been made. As the deputy mayor said last night, "There's light at the end of the tunnel and the tunnel is getting shorter."

They're looking forward to the establishment of the filtration plant. Tremendous progress has been made in a very difficult area. They're encouraged by their dealings and negotiations with the Ministry of Tourism, with my colleague Mr Palladini, the Minister of Economic Development, and are looking forward to a new day in Walkerton.

## AIR AMBULANCE SERVICE

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Northern Development. Yesterday we asked you some very straightforward questions. We asked why your government is privatizing the air ambulance service. We asked what guarantees you could provide so that the standards of care for the ambulance service would not be sacrificed as for-profit companies cut costs by cutting salaries. We asked why your government would risk losing highly trained paramedics who are providing a vitally needed service.

You had no answers yesterday, but today we understand you are saying: "Well, no final decisions have been made." Minister, if no decisions have been made, why have the province's flight paramedics been told they have to make a choice? They have to agree to work for a new private company or they have to offer their resignation to the government. Why were they told they had to make that choice by September 27?

Darren Tyler, one of those paramedics, is in the gallery today and he wants an answer. Minister, why are you privatizing the air ambulance service?

**Hon Tim Hudak (Minister of Northern Development and Mines):** I'm pleased to respond, as I did yesterday, to the questions from the member across the floor. The government of Ontario and the Ministry of Health maintain authority and management of the air ambulance system. We're committed to maintaining the highest quality standards for ambulance and emergency ambulance air services across the province. That's under the Ambulance Act. No changes whatsoever have been made to dilute those standards. We are committed to the highest possible standards. In fact, with respect to air ambulances, we are adding another plane in the air ambulance services to expand the quality of care and the quantity of care in the province of Ontario.

That's a totally different commitment from the members opposite. The fact of the matter is, part of it is already delivered by the private sector. If their view is to take all the ambulances back from the private sector, to pull it all back into the government of Ontario, if that's what they want to do, let's hear them; let them stand up and say what they would do.

1440

**Mrs McLeod:** Indeed, on your Ministry of Health's own Web site they boast about the unique program which is a successful marriage of private and public sectors, which is why we wonder why, on September 20, air ambulance paramedics were told by your Ministry of Health that they had to make a choice: either work for a new company or resign. They were given exactly five working days to make that choice. Today we have learned that every one of our critical-care paramedics has chosen to resign. We are losing 100% of our most highly trained paramedics, and your government is going to spend \$1.6 million to say goodbye to them. It makes no sense at all.

But more than that, Minister, these paramedics believe that your decision to take these final steps to privatize the air ambulance system is simply wrong. They are concerned that a new employer will jeopardize the standards of care by hiring people with less training at lower wages.

Minister, you are supposed to be the voice for northern Ontario. This is not just an issue for northern Ontario, but I can tell you it's a particularly crucial matter of life and death for northerners. What will you do to stop your government from taking risks with the lives of people living in our communities?

**Hon Mr Hudak:** I think what the member opposite knows full well but doesn't say in her questions or in her statements is that the service currently is contracted out to the private sector; 70% of those operating are on contract. The current contract expires in September 2001. The Ministry of Health is simply going through due diligence to let employees know that the contract is expiring in September 2001, giving them notice that an RFP will take place to see who should deliver the service in the future.

I'll tell you this in terms of delivering high-quality air ambulance service in this province: this province stands second to none. We're committed to high-quality standards across northern Ontario. In fact, we're increasing the level of service in air ambulances.

*Interjections.*

**Hon Mr Hudak:** They avoid my question. The Liberals' line is to add to the size of the public service, to take those who are currently contracted out, whether it's air ambulance or private sector health care, hospitals delivering the service—are they going to take all that back to the public sector? Where does the Liberal Party stand on—

**The Speaker (Hon Gary Carr):** The minister's time is up.

## SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr Garfield Dunlop (Simcoe North):** My question is for the Minister of Community and Social Services. Let me begin by thanking you for your recent letters to the editors in Simcoe county newspapers, in which you congratulate the Simcoe county social services department on their success with the Ontario Works program. We've dropped caseloads from 11,500 to 3,800 since 1995, and I really appreciate the fact that you've acknowledged these employees.

I have another problem in my riding that I am concerned about. Many of my constituents have been extremely concerned about news that your ministry has plans to change how services are provided for people with developmental disabilities. Of particular interest is the suggestion in the media that you may be closing the Huronia Regional Centre, an employer of over 700 people in my riding. The regional centre is very important not only to the economy of Orillia and to the employees of HRC but also to the people who live there. Some have been at Huronia for all of their lives. Simply put, a lot of people's lives would be impacted if your ministry decided to close this facility.

Minister, can you say today whether you plan to close this institution?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** On behalf of the government, there's a real responsibility that we acknowledge that we have to provide supports to people with developmental disabilities in our communities. It's particularly important to help those vulnerable residents in the member's constituency at Huronia. I have had the pleasure and the opportunity to visit Huronia twice, once with him to meet some of the staff and to talk to some of the residents.

Over the last four governments we've all supported community living, providing more supports for people in their community, and I think that says a lot about the wise nature of that policy.

We have committed that before we make any decisions, we will take the time to talk to residents and to their families, to talk to the committed staff at Huronia and to the community. But our bottom line is simple: we want to work to ensure that every resident at Huronia continues to get good support.

**Mr Dunlop:** Thank you very much, Minister. I appreciate your answer, and I also understand that this facility has been downsized over the last 20 years. But I'm sure that you can also appreciate that this is a very important issue and that it is imperative that we have as much information as possible before a decision is finally made.

Most people who work with people with developmental disabilities acknowledge that there are numerous challenges facing these people. For some, even simple daily tasks like washing or going to bed require guidance of a professional, like the employees we have at HRC.

Individuals with developmental disabilities are some of the most vulnerable in our society.

Minister, can you please tell me what your ministry has in place to improve services for people with developmental disabilities?

**Hon Mr Baird:** We recognize that governments can do more. That's why earlier this year we announced a \$50-million increase in help for those people with developmental disabilities in our province. That was a big step forward. It was the biggest increase in the budget in more than a decade and it demonstrated our commitment to do more.

I talked to a mother in Burlington, 72 years old, who had taken care of her adult daughter with a developmental disability her entire life. At this time in her life she needs more support. We're creating more than 300 new group home beds, which is a good step forward.

I talked to some parents in Ottawa who are worried about the future of their daughter, who turned 21 this year. Will there be a place for her when she leaves our school system? We're setting up a new program to provide more day programming and supports for young people with developmental disabilities.

I've also talked to a lot of staff—hard-working, committed staff, for whom this is a vocation, not a job, about the high levels of staff turnover and the need to do more. Over the two years we're putting in an additional \$21 million to help begin to address that need. Again, it's not the full answer but it's the most significant increase in almost a decade.

#### ENVIRONMENTAL PROTECTION

**Mr David Ramsay (Timiskaming-Cochrane):** I have a question for the Deputy Premier. As you know, 60 protestors have blocked the ONR tracks crossing the Adams mine road for about the last 48 hours now. I'm sure the Solicitor General has briefed you and the Premier on OPP surveillance reports that state that Mohawk warriors have been seen in that area. I know that the Solicitor General is concerned about this situation. The Adams mine issue is about to blow up in the face of your government and I'm afraid that people are about to get hurt.

Ipperwash showed you preferred the tough approach to this type of situation. But here you have an opportunity to prevent disaster. Every day more and more experts are coming forward to say that the environmental assessment process was incomplete and flawed. The mistake that you made was not to allow all aspects of this project to be considered at the hearing stage. A full hearing will stand this situation down. Will you do that?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** I know the Minister of the Environment wants to comment on the environmental assessment.

**Hon Dan Newman (Minister of the Environment):** Indeed, this issue, as all waste issues are, is very emotional. I want to again assure all members in the

House that we take the protection of the environment very seriously. I remind the member opposite that the project has undergone extensive and thorough technical analysis to ensure that the environment has been protected over the long run.

As part of our commitment to ensuring that the environment was and is protected, there was a full environmental assessment that took place in accordance with the Environmental Assessment Act. The Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection and containment systems to ensure that groundwater contamination would be prevented. The hearings lasted six months. The board actually attached 26 conditions to that plan.

**Mr Ramsay:** Minister, I'm pleading with you to find a way to defuse this situation. Your government had a choice. You decided to scope the hearings. You were the ones who decided to cut off the debate at the hearing stage to all aspects of this project save one. I think the conclusion of Don Smith, a member of the EA panel hearing the Adams mine EA, in his dissenting report, sums it up best, "When I weigh the totality of the evidence presented on all the above concerns I come to the conclusion that enough concerns have been raised that a proper exercise of the precautionary principle would lead us to say no to this project."

You are about to make the biggest mistake of your government. Opposition will continue to grow and will lead to a massive confrontation involving local residents and the First Nations of Ontario and Quebec. You have the power to prevent this. People are willing to die to stop this project. I'm pleading with you. Will you intervene and stop this crisis?

**Hon Mr Newman:** There has been a full environmental assessment done on this project. There were Environmental Assessment Board hearings. There was a judicial review. There was an appeal of that judicial review.

I want to quote the member opposite from March 25, 1994, when he sent out a press release that said, "It would be a shame to see jobs created by waste management go to the United States." He goes on to state, "Government should allow Metro Toronto to proceed with an environmental assessment of the Adams mine proposal."

That's what that member said in 1994. We had a full environmental assessment. We had the Environment Assessment Board hearings and there was a judicial review as well.

1450

#### SYL APPS AWARDS

**Mr Brian Coburn (Ottawa-Orléans):** My question is for the Minister of Culture and Recreation. I am extremely pleased today that one of my constituents and friends, Mykal Johncox of Orléans, will be the recipient of the new provincial Syl Apps Award for Excellence in

the junior male category. This will be awarded tonight at 6:30 pm in room 228.

As well, he will be joined by Sandra DiPasquale of Amherstburg, who was chosen in the junior female category.

This is a fabulous program, recognizing significant long-lasting contributions of young people to their community. Minister, can you share with the members of this House the background and purpose of these awards?

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** I would like to thank the member from Carleton-Gloucester for his question. Let me say that this is the inaugural year of the Syl Apps Awards. These are awards of excellence that go to young people who show a unique combination of attributes. If any of us can remember back to the days of Syl Apps, you'll know what those are: a strong and active participation in sports, a history of volunteer service and demonstrated community leadership.

Let me tell you, colleagues, that Mykal earned his black belt in karate at the age of 10. He is a golf enthusiast, a young lobbyist—I'm not sure for whom—a dedicated volunteer with many organizations, including the Children's Hospital of Eastern Ontario.

Sandra has participated in numerous sports, volunteered at international gymnastic meets, assisted Youth Service Canada and is a youth dance volunteer for the Optimist Club.

These are really impressive young people.

**The Speaker (Hon Gary Carr):** Supplementary.

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** I'd like to acknowledge and thank my colleague for sharing his question with me, because I too have a young person who I would like to introduce from the township of Brooke, near Alvinston, in the Lambton part of the riding. His name is Andy Triest. I'm sure his parents and all of the community are very proud of this young man.

Also, I have the distinct pleasure of introducing Christy Marlow of Smooth Rock Falls, who will be the senior recipient tonight.

Minister, as you are aware, this is a new award. It's very important to have the young people in our communities involved, not only in the political system and in the volunteer system, but active and moving to care and participate in the events that go on in their community. My question is—

*Interjections.*

**Mr Beaubien:** —if you give me a minute over there on the other side of the House—it is an important issue, so give me a chance to ask my question.

Although I am aware of the criteria, I would like to know, so we can inform the young people of the province of Ontario so that they can continue to apply for these awards, what are the criteria and how—

**The Speaker:** Minister.

**Hon Mrs Johns:** I would like to thank my colleague the member for Lambton-Kent-Middlesex. As many of you know, he's my neighbour in politics.

I would like to say that these young people were chosen from 16 regional finalists and they were part of 130 nominations that came in from local municipalities and councils all across the province of Ontario. We know that as this award gets better known, we'll have more and more people applying for it, but let me say that we have some excellent candidates in the 16 I have met.

Let me say that Andy, who you were talking about, has participated in sports as a player, a coach, an umpire and volunteer, was a cultural exchange student to France, a school tutor and a mentor and a church volunteer.

Christy is an enthusiastic athlete and a community volunteer and takes an active role in her school and her community. She is a coach and she is a student trustee.

We have some impressive people in the gallery today. Let's give them a big round of applause.

## FOREST MANAGEMENT

**Mr Gilles Bisson (Timmins-James Bay):** Prior to my question, on behalf of the NDP caucus I would like to congratulate the work done by those individuals in our communities.

I have a question to the Minister of Natural Resources. Minister, you will know that your ministry is currently developing forest management guidelines which will allow forest companies to clear up to 10,000 hectares of forest if these policies are put in place. That's equivalent to an entire township being clear-cut, a six-by-six mile square across northern Ontario that your ministry will allow to be cut if this policy goes forward. What's worse, you're going to allow this under the guise that this is good environmental policy as it will emulate natural occurrences of a forest fire. This massive clear-cut policy of yours will be, to say the least, a highly intrusive and destructive policy for our forest. Will you, as the steward of our forest, say no to this bad policy?

**Hon John Snobelen (Minister of Natural Resources):** I thank the member opposite for the question. It's an important question. Forestry is an important industry, an important activity in Ontario and one that we obviously spend a considerable amount of time on. For clarity, let me point out that in the area he's discussing, the area of the undertaking where forestry takes place in Ontario, we announced last year the Ontario Living Legacy, the largest single parks announcement in the history of the province, which protects 12% of that land from forestry of any kind, the most in any province in the country. We're very proud of that.

The cuts in the area that is allowed to be forested are done by scientific standards—the member points to some of those—that are done by regulations. Those are some of the most stringent and best-informed in the world, and they will continue to be.

**Mr Bisson:** You've gone out and saved a few trees, but you're going to lose the entire forest by way of this policy. It's quite simple. What you're trying to do here is give a gift to forest companies for having signed on to your Living Legacy policy. That's what this is all about.

We're moving from the ability right now of forestry companies to clear-cut from 260 hectares of trees up to 10,000 hectares. Minister, how can you allow that? You know as well as I do, you know as well as everybody else, that this policy in the end is going to be bad environmental policy and it will also be bad economic policy vis-à-vis what happens with the Europeans and the environmental movement. Do the right thing. Stop this thing cold in its tracks, and stop it while you have a chance.

**Hon Mr Snobelen:** First and foremost, I might inform the member opposite that, along with the announcement of the Ontario Living Legacy, the 6.2 million acres that the member says is a small amount of the forest in the province—I think that's a substantial amount, one we're very proud of. Along with that announcement, we made the announcement of an accord, a very unusual accord where the government, the environmentalist movement in Ontario and the foresters sit together and work together on the appropriate kind of forestry. We think that's a cooperative.

The member asked about the genesis of this. Let me remind him that the genesis of this is the original direction to emulate the natural disturbance and landscape patterns. That language comes from the Crown Forest Sustainability Act as introduced by Minister Howard Hampton back in 1994. That is the genesis of our cutting.

**Mr Bisson:** On a point of order, Mr Speaker: The minister across the way knows full well that we limited clear-cuts to 200—

**The Speaker (Hon Gary Carr):** That's not a point of order. New question.

#### WASTE MANAGEMENT

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is to the Minister of the Environment. It is hard to believe in the 21st century that anyone in Ontario should be afraid to drink the water. Unfortunately, the events in the spring have proven that for many they should be.

An American garbage company has asked your permission to dump 18 million tonnes of garbage on fractured limestone in the former Richmond township. This is a company which the local newspaper, the Belleville Intelligencer, reported has an atrocious record of environmental law infractions. Last Friday, hundreds of people from the township of Tyendinaga, the town of Deseronto and the Tyendinaga Mohawk territory rallied together to show their concern in a united voice against this proposal.

These people are afraid their water will turn to poison for generations to come. They're frightened that you won't protect the water. They're afraid you're just not up to the job. Minister, prove you are. Require a vote on this issue in all affected communities. Let the people have a voice. Show leadership and say, "I want to hear from you." Can you do this, Minister? Will you work with the Minister of Municipal Affairs to have a referendum by all

of the affected communities regarding this dump, and will you accept the people's decision?

**1500**

**Hon Dan Newman (Minister of the Environment):** I want to say to the member that protecting the environment is our first priority in the Ministry of the Environment, and waste management is indeed a growing global problem.

We've given municipalities the power to determine their long-term waste-management strategies, and with respect to the facility the member opposite refers to, I understand that Canadian Waste Services is looking for approvals for the expansion of their Richmond landfill under the Environmental Assessment Act, as well as the Environmental Protection Act. Our government approved the Canadian Waste Services proposed terms of reference, and Canadian Waste Services is now proceeding to prepare with an environmental assessment in accordance with the approved terms of reference.

**The Speaker (Hon Gary Carr):** Supplementary. The member for Sarnia-Lambton.

**Ms Caroline Di Cocco (Sarnia-Lambton):** Minister, you created the largest toxic waste dump in 1997, and by the way, you cut a lot of red tape and you fast-tracked the expansion. It's an American company, 70% of that hazardous waste comes from outside the province and it's going bankrupt. It has applied for bankruptcy protection.

For over a year Dalton McGuinty and this caucus have been asking you to address some serious problems, problems such as the integrity of the site. There's no full-time inspector there, where there are others across the province. Financial security provided by Safety-Kleen is grossly inadequate, and hazardous waste is still not treated, it's just dumped there.

There have been fires on that site, and your ministry doesn't even have people to respond after hours. You've received numerous letters on this.

Dalton McGuinty and this caucus want to know exactly what checks and balances you have put on this site since it was addressed to you last year with regard to these specific issues.

**Hon Mr Newman:** I take it the member opposite is talking about the Safety-Kleen site in Moore township. I don't think she addressed that in her question, but I believe that's the facility she's talking about.

I want to assure the people who live near that landfill site that we'll take necessary action to handle the situation and to safeguard the health and the environment of the people in that area. That's why the ministry works with Safety-Kleen on an ongoing basis to ensure that the highest environmental standards and protection are continuously maintained.

I want to indicate that the company has met the time frame specified in the orders that have been brought forward by the Ministry of the Environment, including the submission of a remediation plan for that portion of the landfill.

I say to the member opposite, to even suggest that the Ministry of the Environment doesn't have staff to do that

is simply wrong. We have a staff of people throughout the province who are there to respond, and we are there to protect the environment.

#### HYDRO RATES

**Mr Doug Galt (Northumberland):** My question is to the Minister of Energy, Science and Technology. Minister, electric utilities continue to be concerned with the expanding strength of Hydro One. They express the feeling that we're moving from having one mega-monopoly that's out of control to just having another mega-monopoly.

Hydro One was incorporated prior to June 1, 2000, and the rate of return has been established at over 9%. Municipal electric utilities were supposed to move to a similar regime. At the recent Ontario Energy Board hearings, a number of utilities pointed out discrepancies between Hydro One and the municipal electric utilities with respect to rates of return and costs of power.

Minister, could you verify these facts and please describe how these discrepancies constitute a level playing field.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** I'd like to thank my colleague for the question. Certainly Hydro One was established as one of the successor companies to the former Ontario Hydro. It was necessary to break up that old monopoly, which embedded the wires business, the generation business and some other businesses all together in one big mess that created about a \$38-billion debt for this province. So the establishment of Hydro One, the commercialization of that company, is part of our plan, and we're the first government in recent history in this province to have a plan to pay down that old debt, to move these electricity companies into the public marketplace and to ensure that the customers in this province receive the lowest possible prices. That will come about when we finally open the market and introduce competition.

Hydro One really is a big "mun-y" in that it owns the monopoly wires business, and it has the same rules as all other municipal utilities out there today.

**Mr Galt:** Last Friday the Ontario Energy Board announced that any increased rates for electricity would be phased in. This decision in itself limits the ability of any utility to make significant rate increases. Bill 100 was designed to prevent municipalities from obtaining obscene windfall profits from their utility and then charging excessive electricity rates. Since the Ontario Energy Board announcement is essentially that, is it necessary to continue with Bill 100?

**Hon Mr Wilson:** It's a question we're getting from many of our municipal colleagues, the mayors and councils. I tell the honourable member that we're reviewing the OEB's decision of last Friday, which was designed to protect customers, and we're also going to look at the rate applications that municipalities submit to the Ontario Energy Board over the next few weeks, as they're required to do as a result of that ruling on Friday.

They have to resubmit, and from the talk I hear from the mayors and councillors around the province I've been chatting with over the weekend and yesterday and this morning, I think municipalities are going to take a more reasonable approach. Yes, they will eventually be able to earn a commercial rate of return for their new electricity companies, but they can't do that at the expense of prices or on the backs of customers. The Ontario Energy Board is there to protect customers. I trust they will do their job, and Bill 100 will help them do their job if we find it necessary to proceed with—

**The Speaker (Hon Gary Carr):** The minister's time is up.

#### HAMILTON-WENTWORTH DETENTION CENTRE

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Correctional Services. After numerous complaints on Friday afternoon, I paid a visit to the Hamilton-Wentworth Detention Centre. Let me tell you, there's a powder keg ready to explode inside this facility. This facility was built for 232 inmates. As of Friday night, there were 417 inmates inside this facility. The cells were shared by three prisoners: two bunks and one mattress on the floor.

Minister, under your funding, in the general prison population area there are only two guards to watch over 72 inmates. That is dangerous; that is unsatisfactory. The guards are doing a very good job under some very difficult circumstances. They're putting their lives at risk every day. Let me suggest to you that these working conditions are increasing their risk and putting their lives in jeopardy as a result of the moves you have made not to increase the funding and not to increase the staffing at the detention centre.

Recently, there have been two deaths and a number of suspected drug overdoses as well in the facility. We have some very serious problems. Minister, will you commit today to undertake a full review of the conditions at the Hamilton-Wentworth Detention Centres, including staffing levels, and make the necessary changes to make it safe for the inmates and particularly for the guards, who risk their lives looking after those inmates?

**Hon Rob Sampson (Minister of Correctional Services):** I will say to the honourable member across the floor that we have been reviewing the situation of the correctional facilities across this province for some time. In fact, we stopped reviewing those situations a number of months ago and made some decisions. Those decisions were to build brand new institutions and rebuild existing institutions to add to the security levels, to make sure that the previous government's lack of attention to corrections and building appropriate space was addressed by this government and addressed in a serious way. We're building new facilities in this province, investing just under \$500 million in new money into the system, so that we will have the capacity to deal with the cell demands that the justice system places upon us.

**Mr Agostino:** Minister, the reality is that as the population growth has occurred in the jails, you have not brought in the staffing and the help necessary for the guards today—not two or three years from now, but today—to safely do their jobs and not put their lives at risk any more than they have to.

Here are some of the other conditions: Two of the cells that I visited or I saw were posted with suicide watches. These are individuals who belong in a psychiatric institution, which you have gone ahead and shut down, not in a jail.

The guards were dispensing medication. You have cut the nursing staff in the jails, so you have jail guards now who are also dispensing medication to the inmates—again, not something that should be occurring in our facilities today in Ontario.

While I was there I saw a jail guard pick up a wooden weapon that had been left in a hallway. These are real conditions that those guards are facing every single day. Those men and women are risking their lives.

Let me suggest to you that your irresponsible decisions not to increase the funding and the staffing at those jails are responsible for the conditions that are there today. You are putting their lives in jeopardy by not giving them the right funding and the conditions to work in.

**1510**

Again, Minister, I ask you, before we have an explosion in that jail, before we have a tragic event occurring in that jail, before we have out-of-control riots in that jail, will you commit today to review the Hamilton-Wentworth Detention Centre staffing levels and give them the funding they need to make sure the safety of the inmates is—

**The Speaker (Hon Gary Carr):** The member's time is up.

**Hon Mr Sampson:** I thank the honourable member for the question, and I say we've already done that. If you take a look at the record—

**Mr Agostino:** You've done nothing.

**Hon Mr Sampson:** Do you want to hear the answer? If you take a look at the record, in 1989 the budget of that facility was \$17.5 million; now it's \$21.3 million. In 1989 the staffing level there was 252 full-time employees; it's now 270.

I know the Liberals have trouble with numbers, but the challenge here is, you've asked us to review the—

**Mr Agostino:** How many inmates did you have there?

**The Speaker:** Order. Member for Hamilton East, come to order, please. He has asked his question. Minister of Correctional Services.

**Hon Mr Sampson:** The member wants an answer and I'm trying to give him the answer. If he would sit and listen, I'm sure he would understand what I'm trying to say.

We're trying to deal with the inmate count across the province. I understand that. That's why we're investing half a billion dollars to build new cells. You wouldn't do that when you were in government. You paid no attention to corrections when you were in government. We think

public safety involves investment in corrections, not only for those outside the jails but for those who work and live inside them.

## INFORMATION TECHNOLOGY

**Mrs Brenda Elliott (Guelph-Wellington):** My question today is to the Attorney General. Improving customer service for the people of Ontario has been a goal of our government since 1995. The world is clearly a more technologically driven place, and I would like to ask the minister what his ministry in particular is doing to use technology to improve the level of service for the people of Ontario.

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** I thank the member for Guelph-Wellington for the question. The e-world is of vital importance to the people of Ontario, to the future of Ontario, to business in Ontario. We've improved the level of service we provide to Ontarians.

Bill 88, the Electronic Commerce Act, passed clause-by-clause second reading this week. That is enabling legislation to provide new tools to businesses that will make it easier, safer and more efficient. It will help businesses to become more competitive and more efficient. It will create new jobs.

The Ontario Evidence Act will be amended to permit electronic evidence to be used in Ontario courts, to set out rules for authentication and for satisfying the best-evidence rule for electronic records.

We also have the integrated justice project, which is bringing the three ministries responsible for justice issues in Ontario together. It will provide an integrated network between the police, through the court system, which means greater safety for the people of Ontario.

We're also bringing together an electronic form of the Revised Statutes of Ontario, which will provide easy access to the laws of Ontario for the people of Ontario.

**Mrs Elliott:** In particular, I was curious about what you're planning to do to create a Web site that will allow citizens up-to-date information on statutes; not only up to date but also easily accessible from across the province.

**Hon Mr Flaherty:** As members will know, over the years we've had these many volumes of Revised Statutes of Ontario. They were almost always becoming out of date. They could not keep up accurately with legislative amendments and other legislative activities. Now, 24 hours a day, when the Web site is there, anyone can access the statutes they need.

The statutes will be available in English and French. By the end of 2001 people will have access to amendments within 24 hours of amendment. Within 14 days of being enacted, updated pieces of legislation, including amendments, will be available on-line. We will continue to make those laws available, of course, in written form, in hard copy, for those who want them in hard copy. And people don't need to be lawyers to access this important information—the laws of Ontario. They will be available by Web.

## PETITIONS

### NORTHERN HEALTH TRAVEL GRANT

**The Speaker (Hon Gary Carr):** It is time for petitions, and today I will recognize first the member for Sudbury. The reason I want to do this is that today is his mother's 83rd birthday. So for Mrs Bartolucci, her son will start off petitions.

**Mr Rick Bartolucci (Sudbury):** Thank you. Happy birthday, Mom. Actually, this petition was collected by my mother and she did that at her local church, Our Lady of Perpetual Help parish. It says:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I thank my mother for getting these petitions, wish her a happy birthday and proudly affix my signature.

### CHILD POVERTY

**Mr David Christopherson (Hamilton West):** I have further petitions from the West Hamilton Interfaith Committee on Child Poverty that read as follows:

"Whereas the federal government signed the United Nations Convention on the Rights of the Child and passed a resolution to eradicate child poverty by the year 2000; and

"Whereas at the first ministers' meeting in June 1996 the Prime Minister and Premiers made tackling child poverty a collective priority; and

"Whereas Campaign 2000 records the province of Ontario as having the highest increase—116%—in child poverty since Canada's House of Commons vowed

unanimously in November 1989 to eliminate child poverty;

"Therefore we, the undersigned, petition the Parliament of Ontario:

"To take immediate steps to eradicate the hunger of poor children by working vigorously with the federal government to reduce the poverty rate among Ontario's children; and

"To follow and implement the recommendations of the Early Years Study, commissioned by the Ontario government in the spring of 1998."

I add my name to these petitions.

### McMICHAEL CANADIAN ART COLLECTION

**Mr Bob Wood (London West):** I have a petition that I wish to present on behalf of the member for London North Centre. It is signed by 16 people and reads as follows:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of Canadian art;

"Whereas the passage of Bill 112 would:

"constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection;

"vest too much power in the hands of the founders, who have been more than compensated for their generosity;

"diminish the authority and responsibility of the board of trustees;

"limit the focus of the art collection and hamper the gallery's ability to raise private funds, thereby increasing its dependency on the taxpayers; and

"significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

### WATER EXTRACTION

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

"Whereas we strenuously object to permits to take water being issued by the Ministry of the Environment without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest;

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

"We request a moratorium on the issuing of permits to take water for non-farm, commercial and industrial use and the rescinding of all existing commercial water-taking permits that are for bulk or bottled water export, outside of Ontario, until a comprehensive evaluation of

our water needs is completed. An independent non-partisan body should undertake this evaluation.”

I very proudly affix my signature to this petition.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** “To the Legislative Assembly of Ontario:

“Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands’ work clothing; and

“Whereas similar cases are occurring in other areas of the province;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home.”

I add my name to this petition as I continue to support their demands.

1520

#### EDUCATION LEGISLATION

**Mr Michael Gravelle (Thunder Bay-Superior North):** Thousands of high school students in Thunder Bay in northwestern Ontario are devastated by the loss of extracurricular activities in their high schools and I’ve got all kinds of petitions I’d like to read.

“To the Legislative Assembly of Ontario:

“Whereas Bill 74 unfairly increases the teachers’ workload, giving teachers little time to prepare, therefore compromising the education of Ontario’s students; and

“Whereas teachers must spend all their time preparing for class, leaving them with no time for extracurricular activities; and

“Whereas extracurricular activities such as sports, school dances, clubs and the arts, previously playing an important role in creating a positive high school experience, are no longer possible;

“Therefore we, the undersigned citizens of Ontario, petition the Legislative Assembly to request the Minister of Education to revoke Bill 74 and work towards creating and maintaining a positive learning environment for Ontario’s high school students and teachers.”

I’ve got all kinds of signatures here from all across my community and I hope the minister is listening. I’ll sign my petition with pride.

#### FARMFARE PROGRAM

**Mr David Christopherson (Hamilton West):** I have a further petition forwarded to me by Stan Raper of the United Farm Workers. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their

workfare program, forcing social assistance recipients to work on farms for their benefits; and

“Whereas the Harris government of Ontario has not provided for any consultation or hearings regarding this initiative; and

“Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7; and

“Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario.”

I affix my name to this petition also.

#### LIQUOR CONTROL BOARD OF ONTARIO

**Mr James J. Bradley (St Catharines):** I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the government of Ontario appears to be once again moving toward the privatization of retail liquor and spirits sales in the province; and

“Whereas the LCBO provides a safe, secure and controlled way of retailing alcoholic beverages; and

“Whereas the LCBO provides the best method of restricting the sale of liquor to minors in Ontario; and

“Whereas the LCBO has an excellent program of quality control of the products sold in its stores; and

“Whereas the LCBO provides a wide selection of product to its customers in modern, convenient stores; and

“Whereas the LCBO has moved forward with the times, sensitive to the needs of its customers and its clients; and

“Whereas the LCBO is an important instrument for the promotion and sale of Ontario wine and thereby contributes immensely to the grape-growing and wine-producing industry;

“Therefore be it resolved that the government of Ontario abandon any plans to turn over the sale of liquor and spirits to private liquor stores and retain the LCBO for this purpose instead.”

I affix my signature as I’m in complete agreement.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I continue to receive petitions from the CAW. This is from Local 199 in St Catharines.

“To the Legislative Assembly of Ontario:

“Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by

workplace exposure to cancer-causing substances known as carcinogens; and

“Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

“Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

“Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

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

“That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer; and

“That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation.”

Since I'm in support of this petition, I proudly add my name to theirs.

#### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael A. Brown (Algoma-Manitoulin):** “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 acknowledges 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 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 particular group of petitions is mostly from the fine communities of Elliot Lake and Blind River.

#### HIGHWAY SAFETY

**Mr Michael Gravelle (Thunder Bay-Superior North):** This is a very important petition, one we've been fighting for for some time:

“To the Legislative Assembly of Ontario:

“Whereas the volume of traffic is increasing on Highway 11/17 between Thunder Bay and Nipigon;

“Whereas this increasing traffic has led to more serious accidents and more frequent road closures along this stretch of the TransCanada Highway;

“Whereas many area children are met by their school bus along this highway;

“Whereas parents, school board officials and municipal leaders have urged MTO to develop and implement safety measures to ensure the safe passage of school children along this corridor;

“Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to:

“move forward in the four-laning of Highway 11/17 between Thunder Bay and Nipigon;

“install school bus loading signs along populated stretches of the highway; and

“consider the development of pull-off laneways that allow for the safe school bus pickup and delivery of area children.”

An important petition, signed by many people from my constituency; I'm proud to sign it.

#### NORTHERN HEALTH TRAVEL GRANT

**Mr David Christopherson (Hamilton West):** We continue to have petitions regarding the denial of equal rights for cancer patients in the north. The petition reads as follows:

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services”—

*Interjection.*

**Mr Christopherson:** Have you got a problem with this?

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

“Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.”

On behalf of all my southern constituents and my caucus colleagues, I proudly add my name to this petition.

1530

## ORDERS OF THE DAY

### DOMESTIC VIOLENCE PROTECTION ACT, 2000

#### LOI DE 2000 SUR LA PROTECTION CONTRE LA VIOLENCE FAMILIALE

Resuming the debate adjourned on October 3, 2000, on the motion for second reading of Bill 117, An Act to better protect victims of domestic violence / Projet de loi 117, Loi visant à mieux protéger les victimes de violence familiale.

**Ms Frances Lankin (Beaches-East York):** Yesterday, I read into the record the names and a bit about the lives and the deaths of approximately 44 women who have been killed by their intimate partners or ex-partners since the release of the jury recommendations of the May-Iles coroner’s inquiry. Those recommendations were released in July 1998. The recitation of the women’s names and the details of their lives and deaths for me is an attempt to break through what often in this place seems like the reference to this nameless, faceless group of abused women. It was an attempt to underscore the unique and heinous nature of domestic assault and intimate femicide in response to a particular comment in the Legislature that domestic violence is not just about male violence against women and the response of some MPPs in support of that comment.

I wanted to underscore that while I’m sure all honourable MPPs would agree that eradication of violence in our society is a goal that we all share—it’s an aim that is laudable and one that in a civil society we must continue to strive for—there is a particular issue with domestic assault and intimate femicide and there are particular roots in our society that give rise to these conditions, to these situations, to this violence, to this killing. There are things that we as legislators, and in particular the executive council, the cabinet of Ontario as

the government of Ontario, can do that will make a real difference, that will in fact save women’s lives.

At the end of what for me was a very emotional and painful reading of the names of those women, I asked us to consider the question, will the bill before us today do anything to save women’s lives? Would it have saved even one of those women’s lives? I have to say, regretfully, the answer is no.

Let me be clear. I indicated earlier that I don’t object to the bill itself. I support the measures, however inadequate they are in light of the big picture we’re dealing with.

I hope you’ll excuse me; I’m suffering from the institutional cold that’s going through the building, so it’s hard to keep the voice going.

In fact, I want to say in particular to the staff of the Attorney General who worked on this that I think there was some fine work done on an issue of how to toughen up or make more accessible intervention orders or restraining orders. I think some of the things, like broadening the category of those people who can apply for restraining orders, including people in dating relationships dealing with stalking situations, are positive. I can say some positive things about the actual words that are on the paper, but I have to implore MPPs to look at the issue that we’re trying to address and to understand how far short of the mark this initiative on the part of the government is.

Even this bill, if it is to be more than words on paper, requires initiatives on the part of the government to make it meaningful. Not coincidentally, some of those things—and I will highlight them—are in the nature of the demands that have been put forward by over 95 women’s organizations that have now come together and agreed on the list of emergency measures to be implemented this fall.

I say again, and I know I’ll continue to come back to this, I find it so hard to understand how the government cannot be moved by the incredible coalition of support that has come behind these demands: over 95 different and disparate women’s organizations. What does it take to get you to listen? I don’t want to, in your eyes, cheapen the debate by asking the question, but one has to wonder how you write off these voices so easily. One has to wonder why it’s so easy for you to dismiss women’s voices.

The legislation before us seeks to strengthen civil restraining orders, making them more accessible, broadening the conditions, criminalizing violation of the orders, broadening the category of people who can apply for the orders. None of that, in and of itself, is negative. You need to understand, however, that a civil restraining order, this new intervention order as it’s being defined, is at the bottom of the list of the criminal justice system. It is less in its impact and import than bail condition orders or than peace bonds. It’s sort of the lowest, most minor intervention. Even if it’s to work, I ask you to look out in the field and understand how the community will access and be able to take advantage of this initiative.

Firstly, women's organizations are saying very clearly that for women to know and understand their ability to get this restraining order, there have to be community supports out there that women can go to to get this information. They have to know about it. They have to be given advice on how to access it and counselling on whether it's the right option for them at this point in time. There have to be services available that are culturally and linguistically suitable for communities so that women can get this information.

At the very time when we're talking about this, you will know that I raised in the House my concern over the cancellation of grants from the Ontario Women's Directorate to four women's centres this year and at least three or four more in the last two years. The minister responded saying, "No, we're funding more women's centres than ever before." With respect, I have to disagree. I have to ask you to take a look at what has happened: the money that has been expanded in the department of Ontario Women's Directorate has been reallocated and reprioritized in terms of the groups and organizations that it goes to. It is now going more and more frequently to generic organizations out there, for example, employment counselling organizations, which may have one particular program geared toward women. That is very different than women's centres which have specific understanding of the issues facing women, which can connect women to a range of social services that they need when they are looking to flee an abusive situation, which have connections and networks to the shelters, to the crisis hotlines, to housing programs and to counselling programs.

Your new criterion that's been put in place to expand funds is being diverted away from women's centres, which are the front-line organizations women feel safe going to in their community. Those centres can reach out and work with women. Perhaps women who first come don't want to disclose that they're in a situation of abuse. Maybe they're looking for other sorts of help. They build trusting relationships.

**1540**

The fact that those funds now have been withdrawn, because those particular organizations didn't make the request-for-proposal process and get their grants renewed, threatens the continued existence of those centres. In the case of North York, which I raised, that's a third of their funding.

I remember the history of stable funding to women's centres because I was at the cabinet table at the time we made the decision to put in place core funding instead of just project funding, to stabilize the centres so they would remain in communities and would be a secure place for women to come to. That's gone by the wayside with the decision to go back to project funding. You've got to understand the impact. So I ask how women are going to find out and know and access information about how to get these new restraining orders.

The bill extends accessibility, the 24-hour provision of service, so that women can get intervention orders

quicker. On paper, again, that's a very good thing. We currently have a shortage of JPs in this province. You've heard time and time again on the news things about traffic tickets and traffic offences being thrown out because the courts—provincial offences courts and others—are backlogged.

I didn't hear in this announcement where the major new investment is to ensure that accessibility of 24/7 has meaning other than on paper. I have to take that a step further and say, how is it going to be different for a woman going to a JP or a judge to get a restraining order, just because it's quicker and more accessible, than it is now when we're dealing with a critical lack of training of our judiciary with respect to this issue?

The May-Iles jury recommendations, the coroner's jury recommendations, called on the province, the Ministry of the Attorney General, the minister, to put in place a training program for the judiciary to deal with the issue of domestic violence and domestic assault, the risk assessment issue, so that when justices are faced with making decisions about whether to release someone on bail and what the conditions are—whether they should be released at all, whether a risk assessment should be ordered first—they have some education about it. The minister said, "No. They're independent. We can't do that." But as was pointed out in the coroner's jury report, the Ministry of the Attorney General has in previous years, under a previous administration, done specific sensitivity and educational training with justices around aboriginal justice issues. It has been done. It can be done. It takes the political will.

I want to remind you of all the women whose names I read yesterday and the number of times in those tragic deaths that their murderers had already had contact with the criminal justice system and been released on either recognizance with conditions or bail orders with conditions. The fact that they've been repeatedly released speaks to the need to talk to our judiciary about what the heck's happening. Why are they being let out again when they are clearly a risk and a repeat offender and violator of conditions? Without the training that has been recommended in May-Iles and in the joint committee report and by the women's organizations that were here two weeks ago, how is that judiciary going to be any better at handling these requests for intervention orders?

The training of the police in terms of how they deal with this—one of the things we always worry about when new initiatives and new measures like this are put in place is that they become an alternative to arrest and incarceration. Everyone is always looking at diversion programs to get people out of the system. When someone's a risk to someone's safety, when someone is hell-bent on killing an intimate partner, we don't want diversionary programs available to them. We don't want police officers to be able to recommend to a woman that she go and get this quick access of a restraining order instead of laying charges.

The program of education for police is going to be critical. And you know what? It's going to have to be

monitored, and the only people who will be able to monitor that effectively are the women's advocates out in the communities, again, whose funds have been cut. A recommendation, again from the May-Iles jury report, that there be independent women's advocates funded in our communities to help women interact with the judiciary and with the police and to monitor and advocate on the systemic issues here has been ignored by the government. It's part of the demands put forward by the cross-sectoral coalition of over 95 women's organizations that came here two weeks ago. That's a necessary piece if this is going to have meaning. I don't believe that you want this to be used as an alternative to charging people and incarcerating them, but someone has to monitor it and you'd better look to put in place the front-line advocates to ensure that happens.

The act also requires a woman to seek a lawyer if she wants to get the restraining order extended beyond 30 days. Where are the expanded resources to help women get through that system? One of the things that the government is planning on doing is a major expansion in the use of paralegal duty counsel in our legal aid system. That is not good enough. The complex issues involved in a woman's life when she is seeking protection from life-threatening abuse require more than a duty counsel for a half-hour and a different person every time you come into the court. Someone has to track it through.

Legal aid has got to be made available not just for the domestic violence issue but the family law issue. There are property issues; there are child custody issues; there are divorce issues. There are all sorts of things that come into this, and we've segmented off what women are able to access. Part of the demands of the over 95 women's organizations that were here a week and a half or two weeks ago was that you address that, that you understand that.

Where are the women going to get the legal help to get these restraining or intervention orders extended beyond the 30 days? It has to be done with the help of a lawyer.

I don't want to say that intervention orders and restraining orders are of no use, but a lot of people have said that they're not worth the paper they're printed on. I think this bill tries to make them a little bit more worth the paper they're printed on. But you still have to look at where they are in the hierarchy of things: as I said, below bail orders, below peace bonds. If bail orders are more serious, if bail orders already have a Criminal Code offence attached to breaching the conditions, and if that hasn't stopped some of the men I referred to yesterday who killed their intimate partners, how is this restraining order going to?

Gillian Hadley's husband had been arrested and released with conditions. He was arrested again a number of months later, in January this year. He was released by the officer in charge on his own recognizance with conditions. He'd violated conditions already; he's released again with conditions. In February he was arrested, charged with assault and violation of the conditions from January. He was released again on bail with conditions,

and he went out and he murdered Gillian. If someone is going to kill, do they worry about the criminal offence of violating the conditions of bail or an officer-in-charge recognizance or in this case now a restraining order?

The minister's announcement talks about expanded counselling for abusers in this situation. Gillian Hadley's husband was in anger management counselling, by the way; it was already part of the conditions. I find it amazing that in your announcements over the last little while, you're prepared to say you're going to expand the court-ordered counselling for abusers. Where is the expanded counselling for the women who are abused? That's what we're calling for, too.

**1550**

The Minister of Community and Social Services fought hard, I believe, for a budget commitment last year of \$10 million. You reannounced that, unfortunately, on the same day that the coalition of women's groups was here to make their voices heard. There were more than a few who felt that was an attempt of the heavy hand of government to silence them, to undercut their message. It was reannounced, but it's for counselling for children who witness domestic violence, and that's important, and it's for a very small bit of transition counselling. You know what? It doesn't even make up for the money that was cut from the shelters and women's centres in 1995. It hasn't made up for that yet. There's been no expansion in the number of beds, even though it was a commitment in your campaign Blueprint.

We're told that right now in Toronto—and this is a discussion I hope to have with the Minister of Community and Social Services in a bit more depth—there are over 300 women with their children who are victims of domestic violence and are in the regular emergency housing shelter system, not violence shelters, because there are no spaces in the violence shelters. There are communities that don't have shelters at all.

The May-Iles jury recommendations, which you so often quote as being proud that you're implementing a lot of them, called for a review of shelter funding. Why haven't you done that? There has to be an expansion in the number of beds, you have to increase the outreach workers who are in the existing shelters, and you have to do a review of the funding.

Where do women go after the emergency shelter? You cancelled all the programs for second-stage housing support, where women go to get their lives and their children's lives back together, to get some normalcy, to get the help they need to move on with their lives independently. You cancelled all of that. You must reinstate those programs: they're critical to help women save their lives.

Gillian Hadley had left the abusive situation. Gillian Hadley was looking to move again to get away from her killer. She couldn't find affordable housing to move to. She was on waiting lists for social housing. She couldn't access supports—they weren't there in the community—to give her an advocate, a helping hand to figure out her way through the system. That's what's needed.

Rape crisis centres: you cut their funding by 5% when you first came to government. You've not restored that. The Toronto crisis helpline can't answer all the calls that are coming in to it. They were flooded with calls last summer. With all of the news of the six horrific murders, women knowing that they themselves were at risk, they were trying to call someplace to get some help, get some advice. The helpline couldn't answer, and you know what? They're getting calls from around the province even though they're established as the Toronto help hotline.

For six months there's been a proposal in your government, inside the ministry, to establish a province-wide crisis helpline. Why haven't you responded to that? Who is taking a comprehensive look at this? Why don't you understand that the supports to women's community and social organizations in the communities that address women where they are in their lives, that have very specific target populations, that understand issues in cultural and ethnic communities, that understand the double oppression of women from those communities, that can help them, understanding the cultural sensitivity around some of these issues, find their way to safety have been cut?

You must respond on this front. Women have to have safe places to go for effective counselling and advocacy. They have to have safe places to go with affordable housing. They have to have sufficient economic income to be able to leave abusive situations. There has to be the access to adequate legal representation if they do end up in the criminal justice system. I remind you, and I'll do it over and over again, only 10% of abused women contact the police and only 25% of them end up in the criminal justice system.

What about the vast majority of women who are living in a situation of fear of violence right now, who need help and support, who can't get it in the community because of all of the cuts and the refusal to respond to the May-Iles jury recommendations on this front, to the joint committee on domestic violence report on this front and to over 95 women's organizations—different and disparate, as I've said—who've come together and joined their voices together on this package of emergency measures to be implemented this fall?

There are a number of ministries involved in the comprehensive response but much of this lies within the Ministry of Community and Social Services and the Ontario Women's Directorate, although the Ministry of Labour, the Ministry of Housing, the Attorney General, the Solicitor General all have a very clear role to play. But someone's got to take the lead and I implore the Minister of Community and Social Services, because I believe he's beginning to understand the message. I believe that maybe he's at a point where he can hear what the women's organizations are saying and that maybe he can take a role in co-ordinating a government response to ensure that the community, social and economic measures are put in place to save women's lives.

I'm saying to him that the representatives of those women's organizations want a signal of good faith from the government. They want to see the grants to women's centres restored; not employment centres that are offering programs to women, not the other community organizations that are doing good work, and we support the grants that you've given to them. The grants that you have cut from women's centres, the comprehensive community-based women's centres that are providing a range of social outreach and programming for women, the grants that you've cut that threaten the very existence of some of those centres—restore those grants.

Then let's talk about the package. It's been presented to you. You've had it for three weeks now—two and a half, three weeks. There has not been a response from the parliamentary assistant who attended the meeting, from the minister she reports to, the minister responsible for women's issues, from the Minister of Community and Social Services, for whom many of the demands fall directly within his portfolio, or from any other minister of the crown. Yet, when we started this session, the week before and on the first day of the session, the Premier of this province stood up and said that putting an end to domestic violence was going to be a priority for this fall session.

And what did that translate into? The bill that is before us today being debated. I ask you once again, would this bill have saved any one of the lives of the women whose names I read into the record of this Legislative Assembly yesterday, the 44 women who have been murdered by their intimate partners since July 1998 and the release of the jury recommendations from the May-Iles coroner's inquiry? Would it have saved one of those women's lives? The answer is no.

You know, this issue continues. I don't have the details; maybe the Minister of Community and Social Services does because as an MPP he represents an Ottawa riding. I understand that an Ottawa woman, a feminist, an activist, an advocate for women, was attacked this morning by her intimate partner with knives and power tools. She lived; she survived that attack. I understand that he was shot by the police. It's another tragedy and these tragedies happen every week in a horrific fashion and every day and many times a day in altercations of violence and abuse in women's lives.

**1600**

I'm not talking to you any more about a bill that makes it easier to get a restraining order. I don't know who it will help. Again I say to the drafters that it is well done. It's a really good attempt at beefing up restraining orders, which are the lowest of the criminal justice measures that can be taken. I am speaking to you about understanding the breadth of action that will be needed to actually have an impact and to save women's lives. It is not good enough for us all to stand and say we are committed to ending domestic violence. It is not good enough for a minister of the crown to stand up, like many ministers do on many issues, and use the rhetoric of,

“We’re doing more than any government has ever done before.” I am sorry.

Our understanding of the issue—the conditions in the province have changed over the last five years with the cuts to organizations that did provide support, the organizations that are desperately crying out for added resources because they can’t meet the demand that’s there, the women’s organizations province-wide that have spent hours developing a desperate plea for emergency measures, a coalition coming together to back that, and there continues to be no response from the government on those initiatives. They’re emergency measures. They’re not the long term that we’ve got to continue to talk about. They are the things that need to be done today to save a woman’s life tomorrow and there’s no response.

Minister of Community and Social Services, I ask you, what does it take? Can you create a space for the powerful in your cabinet to hear from these women directly and respond to them? Can you pass something through your caucus and your cabinet that you’re going to answer the questions, and if you’re not going to respond on some of these issues, you’re going to say why and we can have a debate about whether that’s right or wrong? Can you take the package and advocate, in the end, if it’s going to save lives—and there’s such broad agreement that it will save lives—why it’s not within your power to do it? The package that’s been proposed has a price tag of \$350 million. That’s 10% of the surplus that you’re projecting for this year.

What is unacceptable is the continued silence, the refusal to answer, the refusal to engage in a dialogue, the refusal to respond to women’s voices and to tell women if you agree, if you disagree, why you agree or you disagree, the continued hiding behind a long list of criminal justice initiatives as if that will solve the problem when only 10% of abused women go to the police and only a quarter of them end up in the criminal justice system. It’s unacceptable that the Premier says ending domestic violence is going to be a priority for this session and the initiative to prove that is this bill.

Don’t get me wrong; I’ll vote for the bill. But, please, someone over there acknowledge—not in rhetorical terms of that of course there’s more we must do; there’s always more we must do—that this misses the mark in terms of the response that’s required today in our society to save women’s lives. If all of us agree on that goal, and I believe that we all do, then a response is required.

If you are prepared to say that this is an adequate response and the initiatives you’ve put in place are adequate, defend that, and join with that your answer to why the initiatives that have been put forward as these emergency measures will not be implemented by your government. If you’re going to look at them and you’re going to respond to them, tell us that. Tell us what the process is. Tell us how long it’s going to take to implement the emergency measures that, if implemented today, could save women’s lives tomorrow.

We will continue to push you. We will continue to hound you. We will continue to want to drive an answer

out of you. If you tell us what your response is, if you tell us what the process is, we will join hands with you and help you accomplish it. The goal is so simple, it is so right, it is so just: it is a goal of saving women’s lives. Please tell us how you’re going to respond to the plea to save women’s lives.

**The Deputy Speaker (Mr Bert Johnson):** Comments and questions?

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I would like to congratulate the member for Beaches-East York for her very impassioned speech on a very serious social issue. We’ve heard her speak on this issue before. It is a serious issue, the issue of violence against women.

This bill of course goes beyond that. It talks about domestic violence against women, domestic violence against men, domestic violence against children, domestic violence involving gay relationships and domestic violence with respect to elders. That’s not to take anything away from the comments the member has put forward, but I draw to your attention that that is the intention of this bill. There may be other things that the government needs to do, as has been submitted by the member, but this bill talks about putting forward an intervention order. The member has indicated that she’s supportive of that. Then of course she talked about a whole slew of other things, which she is entitled to do. Quite frankly, I think it’s a step in the right direction. She has put forward some comments of criticism toward how this could be improved. That’s something the government should be looking at: how do you get people, whether it’s women, children, men or elders, to go to the police? That’s a legitimate question.

However, this specific bill allows, in situations of domestic violence, for an intervention order. In fact, in section 3, which is the crux, the main point of the bill, it gives 13 conditions that can be put forward, which is quite extensive. I suggest that if members haven’t looked at those conditions they do so, because I think they’ll find it’s a step in the right direction in dealing with domestic violence.

**Mr Gerry Phillips (Scarborough-Agincourt):** I too want to comment on the comments of the member for Beaches-East York. I think she has quite correctly spelled out for us in the Legislature the question that we need answered, and that is, is this the government’s response? Has the government decided that at this time this is all they are prepared to do to deal with domestic violence? Is this what the government has determined? If it is, the member for Beaches-East York and I, and certainly those who are most involved in this issue in the community, would say that it is a totally inadequate response. As we are dealing with this bill, if this is going to be the only measure that we see in the next few weeks from this government, I think the member for Beaches-East York has the right to be as angry as she is.

If the government is saying, “You don’t understand. We are going to be coming forward shortly with other measures,” then surely we should know those measures. If we’re going to be dealing with this bill, let’s see your

program, because there is no doubt that this on its own is not going to make a substantive difference in domestic violence in Ontario.

I can hardly imagine a more tragic environment to be in than to be subject to domestic abuse. We all look on our homes as a sanctuary of peace and calmness. To have to return to that living hell daily and face that is unacceptable. We know what the solutions are. We know they'll work. We simply need to know from the government, are you prepared to move forward with them?

1610

**Mr Tony Martin (Sault Ste Marie):** I want to say to the people of Ontario, the members of this House and particularly the members of the government across the way that they really need to pay attention to what the member who has just spoken has said in this House today and yesterday. If you're at all interested in the issue of violence against women, the picture that she painted was just uncontested. We all know what's happening out there. It was painted in a very focused, precise and compelling way here in this House.

The argument that she made, not only on her own behalf—because she knows this issue backwards and forwards—but also for women out there who are being abused, who are vulnerable, and on behalf of the 95 women's organizations which have looked at the legislation that this government has tabled and critiqued it, is that it simply is not enough, particularly when you hold it up against the need for all of us to centre our effort on saving lives. It just doesn't do it; it just doesn't cut the mustard here. If the government is serious at all about initiatives to save lives, to protect women, to create an environment in Ontario where women can freely enter into relationships, go to work, live their daily lives without having to worry about being beaten up or threatened or ultimately killed, then you have to listen to the arguments that were put by the member for Beaches-East York.

I would suggest that all of you take time over the next day or two to take a look at Hansard and to read what she has put on the record, so that you might understand what it is that really needs to be done. You're the government. You have the power. You can do it. Please do it.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** The member for Beaches-East York is undoubtedly the most passionate member of this House on this issue; I know it's one she cares a great deal about, and has for some time.

I guess we all believe in going to the same place, in the same goals about what we have to do to address this plague which is domestic violence. The member for Scarborough-Agincourt talked about the sanctuary of a home. You talk to a number of constituents who talked about safety on the streets and how there is such a fear, and they just wait to get home and to reach that doorknob, put the key in, where they'll feel safe, and the

real tragedy for many is that's when the fear starts, not when it stops.

The member opposite won't be surprised to know that there may be some disagreement on how we get to that goal—what's the right mix of addressing the legal issues, the judicial issues, the criminal response, but so too the social response, the community response. If the view is, "Can we do more?" it's an unequivocal yes. I think we should have, and I think we are having, a thoughtful, fair and respectful discussion on this issue.

This bill isn't going to end this problem overnight. I don't think anyone is going to suggest that. It's a step forward—I'd argue a big step forward—together with the \$5 million to deal with child witnesses of domestic violence, the \$5 million to provide additional transitional support in the community to those shelters and with the increased number of domestic violence courts. These are a number of steps forward. Can we do more? Undoubtedly yes. These women's groups came forward and presented a plan with hundreds of millions of dollars of price tags attached to it two weeks ago. I think it's worthwhile to consider it and to reflect on it and to talk about the issue of the capacity of shelters, which I've indicated that we're extremely prepared to do.

**The Deputy Speaker:** The member for Beaches-East York has two minutes to respond.

**Ms Lankin:** I appreciate all the members' responses.

I say to the member for Dufferin-Peel that violence against all members in society is an issue for which we share a concern. I say to him, though, that the Premier of this province said there was going to be a focus on initiatives in response to six brutal murders of women this summer. You're saying this bill addresses a whole lot of other issues, and I agree with you, so I'm now waiting for the response from the government to the six brutal murders of women this summer, the 44 women who have been killed since the May-Iles jury recommendations, the 50 women killed in this country every year and what we can do in Ontario, in our province, to address it.

To the Minister of Community and Social Services, with whom I can always have a very direct and honest conversation and can make, I think, progress in our understanding of each other's positions—you said it would come as no surprise to me that there's a difference of opinion on what needs to be done and what the right mix is. You know what? I don't know what the difference of opinion is, because you won't speak about it. You won't answer.

When you say the \$5 million for transition supports in the community, the \$5 million for child witness, you don't acknowledge that it barely makes up for the cuts you made to shelters, you don't acknowledge the cuts to the rape crisis centres, you don't acknowledge the end of second-stage housing programs. You don't acknowledge, when you say the women were only here two weeks ago, that these issues have been raised over and over again. You don't acknowledge that the proposal for the

province-wide crisis hotline has been in the government for months and months now.

I want to have a respectful dialogue. I do want to have a process in which we make gains and we change things and we make things better to save women's lives. I'm asking you, pleading with you, to start talking openly. Tell us where your government stands.

**The Deputy Speaker:** Further debate?

**Ms Marilyn Mushinski (Scarborough Centre):** I appreciate the opportunity to join in this debate today speaking on Bill 117, the Domestic Violence Protection Act, 2000. I have to start off by saying that, having listened to the various points of view around this House today, I join with my colleague the Minister of Community and Social Services in recognizing the passion and commitment that the member for Beaches-East York has on this issue. I have to say that over the past few years I have been tremendously moved by that passion and commitment that she has so obviously given this House in terms of speaking in defence of this very serious issue.

The bill under consideration is about commitment. It's about commitment to creating safe communities where people can be safe and they can feel safe, not just in their homes but in their streets and in their neighbourhoods. Over the last five years, this government has taken a leadership role in taking very concrete action to protect and support victims of domestic violence.

I want to speak today a little bit about some of those initiatives, because I think it's important that it be repeated that we clearly have taken a stand on the side of victims. The programs we have taken clearly demonstrate that. For example, we've created and expanded the domestic violence court program. Indeed, it's become one of the largest in Canada and it's one of the most comprehensive of its kind in Canada.

I know the minister recently announced an expansion of those into my riding of Scarborough Centre, because the issue of domestic violence is a very serious issue and has been identified, certainly in terms of policing, by the police in Scarborough as perhaps one of the most serious and important issues affecting the whole issue of policing in my community of Scarborough.

**1620**

We've allocated an additional \$8 million annually to ensure that crown attorneys have sufficient time to meet with victims in preparing their cases for prosecution. All of these things are important measures toward ensuring that justice is not just seen to be done but is indeed done to protect the victims of domestic violence.

What this particular measure does is that it actually gives a voice to the victims in the justice system, something I've had serious concerns about over the last few years and is reflected in the intent of my private member's bill.

We've also expanded the victim/witness assistance program. That too is another measure we have done to really support the victims of domestic violence.

And yes, we plan to do more. I've heard a lot today about, does this bill go far enough? I think it's important for us to recognize that there are many, many things that we have to continue to do and to expand, and this is one of them.

To get victims in touch with the services they need, we've actually expanded the victim crisis assistance and referral service and the SupportLink program. To support families in crisis, we've expanded the supervised access program. I'm particularly pleased that these actions of our government have been taken really to make our justice system more responsive to the needs of the victims of domestic violence. They are important components that support victims and, more importantly, actually hold abusers accountable for their actions.

Bill 117 is one more step we're taking to protect victims of domestic violence and to hold offenders accountable. That's a promise we made in the Common Sense Revolution, it's a promise we made in the Blueprint, and it's a promise we made in the throne speech. So you can say that we are indeed keeping our promises.

The members opposite maintain that we have not supported victims through community-based programs. As a member of a community council for 12 years who was very actively involved in the development of community-based programs such as the establishment of the Scarborough Women's Centre, of which I was a founding member, and bringing about the first shelter for women in Scarborough, called the Emily Stowe Shelter for Women, I recognize the absolute need for supporting community-based programs. To suggest that somehow this government does not do that is a totally inaccurate portrayal of this government.

I want you to consider the facts. Some \$51 million has been allocated to support 98 emergency shelters and related services in 2000-01. We're committed to supporting women's shelters, because we know they help to keep abused women and their children safe. They also provide practical and emotional supports that are essential to helping women escape violence in their lives and to support children who witness violence.

Funding for shelters includes \$1.7 million which was allocated by my great colleague the Minister of Community and Social Services in 1999-2000 for crisis lines across Ontario. I hear a lot of rhetoric about our not supporting these kinds of community programs, but they're right within the allocation of the important ministries that provide these important services. These lines operate 24 hours a day, seven days a week and have fielded over 150,000 calls.

We recognize the important role that these lines, again, play by offering support and assistance to women in crisis. It's important that as we implement these kinds of programs we also continue to try to improve them.

Recently, the Ministry of Community and Social Services announced \$10 million annually to enable shelters to hire additional support workers and to establish programs that are specifically designed to help children

who have witnessed violence in their homes. These services have been identified as critical services by a broad range of agencies that serve abused women and their children, including the Ontario Association of Interval and Transition Houses, the United Way of Greater Toronto and the Joint Committee on Domestic Violence. So to suggest somehow that we're not listening to the very people who deliver these services I think maligns much of what our government is doing in supporting victims of violence.

The Ministry of Community and Social Services has also improved the means by which shelters are funded. We've simplified the funding arrangement by assuming the municipalities' share. Some \$21 million has been allocated to over 100 counselling programs for women and their children in 2000-01.

Approximately \$50 million has been committed to support innovative community-based projects that focus on vulnerable children and adults as part of the victims' justice action plan and \$10 million annually has been allocated for the expansion of community-based programs, including the victim crisis assistance and referral service, SupportLink and making services more flexible to meet the needs of northern communities.

We're expanding the victim crisis assistance and referral service, called VCARS for short, by as much as 50%. Managed by community-based boards, 26 VCARS sites across the province work in partnership with local police services, something that they themselves have identified as a priority in trying to protect victims of violence. The victim crisis assistance and referral service also helps victims to get in touch with community supports, something clearly identified as a high need by the member for East York, so that they can leave dangerous situations.

The victim support line is provided as part of the victim crisis assistance and referral program. The victim support line is a province-wide, toll-free, bilingual information line that provides referrals to victim services, information about the criminal justice system and automated notification about offender release from custody.

SupportLink, which provides safety planning that can involve cell phones pre-programmed to dial 911, would help to ensure that emergency response teams are alerted immediately if there is danger. The SupportLink program will be expanded by as much as tenfold. Currently, two successful SupportLink pilots are providing wireless phones programmed to access 911 to victims of sexual assault, domestic violence or stalking.

Safety planning assistance is also an essential component of this service. The program is delivered in alliance with Ericsson Communications and Rogers Cantel. An additional \$500,000 was provided to cover streamlined applications for emergency legal aid advice and the number of hours was doubled to assist abused women seeking restraining orders.

**1630**

Speaking about the legal aid process, I have to say that protection from domestic violence is the highest priority

for family law certificates from legal aid. Legal aid services to victims of domestic violence can be accessed through certificates that are available through legal aid area offices, duty counsel at the courts, advice lawyers in the community and at the family law information centres attached to the courts, and at the three family law offices in the provinces.

Legal aid provides 90 advice lawyers who visit shelters and community agencies to provide free advice to the public.

Certificates can be issued immediately and made retroactive for victims of domestic violence. Up to eight hours is available for restraining orders, in addition to the hours available for other family law matters.

Two hours of emergency legal advice is available to eligible victims of domestic violence by direct referral to a lawyer of the victim's choice. This program is administered through shelters, the victim witness/assistance program and community-based organizations.

In 1998-99 almost 3,000 women received assistance through our emergency legal aid service for women in shelters program. We also created the specialized services for abused women in partnership with the Barbra Schlifer Commemorative Clinic. This pilot project assists women who want to leave abusive relationships by providing direct legal services, advocacy and information about family law, landlord and tenant and immigration issues.

The number of supervised access sites will also be expanded to provide for safe visits between non-custodial parents and children. Supervised access centres are part of our ongoing commitment to ensuring the wellbeing of Ontario's children and families.

We've more than doubled the number of court districts served by the supervised access program, from 14 to 36, and we're further expanding this important program, from 36 to 54 sites, province-wide. Supervised access centres provide families with safe and neutral places where non-custodial parents and children can meet under supervised and controlled circumstances.

Fifty million dollars has also been committed to rent supplements to help house up to 10,000 families and individuals; 445 of these units have been allocated to victims of domestic violence. Victims of domestic violence would receive priority consideration for the remaining units. These subsidized units will assist individuals who are homeless or are at risk of becoming homeless.

The Ministry of Municipal Affairs and Housing, with the local housing authorities and consolidated municipal service managers, is presently reviewing and processing applications from interested landlords. To date, over 1,700 units have been approved, and applications from non-profit and co-op housing projects are eligible for consideration. This is expected to improve the approval of more units.

These are over 40 projects and initiatives in the areas of safety, justice and prevention to help meet the needs of abused and assaulted women in Ontario. Much of the funding supports are also for community-based programs

and services. In fact, this government is actually spending more to prevent domestic violence than it ever has in the past. We now spend almost \$135 million, which is an increase of over \$37 million since 1995. A further \$5 million will be added next year, which will bring the total to approximately \$140 million.

Domestic violence is an issue that affects us all. It affects us as legislators, as neighbours, friends, fathers, mothers and, finally, citizens of Ontario. It is a serious crime, and whether we've been victims of domestic violence, whether we know someone who has been or whether we have lived in a neighbourhood where domestic violence has occurred, we're all affected. We're affected in ways that negatively impact our communities because communities cannot prosper if we allow violence in our homes. We can't attract families, we can't attract business and we can't attract investments if we have unsafe communities.

We've sent a clear message and a clear signal that domestic violence is not to be tolerated in Ontario. An Act to better protect victims of domestic violence is another important step toward providing faster access and better protection for victims of domestic violence.

I still believe that Ontario is the best place to live, to work and to raise a family, and I believe it is important that we work together to assist victims of domestic violence and to help keep our children and our communities safe.

**The Acting Speaker (Mr Tony Martin):** Comments or questions?

**Mr Dominic Agostino (Hamilton East):** I'm pleased to briefly respond in two minutes. First of all, I think it's a positive tone that all members are taking toward this very serious issue. It's important for us to maintain that throughout this because it's clearly an issue that all of us are impacted by directly or indirectly in this province and the communities in which we live.

One of the areas we need to focus on that does as much, and that we have tried to address over the years, is the impact of domestic violence, particularly in communities of new Canadians and in communities of certain ethnic backgrounds where there's a whole stigma, a whole cultural negativity that is attached to a woman coming forward and reporting domestic abuse as a victim.

I can't tell you how many women over the years have come to see me in my office who have been repeatedly beaten by their spouses, abused physically and sexually. But they're afraid to step forward, not only out of fear of reprisal and a fear of further victimization, but out of fear because of cultural or ethnic beliefs and traditions and values. Often they are isolated from the rest of their family when they do that. All of a sudden they are blamed for it. They are victimized again by their family.

Those are the types of issues, as we look at domestic violence, that we've got to address. We just can't ignore that. We've got to deal with these individuals so that there's a comfort level, there's an understanding and there are support programs in place to ensure that when a

woman comes forward the resources will be there, and that we educate as much as we can in the prevention area. It's an area that often we don't talk about. It's often unheard of because a silent victim is not only silenced by an abuser but silenced by her community often, by her family, by her relatives, by her neighbours, based on cultural and ethnic traditions and values that they have. It's an area that I hope not only this bill but other pieces of legislation in the future will address because it's a very serious problem.

**1640**

**Mr Joseph Spina (Brampton Centre):** I am pleased that our government has moved forward on this issue of domestic violence. I agree with members opposite and on all sides of the House that this is an issue that should not be tolerated in any of our communities and certainly not all across our province.

This bill is the first step toward getting the help they need to escape the abuse once and for all. I'm pleased that today, out of the \$5 million that was announced by the Minister of Community and Social Services for the transitional support program, the Salvation Army Family Resource Centre in Brampton will receive about \$133,400 to hire transitional support workers. That's part of our program to help abused women break free of domestic violence. I'm very pleased because the employees and volunteers of the Salvation Army Family Resource Centre in Brampton are probably the best resource we have for all people, but primarily and mostly for women to escape that domestic violence environment. I want to congratulate the hard work that is being done by the people at the Salvation Army Family Resource Centre. Having personally been there a few times supporting some of their Christmas activities, I'm very proud that they were recognized for the additional funding to go out towards this program.

**Mr Phillips:** This summer, among the most memorable situations in my mind were several cases of extreme domestic violence that all of us reacted to with horror. I just say to all of us, whatever we're doing right now is not working, it's not adequate and we need to do more.

This bill, which our party, the Liberal Party, and Dalton McGuinty will support, is but a small part of what we believe and, perhaps more importantly, what the people in the community who are involved in this on a day-to-day basis strongly believe. They brought forward to us a few weeks ago a series of recommendations and they said, "If you and the Legislature want to do something substantive, do these things." Frankly, they and we are still waiting for a response to it.

To me, firstly, if we all agree, which I think we do, that domestic violence is a significant tragic situation in Ontario, there continues to be a totally unacceptable level of it. Forty-four deaths are unacceptable. If we believe that the steps in this bill are but a small part of the solution, we should be today debating the other parts of the solution and, if not today, the government should say to the members of the opposition and the public, "Yes, we have substantive moves coming in the next few

weeks.” That’s simply the demand that’s been made by the opposition; it’s still to be responded to by the government.

**Mr Gilles Bisson (Timmins-James Bay):** I guess what bothers me in what we’re hearing from across the way is that the government tries to make us believe, at least the backbenchers and the ministers through this bill, that this is going to be the answer that’s going to deal with the very serious issue in our society of violence against women. They’ve put forward this bill as sort of the answer to that problem. I just really get a sense that they don’t get it. They really don’t.

As I speak to people, for example, at the women’s shelter in my riding or I speak to people at the crisis centre in Timmins and talk to them about what the problem is, they say, “Listen, Gilles, the reality is that less than 10% of women who are sexually assaulted actually go to the police and, of that, only 25% of them ever get to court.”

What we need government to do is to support community programs that deal with the issue way before it ever gets to the courts, to give the women the kind of support they need, to try to break some of the attitudes we have in our society of men towards women but also, quite frankly, to deal with some of the issues of how we support women in our community. I guess it would be easier for me to accept at face value what the government is saying if I would see the government make inroads in those particular areas.

I sat in this House, Mr Speaker, as you did, and watched this government close eight women’s centres across this province—a government that says it’s serious about dealing with violence against women, a government that has cut a number of other community programs that are earmarked to deal with the issue at the frontline, giving women the kind of support they need. So I have a really hard time accepting the line of the government that this is an important first step, because if we measure this as a first step, I’m afraid to say, it’s a pretty small one.

**The Acting Speaker:** Response?

**Ms Mushinski:** I’d certainly like to thank the members for Hamilton East, Brampton Centre, Scarborough-Agincourt and Timmins-James Bay for their comments. I must say, it is nice to see the somewhat non-partisan way in which my comments were responded to.

I should say, in response to the member for Hamilton East, who spoke about the whole fairly new area of dealing with domestic abuse and some of the cultural issues with respect to our very culturally diverse community, that indeed, when Mrs Cunningham was the minister of women’s issues she introduced and expanded the whole area of cultural interpretation into our court system in recognition of the fact that many of us do represent many culturally diverse communities that have specific needs, especially as they pertain to cultural interpretation. That is another issue where I think this government clearly respects the fact that the whole issue of domestic violence is not a simple issue. It’s a very diverse and

complex issue, but it is one that I believe all members of this House are completely committed to eradicating in this province.

**The Acting Speaker:** Further debate?

**Mr Phillips:** I’ll be sharing my time with my colleague from Ottawa-Vanier.

I appreciate the chance to debate this bill and to get some of my thoughts on the record. I can hardly imagine a more tragic environment than to be subject to domestic abuse. As I said earlier in the Legislature, we’re all fortunate. We go home to an oasis, a place of calm and civility, and without that, many of us would have some challenges here. We face enough challenges in our workplace but when we go home, that’s where we get our nurturing and our love and our caring. As I said, I can hardly imagine the pain that a woman must go through to, in her own home, face physical and mental abuse.

We see the statistics—the 44 women who have died as a result of physical abuse—but we know from those who know the field well that that’s merely the tip of the iceberg of the amount of domestic abuse that goes on. I gather that nine out of 10 women who face domestic abuse do not attempt to deal with it through our police organizations. For one reason or another, it just doesn’t happen. So we’re dealing with a situation that is somewhat less public than other situations we deal with, but one of the most tragic ones that one can imagine.

**1650**

Most of us have been fortunate. I was certainly most fortunate. I grew up in a home that was peaceful and calm—I was lucky—and that provided me with a warm, loving environment. I always felt very comfortable at home as a child, and today even. But you can simply imagine, for the woman and the children involved in that, how utterly tragic it must be to face that on a regular basis. There were few instances of events in the summer that are more memorable in my mind than those horrific domestic violence incidents that we saw in Ontario. So whatever we’re doing, it’s not working; 44 deaths is testimony to that.

What we have today is a bill that our party, the Liberal Party, and Dalton McGuinty will be voting in favour of. It is part of a comprehensive package, but it’s only part of a comprehensive package. We really should be dealing with the entire package. We would like to hear from the government when they will be coming forward with the other components of that. It isn’t as if we don’t have the answers to it. We have the May-Iles inquest results. Justice Baldwin then took it a step forward to give us recommendations and the coalition of groups that deal with domestic violence brought forward recommendations to us. So we have those recommendations.

I might note, on a small personal note, that I developed intense interest in the Iles-May inquest. I coached hockey for 30 years, and four years ago a young boy came to our team a little bit late in the season. I wondered why it was late in the season, but his name was Iles—he was the son of Randy Iles—and he came to play for our team after this incident. So my awareness of the

incident and obviously, then, my interest in the May-Iles inquest was heightened.

The first thing we all have to acknowledge, and I do think most members of the Legislature would, is that this is a problem that needs our attention. For those people, those women in those situations, it is an unimaginable hell on earth. The solution we have before us today is but part of it, so we have to put a priority now on coming forward with the rest of the solution. The government is right now running a surplus probably of over \$4 billion this fiscal year—at least \$4 billion—and surely this is an area where we can invest in dealing with an unacceptable situation for a significant number of the citizens of Ontario.

What are those solutions? The people involved in it tell us, and I agree, that they need second-stage housing. They need housing after the shelters where, on a somewhat more long-term basis, they can have a safe, caring environment in which to live. We know that the help lines should be expanded across the province, and multilingually.

I might add, just as an aside, that 10 years ago in my community the Greek Orthodox Church of Canada established a program dealing with wife assault. I give His Eminence Archbishop Sotirios a lot of credit. He led this, set up this program in one of his churches. It takes some courage to acknowledge. Wife assault, woman assault, exists in every community. It is not unique to any one community. As I say, I commend the Greek Orthodox Church and His Eminence Archbishop Sotirios and St Nicholas Church for implementing it.

But those are the sorts of programs we need to invest in. The shelter funding has been cut by 5%. That is funding that should be restored. The coalition of women's groups dealing with this issue said, "There are certain things we need to do to help to deal with this situation on an emergency basis."

Before I turn my time over to my colleague from Ottawa-Vanier, I'd just once again say that I can barely imagine what it must be like to live in a mentally and physically abusing situation with an abusive spouse. We only see those who are the victims in a very major way, hurt or dead. We don't see the dramatic numbers that aren't reported. Nine out of 10 women are reluctant to go to the police, for a variety of reasons, some understandable. Fear of: "If I now leave my abusive partner, where do I go? Will I be able to feed my children? Will I have a place to stay? Can I provide an environment for them?"—terribly emotional problems.

This solution, this proposal, this bill, is but one part. We had very much hoped that the government would have come forward with a comprehensive plan. The Premier indicated over the summer that this was a huge priority for the government. We hope the government will take the opportunity, before we pass this bill, to announce that they will be coming forward this session with a more comprehensive plan.

**Mrs Claudette Boyer (Ottawa-Vanier):** Thank you for allowing me to voice my thoughts on the very

important topic of domestic violence. As a woman, this topic is one of great importance. I know of not one woman, no matter how rich, how old, how educated or how influential, who does not think about this threat at one time or another. This issue is one which crosses partisan lines because it is one which affects us all, regardless of party ties.

Oui, c'est vrai. En tant que femmes, ce sujet n'est jamais loin de nos pensées. C'est un sujet qui nous affecte, non pas parce que nous agissons d'une telle manière ni parce que nous voyons le monde d'une perspective différente. La violence faite aux femmes est un dossier qui nous affecte tous et toutes, hommes et femmes.

Mothers, daughters, sisters and cousins all are affected by this tragic problem. On November 25 last year I rose in this House to speak on this very same topic. At that time, I argued that violence against women was a crime, but that tinkering with the criminal justice system was not a strong enough response. I said that women who have been violated need counselling and compassionate assistance to heal and prepare for a life free of violence and financial dependence.

Malheureusement, ce gouvernement n'a pas écouté à 100 %, et encore une fois nous nous trouvons avec un projet de loi qui vise uniquement à punir les abuseurs. Notre caucus, sous l'habile leadership de M. McGuinty, a toujours appuyé des mesures visant à contrer la violence faite aux femmes. Ce projet de loi n'améliore aucunement les services disponibles aux femmes victimes d'abus.

This is a government that speaks endlessly about victims' rights, yet at the very same time, with this bill, they are taking the focus off the victims. We need to focus our time, our resources and our efforts toward helping women who are victims of violence instead of focusing solely on the best and harshest way to punish the abusers. I repeat, we must focus on the victim.

**1700**

If this government thinks this bill will prevent violence against women, they are wrong and they should stop saying it will. It will do nothing of the sort. I agree it will provide stricter punishments to the abusers after the fact, but really I am not sure Ontarian women are going to sleep any better tonight knowing that fact.

Here is an example of what I mean when I say the government is focusing on the abuser instead of the victim. One of the good changes that will come out of this act is that breaches of the new intervention orders will be enforced according to provisions of the Criminal Code. All this means is that if an abuser ignores a court order, he will now be charged under the Criminal Code. I'm fully supportive of this measure, just as my party is, but where does the victim fit into this? We know where the abuser stands but what about the victim?

Il y a quelques jours j'ai parlé à la directrice de la Maison d'Amitié, qui est une maison pour les femmes abusées, qui est située dans mon comté d'Ottawa-Vanier. J'ai jasé avec elle pour m'informer de ce qu'elle pensait

de ce sujet. Comme bien d'autres, elle craint que les changements qu'amèneront ce projet de loi sont plutôt cosmétiques et ne s'adressent pas aux vrais problèmes.

Pourquoi quelqu'un qui planifie un acte des plus horribles, soit l'abus, le viol ou le meurtre, aurait-il peur de briser cette loi qui le verra maintenant chargé sous le Code criminel ? Est-ce qu'une simple loi sur papier ne suffit tout simplement pas pour arrêter quelqu'un qui cherche à étouffer une vie humaine ? Pensez-vous honnêtement qu'un homme qui cherche à abuser, à violer ou à tuer sa femme sera détourné par les conséquences de cette loi ? Encore une fois, où sont les intérêts des victimes ?

Faisons une petite analogie. Voici ce qui me semble que ça signifie, les droits de la victime pour ce gouvernement : premièrement, un manque flagrant de fonds de ressources pour nos foyers pour femmes abusées ; un manque flagrant d'habitations à long terme ; de longues listes d'attentes pour avoir accès à des conseillers professionnels ; et plus important, un manque de vision et de plan d'attaque pour éliminer la violence faite aux femmes.

J'aimerais quand même à ce moment ici aborder un autre sujet dans un autre rang. Dans mon comté d'Ottawa-Vanier nous avons, oui, comme je vous ai dit, une maison de passage francophone qui, comme toutes les autres maisons de passage dans la province, souffre d'un manque de ressources et d'appui.

Mais la Maison d'Amitié est spéciale parce qu'elle offre aux femmes victimes d'abus la chance de se faire servir dans leur langue. Maintenant il y en a qui nous diront que la langue et la violence familiale ne sont pas des dossiers qui vont de pair. Ils diront que le problème est premièrement qu'une femme ait accès à une maison de passage et que la question de langue est secondaire. C'est peut-être vrai. Mais je pense que cet argument ignore l'impact immense que présente la situation de violence familiale aux femmes. Je pense que les femmes abusées ont assez souffert par l'abus qu'elles se doivent d'avoir la chance d'exprimer ce qu'elles ressentent, d'exprimer ce qu'elles ont vécu dans leur langue, et c'est beaucoup plus facile de s'exprimer dans sa propre langue.

À Ottawa-Vanier, la Maison d'Amitié ne peut tout simplement pas accommoder toutes les femmes qui leur arrivent pour de l'aide et pour être servies en français. Les femmes sont donc renvoyées pour obtenir des services en anglais. N'étant pas à l'aise, qu'arrive-t-il ? Ces femmes ne vont pas chercher l'aide dont elles ont besoin.

Let me outline some of the requests put forward to the government of Ontario by women's groups in the province. Incidentally, the Liberal Party and the third party have both sided in support of these very modest demands. I don't think that the Harris government has done so, so let me outline a few of these demands.

These groups ask that the Assaulted Women's Helpline be extended province-wide.

SOS Femmes demande que la seule ligne d'urgence disponible aux femmes francophones devrait avoir leur base d'opération garantie, demande que 15 \$ millions soient alloués aux foyers communautaires indépendants.

They are asking for funding for women's neighbourhood groups. They are asking for funding for province-wide anti-violence groups and stable funding support for women's centres.

These demands are by no means excessive.

Ce gouvernement parle constamment des droits de la personne, mais ce projet de loi parle exclusivement des mesures punitives dirigées vers l'abuseur.

We know that this government has done considerably well playing up the tough-on-crime agenda. We know that it believes strongly in the notion of punitive justice. But what I cannot accept is that we end there. Punitive justice must be preceded by a strong commitment to real and true prevention. It is here where this government has continued to drop the ball.

Quand viendront les vraies mesures pour prévenir et enrayer la violence faite aux femmes ? Merci.

**M. Bisson :** Ma collègue M<sup>me</sup> Boyer de Vanier soulève un point qui est très important et très intéressant : quand viendront les services dont on a besoin dans nos communautés pour nous assurer que les femmes abusées ont une place où aller et ont les conseils nécessaires et qu'elles ont les services dans la communauté pour être capables de trouver une manière de traiter ce problème dans la communauté ? Je pense bien que le point est que le gouvernement présent manque de vision, comme l'a dit M<sup>me</sup> Boyer, et manque de plan de comment on veut s'organiser dans cette direction-là comme gouvernement provincial.

Ce gouvernement a pris une décision dès 1995 d'éliminer beaucoup de programmes d'aide dans la communauté pour ceux dans notre communauté, dans notre société, qui sont victimes dans cette situation, et le gouvernement essaie de mettre une bonne face à la situation en mettant en place ce projet de loi qui va en avant jusqu'à un certain point pour aider. On ne va pas faire semblant que ça n'aide pas beaucoup, mais c'est plutôt un plan de communication qu'un plan d'affaires quand ça vient à être capable de trouver des solutions aux problèmes dans notre société. On voit ce gouvernement qui, à beaucoup de reprises, a pris cette position sur beaucoup de questions sociales dans notre société.

On n'a pas besoin d'encore un autre communiqué de presse de notre gouvernement, d'encore une autre opportunité pour le ministre de se lever pour dire : « Regardez comment on a fait du bien. » On a besoin, de la part de ce gouvernement, d'un plan concret mis en place tel que suggéré par les coalitions des femmes de cette province pour trouver, finalement, une manière de traiter ce problème. Je dis que ça prend des sous, ça prend un plan, ça prend une vision, et c'est quelque chose qu'on veut voir chez notre gouvernement une bonne journée.

1710

**Mr Doug Galt (Northumberland):** I certainly compliment both the members who spoke on this bill, the member from Scarborough-Agincourt and the member from Ottawa-Vanier, and I compliment both parties for their support on this particular bill. Often the public don't understand why parties don't work together, and this is one good example of where they are. Both of them spoke on a very sensitive and very emotional issue.

The member from Scarborough-Agincourt made reference to growing up in a loving home, not being familiar with violence, and I can say the same thing. It was quite a revelation, new information for me, as I got older and became mature to realize that that kind of thing did go on. It was quite a surprise to me, but as time went on I started to realize just how serious this particular issue is.

There have been a few comments made, including by the member from Timmins-James Bay, about this bill being window dressing and not going far enough. But there is some real definition in this bill on what is abuse. There's the expansion to include other areas that haven't been totally covered in the past, different relationships people have, including elders, including children, and things such as dating. We've all heard about some of the things that apparently do happen on dating, which I find very disturbing, particularly when I have three daughters. I'm certainly very supportive of women and the issues that go around that.

This is a lot more than cosmetic change that has been referred to. I think there are some very definite moves being made here, and I compliment the minister for bringing forward this bill.

**Mr James J. Bradley (St Catharines):** As a number of people have now observed, one of the problems is that there's a total program required to deal with domestic violence. One of the components that I'm very concerned about is the lack of adequate funding for both first- and second-stage housing. If I can mention one place in St Catharines, it would be Women's Place in St Catharines, which is a shelter for people who are victims of domestic violence, and I can't think of a time when Women's Place is not overflowing with people. The staff are scrambling to deal with the circumstances that face those who are in dire situations when they arrive at Women's Place.

What you see happening now across our communities is that you see people scrambling for money. Everybody is now holding a golf tournament. Every charitable organization has a golf tournament going now, or they're selling tickets, or they're having some kind of fundraiser. The problem is that a lot of people of goodwill out there are getting what you call donor fatigue because they've been asked to donate to so many different areas.

I think of the next stage, if you will, in terms of housing. We have Bethlehem Place in St Catharines, which has allowed people over a period of time to get their lives back together. It's had a great success rate. At one time it could count upon, certainly not all of its funding, but a significant portion of it, to come from the

provincial government. That is absent today, and they're competing with so many other worthwhile organizations, trying to get the funds.

While this bill is one component, what is required is an investment—not \$200 mailed out to everybody as a public relations trick by the government, but invested in solid programs such as Women's Place and Bethlehem Place.

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Oui, le Parti libéral de l'Ontario va appuyer ce projet de loi. Je crois qu'il est un grand montant pour le gouvernement conservateur d'arriver avec les modifications, puisque depuis longtemps nous voyons que Madam Justice Lesley Baldwin avait fait des recommandations. Elle avait aussi demandé si on avait déjà fait des approches pour apporter les changements nécessaires.

C'est bien beau pour le gouvernement de dire qu'on va apporter une modification. Comme j'ai dit, nous allons l'appuyer, mais est-ce qu'on va avoir le personnel en place pour s'en assurer? Nous regardons que nous recevons actuellement environ 25 appels par année concernant la violence locale, mais 50% à 75% des appels ne sont pas placés parce que les gens savent que ça ne vaut pas la peine de placer un appel parce qu'on n'a pas de réponse.

Il est aussi grandement important pour le gouvernement d'apporter des changements parce qu'eux sont responsables du Code criminel. Lorsqu'on regarde le Code criminel, en moyenne, actuellement, une personne qui est incarcérée pour moins de deux ans est la responsabilité de la province. Mais d'après les dernières statistiques que j'ai reçues, les personnes qui sont incarcérées passent environ un sixième de leur temps derrière les barreaux. Cela veut dire qu'on a un manque d'espace, et puis à tous les jours nous entendons dire qu'il y a un manque de places dans nos prisons, dans nos centres de détention. Je crois qu'il est la responsabilité du gouvernement de voir à ce que les personnes soient retenues plus longtemps qu'un sixième de leur temps qu'elles doivent passer en prison. À chaque fois que ces personnes-là sortent, la majorité du temps elles sont encore impliquées dans une autre violence. Que ce soit chez les aînés, chez les jeunes, chez les dames, il y a toujours de la violence quand ces personnes-là sont laissées aller trop tôt des cellules de prison.

**Le Président suppléant :** Réponse ?

**M<sup>me</sup> Boyer:** Premièrement, je remercie mon collègue de Timmins-Baie James pour s'apercevoir qu'on manque aussi peut-être de vision et de plan d'attaque envers le problème de la violence chez les femmes.

I'd like to thank the member for Northumberland for recognizing that this is not a partisan issue but that everybody is involved in it. When he talks about "cosmetic changes," I agree with that, but right now we're talking about punishing the abuser. Maybe we wouldn't have abusers if we had a plan, if we had the money, if we had the prevention to look into this.

Let's not forget what these women really want. They want money, they want preventive funding, not only

money for those abusers' houses but money to prevent, to do some education in our schools and in women's groups.

Je pense qu'il est très important de penser encore une fois bravo pour tenter de punir avec ce projet de loi ceux qui abusent, ceux qui font de la violence domestique, mais pensons aussi s'il vous plaît à trouver ce plan d'attaque, ces raisons, ces buts pour justement enrayer la violence domestique.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** I welcome an opportunity today to spend a few moments with regard to this piece of progressive legislation. I commend the Attorney General for a step in the right direction in a very difficult area of the law, a minefield that is domestic law.

I know the minister would agree that this act will require some fine-tuning. Let me say at the outset that I sincerely hope this bill, once it passes second reading, will be referred to the justice committee because I would welcome an opportunity to have input into the amendments that I feel this bill will meet.

I should point out that it's very easy to criticize attempts to move the envelope forward in the area of domestic and matrimonial law. The only way to avoid criticism is to do nothing, and we've seen examples of that theory being put into practice in recent history in Ontario.

It's not my wish to be partisan today, but I do wish to reflect upon the advancements made under the governments in the past number of years, and I would suggest approximately 25 years.

**1720**

It is indeed a sad comment that I'm compelled to assess the advancements in matrimonial law, and indeed in many facets of the work of government, in a 25-year period, but it seems to me that it takes about a quarter of a century to accomplish anything worthwhile in this province. For example, in 1973, as a member of the regional council in Ottawa-Carleton, I attended my first meeting with regard to a four-lane highway from Prescott to Ottawa, a highway which opened in 1999.

In 1976, I attended my first meeting of bench and bar with regard to a Unified Family Court, a court which was extended to Ottawa-Carleton in 1998, 20 years after the pilot project was first introduced in Hamilton and gradually developed throughout the province. Today, it still encompasses less than 50% of the jurisdictions. That's a very significant point when we look at the enforcement of this piece of legislation we're looking at today.

I think back to 1974 when I attended upon Premier Davis as chairman of the planning committee in Ottawa-Carleton with a plan to reduce the number of municipalities within the region of Ottawa-Carleton. In the year 2000, legislation was passed which will take effect January 1, 2001, but not without a special referendum in the municipality of West Carleton.

In 1975, I again attended upon Premier Davis and the Minister of Labour of this province as a representative of

council with regard to an unfair labour practice in the construction field on both sides of the Quebec-Ontario border. Legislation was passed in 1999 addressing this issue. But as the member from Prescott-Russell stated yesterday in this House, there's been very little progress. And so we look at quarter centuries as short periods of time in dealing with the problems that the people we represent face.

In 1978, when I went to the bench, in most major cities in Ontario, definitely in Ottawa-Carleton and indeed in all areas in eastern Ontario, domestic assaults were handled in the Family Court. Regardless of the seriousness of same, they were handled in the Family Court. The rule was easily stated but very difficult to understand. Punch your neighbour in the nose, you go to Criminal Court. Punch your wife in the nose, that's for Family Court. Why was this? The answer was that in fact the family courts were in-camera courts. There was no press. There was no public and no publicity, and while the same level of sentence was available, there was no public embarrassment to assaulting somebody within your family.

This was exceedingly hard to justify and the judges in the Ottawa-Carleton Provincial Court (Family Division)—four, I might tell you, of the most brilliant jurists to be assembled under one roof in this province at any one time—Mr Justice P.D. Hamlyn, Mr Justice Jean-Paul Michel and Mr Justice Guy Goulard—took it upon themselves to change the procedures. We were way ahead of our time, to say the least, because the thinking in the 1970s was so much different. I remember well an incident here in Toronto which underlines that fact.

The situation to which I refer arose from the deaths of four babies at the children's hospital here in Toronto in 1980. A young nurse by the name of Susan Nelles had been charged with murder. She was not convicted and she was not acquitted. She was in fact discharged at a preliminary hearing. Now, a preliminary hearing is held in cases of indictable offences where an accused elects a trial by a Superior Court judge or a judge and jury. The preliminary hearing does not decide the guilt or innocence of the individual. It is only there to assess if there is sufficient evidence to send an accused to trial. I believe the proper question placed before a preliminary inquiry is, could a properly instructed jury, if it believes all the evidence put forward, properly convict?

The judge presiding over the 40-day preliminary hearing, 40 days of evidence, in 1982 found that there was insufficient evidence to send this young lady to trial. The judge was not finding that there was not proof beyond a reasonable doubt of her guilt, but simply that there was not even enough evidence with which a properly instructed jury could render a guilty verdict even if it believed all the evidence. As I recollect, this accused received an exemplary defence from a man by the name of Austin Cooper. As I recollect, Mr Cooper called no evidence in the 40 days of that preliminary hearing.

Some two years later, during a royal commission, headed by Mr Justice Samuel Grange, which was set up to investigate the charges in the prosecution of this young nurse, a memo written in 1981 was released in evidence. The memo had been written by the crown attorney for Metropolitan Toronto, one Jerome Wiley, to the Toronto police department. This is a senior crown attorney for this jurisdiction in which I stand today writing to the Toronto police on a very high-profile case. That memo accused the Toronto police of giving this murder investigation “only slightly more priority than a domestic murder.” Accompanying that memo was a letter, also released at that time—1982—before the royal commission for the first time, from that crown attorney to the police alleging that manpower shortages and costs were preventing police from doing an adequate job.

Where could the resources have been going—to traffic violations, to real murders which were “non-domestic” murders?” Up until that hour, the release of the memo at the Grange hearing, no one in Ontario was aware that there was a difference between a domestic homicide and any other homicide, at least not in the eyes of the law and presumably not in the eyes of any police force. But here was a senior crown attorney making this distinction for the first time and driving home the fact that there were different standards.

Last night, as I mulled over some situations that I have experienced, I pulled out a copy of a story from the Toronto Sun dated Thursday, August 30, 1984. This story was written by one Heather Bird, then a staff writer for the Toronto Sun and now, I believe, a senior editor. It sheds considerable light on the thinking of the day. Writing at that time, Ms Bird said, “The Metropolitan Toronto Police gave the Susan Nelles murder investigation ‘only slightly more priority than a domestic murder,’ according to the memo of Jerome Wiley, the crown attorney.” She goes on and describes the allegations and the problems, the hesitation on the part of the Toronto police which the crown felt gave rise to some of the problems they faced.

I think it is interesting to realize how far we have come in this province in the past 15 to 20 years. We now have specialty courts for domestic violence, we have specially trained prosecutors in these courts and we are constantly—and even properly in some cases—tinkering with the rules of evidence in these matters.

You’ve heard about the victim/witness assistance program which has been commenced and expanded, the victim crisis assistance and referral program, the supervised access program and the SupportLink program from other speakers. But as we enter the 21st century, many will raise their voices and say, “It’s about time.” We can put more funds into the community for protective measures. The biggest corrective measure required would be to educate the vulnerable people to recognize those who may be violent.

**1730**

This issue was driven home to me years ago as a young lawyer by a young battered woman for whom I

was acting. She was escaping her second abusive relationship and she discussed openly her future, as bleak as it appeared at that time. She explained to me how men who were abusers could sense women who, for some reason, were more willing to accept and tolerate abuse, even for short periods of time. She described the recognition in comparative terms to that of the sex offender who could single out the most vulnerable child in a group of youngsters. In all my years on the bench, and in my practice, dealing with abuse cases between spouses, between partners, and cases of abuse of children, I never forgot that conversation and how the accuracy of that comparison had been overlooked by so many in the field of domestic law.

As we enter the 21st century, we must be reminded that our Constitution, the British North America Act, is 133 years old. Our Constitution causes some serious problems re the advancement of matrimonial law—and other areas as well, I might add—in particular the making of emergency intervention orders and the enforcement of all intervention orders under this act.

It might be wise to just sit and read subsection 3(6) of this act on enforcement and compare it to subsection 4(3) on the content of emergency intervention orders, and then note the handling, in subsection 3(2), paragraph 8, of “exclusive possession of the residence shared by the applicant and the respondent” for an intervention order. If you compare those sections, you will see that the Constitution of this country—the 133-year-old, antiquated Constitution—

**Mr Dwight Duncan (Windsor-St Clair):** The Charter of Rights and Freedoms.

**Mr Guzzo:** The Charter of Rights doesn’t help in any way, shape or form. I know you Liberals think 1982 solved all the problems. I have to tell you this: it created more than it solved.

In any event, under the British North America Act, property is the exclusive jurisdiction of the federal government, and it is to be dealt with by a section 96 judge appointed by the federal government. I enjoy explaining the significance of this situation in the following manner. I try to explain that in my 11 years as a provincial court judge under the Family Law Reform Act, I could deal with some very important issues: custody of young children; access to young children of the non-custodial parent; spousal support; child maintenance; and special medical, psychological, and psychiatric reports for children. All of these matters are serious concerns for all families, whether the children are very small or grown up. However, if the parents in question owned a dog or a parrot, I, as a non-section-96 judge, was not capable of deciding which parent got custody of the parrot. I could give the four children to one spouse or the other, or I could divide the family—two children to each spouse—but I wasn’t capable, not properly equipped, to fully decide which spouse would get the parrot.

This situation gave rise to the logical conclusion that the legislators of this province and this country gave a higher priority to parrots than they did to children.

Indeed, it used to allow provincial court judges to refer to the section 96 brother as being for the birds. The fact of the matter is, you cannot draw any other conclusion but the fact that somebody must think that animals are a higher priority than children to allow that type of legislation to live, not just in this province but right across the country.

The expansion of the Unified Family Court in many parts of the province eliminated this problem, but I remind you that less than 50% of the jurisdictions in this province are serviced by a unified court. That's something we should keep in the back of our minds and to which we should address our attention in months to come.

I'd like to spend a minute or two on the issue of enforcement. It's a similar problem, not just for constitutional reasons but simply because certain police forces do not show the same commitment to enforce a provincial court order as they do to that of a federally appointed judge. I might further add that the problem is increased when it comes to warrants, be they warrants of committal or warrants of arrest, designed to bring a person before the court. The underlying education program of police forces who will be called upon to enforce Bill 117 once it is proclaimed will have to drive home the fact that the only difference—the only difference—between a restraining order or an intervention order under this act, issued by a provincial court judge or a designated judge and a restraining order made by a superior court judge or indeed a warrant issued by a provincial court judge or that issued by a superior court judge—in matrimonial matters the only difference is the size of the bank account of the parents and the size of the home in which the family resides. The children in each case have exactly the same problems, but more importantly and more definitely, the children in each case have the same constitutional rights, and we are not confirming those and we are not maintaining those because of the imbalance of the 133-year-old Constitution, the British North America Act.

In closing, I want to again commend the minister for bringing this legislation forward. As I say, I look forward to dealing with it. I hope it's in my committee or whatever committee, and I look forward to having an opportunity to deal with it at third reading. I commend to all members to simply keep advancing this envelope even if it's done in quarter-century periods.

**The Acting Speaker:** Comments or questions?

**Mr Duncan:** I listened attentively to my colleague the member for Ottawa West-Nepean, who I think brings a singular expertise to this question that many of us in the House do not have. I felt that his observations were worthy of the consideration of the Legislature, but more-over of the minister.

We differ, obviously, in one area where we had a little to-ing and fro-ing with respect to the charter; however, I feel that the comments he made did address the technical and legal questions based on his experience as a provincial court judge and a practising lawyer.

My colleagues in the Liberal caucus and our leader, Dalton McGuinty, will vote in favour of this bill. I agree with the thrust of what my colleague from Ottawa West-Nepean was saying with respect to the fact that this is not the end. This is not where we have to stop. He pointed out, in my view, something that a number of members have not reflected on, and that is further changes in court or judicial processes that, in his experience and views, need to be made.

We have on this side of the House focused our concerns with respect to the question of prevention versus subsequent punishment or dealing with a problem after it's happened. In my community, we are fortunate to have an organization called Hiatus House and its director, Donna Miller, who has been a leader in the whole field of domestic violence and dealing with it. I organized a fundraiser for that organization. Indeed, I will be giving my \$200 tax rebate to Hiatus House to reflect my concern about the fact that a number of programs have been cut by this government.

I welcome the member's comments. I appreciate his insight on this issue and I hope that the Attorney General will take his comments and observations to heart.

**Mr Bisson:** I'm happy to respond to the member from West Rideau. I have to admit that my impression of this member has changed greatly over the years that I've seen him here. I thought he was just a neo-con; he is a neo-con, he is a Conservative, he does believe in the rhetoric as we saw in his speech. But he does have a principled position. The one thing that I've come to appreciate from the member for West Rideau—he served on the bench, he has obviously good expertise on these issues and I listened to what he has to say quite carefully. But I've seen him display a certain independence, as all judges should and will and do, in this House at times. I've seen him on some of the issues of justice actually not so much follow the party line but do what he thought was right as an individual. I wanted an opportunity to put that on the record because I think sometimes we engage in this place in a lot of back and forth because we take our positions very seriously and sometimes don't the chance to talk about when other members do things right. So I want to say that upfront.

I also want to say that I know that the member well understands this issue, probably more than most, because he's had to deal with this himself in his former job as a lawyer and also as a judge. He understands that really when you get to court, the orders by the police are the last measure. It's unfortunate, but the reality is that less than 10% of women who are abused actually go to the police in order to lay any type of charges. Of those, he would well know that only about 25% of them end up in the courts.

**1740**

I know he understands, as I do, that this in itself is not a bad thing. This law certainly will assist the situation. We're not going to pretend for one second it's going to make things worse. But I know he also understands that this cannot be seen alone. We need to do many more

things, such as to restore many of the cuts that were made to women's centres in this province and the type of services in the community that we need to put in place to make sure women can go and get services well before they end up before the police or the courts.

**Mr Bart Maves (Niagara Falls):** Before I get into my comments, I would like to welcome a friend of mine, young Jessie Dykstra from St Catharines, who has made the trip up today and is in the gallery.

I have similar thoughts and comments to the members opposite about the comments of the member for Ottawa West-Nepean. I always enjoy listening to his speeches in the House. He uses a historical perspective quite often in his speeches, which is very much appreciated. He brings a historical perspective and lets us realize where we've come from, where we are now and where we're going to go.

It's kind of shocking, as I listened to his speech, the way the courts and the legal system over the years have viewed domestic violence, and, I guess by extension, society in general has viewed domestic violence, not viewing it on the same plane and taking it with the same seriousness that we've taken other forms of violence. I think his comments and his historical perspective today showed that. It was quite shocking for me to realize that, and probably for people at home to do the same.

I appreciate that the members opposite—the Liberals, I just heard now, are going to vote for this and the NDP think it's a step forward. The member, in his remarks, while he thinks that things take quite a bit of time—a quarter century in most cases—he too is pleased that this is a step in the right direction. I appreciate his comments and I thank him again for his perspective.

**Mr Bradley:** I was monitoring the speech of the member from Ottawa, and he does bring a lot of experience to the House in terms of his position on the bench and his knowledge of the legal system. This has consistently been a rather significant problem. I want to try a couple of things on him to see what his reaction might be to those.

There are some commercials now on television, put out by the Ontario Lottery Corp, I believe, which show people escaping from positive domestic situations, going out the window to get engaged in some activity—perhaps it's casino gambling or something of that nature. The point is that these commercials are there to encourage people to undertake action which may eventually end up in domestic violence. With your experience on the bench, sir, you would perhaps know many of the things that trigger domestic violence. I'm concerned about those kinds of commercials which lure people into those circumstances, and they're running on television at this time. I think you're supposed to run down to Woodbine and there is some kind of casino or slots down there.

The second is, as I mentioned earlier, you would be familiar with both first- and second-stage housing and the struggle of places such as Women's Place in St Catharines and Bethlehem Place in St Catharines. They deal at different stages, but still provide services—of course in

Women's Place it is to women and their children, and in Bethlehem Place it's extended a little further. How do you feel we would benefit by injecting more funds into those, investing funds into those first- and second-stage housing initiatives and how they might positively affect domestic violence in this province?

**The Acting Speaker:** Response?

**Mr Guzzo:** I wish to express my appreciation to the members from Windsor-St Clair, Timmins-James Bay, Niagara Falls and St Catharines for their comments.

I would like to take this opportunity to address the issue that was raised both by the last speaker, the member for St Catharines, and the first speaker, the member from Windsor-St Clair. One of the advantages of being on the bench at the time I was there was that I had an opportunity to move around the province. I actually held court in many of the jurisdictions in many of your ridings, certainly many times in Windsor—it was a favourite of mine when you got that new courthouse around about that time—and also in the St Catharines-Niagara Falls-Welland area.

One of the things we tend to forget is that there is no equality in this province or any other province, or any other jurisdiction. I hear the member from Windsor-St Clair. I'm aware, sir, of the support facility that exists in your community. You're a very fortunate individual, as am I, representing a major city. I look across and I see the member from Pembroke; he's not quite as fortunate. When you sat in Pembroke, the facilities were not there. The Family Court clinic serving all of eastern Ontario was in Ottawa. Go up north and look what the people in some of those jurisdictions are facing. Where have we been reluctant and where have we been hesitant to advance the unified court, which is of such tremendous value to people in difficulty and people coming before the courts, people experiencing the kind of abuse we're talking about here? Of course it's to the less populated areas. That's something we should keep in mind. I thank you for your comments.

**The Acting Speaker:** Further debate?

**Mrs Sandra Pupatello (Windsor West):** Speaker, I'll be splitting my time with the member from Windsor-St Clair.

I am very pleased to speak to this bill which, as members of my caucus have already indicated, Dalton McGuinty and the Ontario Liberal Party will be supporting. Our dissatisfaction with the bill is that we do feel that the government has not come to the table enough to address the issue of domestic violence. We wanted to share a letter with the Attorney General, Minister Flaherty, and we will be passing this along. This particular letter is signed by all six women caucus members in the Ontario Liberal Party: Bountrogianni, Di Cocco, McLeod, Boyer, Dombrowsky and myself. We're sharing our thoughts with the Attorney General. All of the parties were encouraged to participate on September 20 when a number of women's groups came to Queen's Park. They were asked to sign on the dotted line to mark the fact that they were going to be supportive of taking action against

domestic violence. The two opposition parties signed that pledge and the government did not, which begs the question of why.

We each received a letter from a woman named Shelly McKay. She set out the challenge she faced herself being a victim of domestic abuse. She said, "Currently, Canadian citizens believe that when victims of domestic violence seek help from the law they get it. In fact, the law contributes to the abuse."

She went on to say, "I knew when I saw the look of terror in my four-year-old daughter's eyes as she watched her father assault me that I had to break the silence about our suffering. It is time to identify the cause of this suffering and through collective community action recognize the seriousness of domestic violence."

What I think was most poignant was how she ended her letter. She said, "It doesn't matter to me where you live or how much money you have, I want to know if you can get up after a night of grief and despair, weary and bruised to the bone, and do what needs to be done for your family."

Shelly managed to put her thoughts so succinctly in that letter that we needed to share with the public, and certainly with the Attorney General today, to talk about the fact that it isn't just about a bill and it isn't just about the court system. With the Minister of Community and Social Services spending some time in the House this afternoon, he needs to recognize what role his ministry has to play in support for women and their children who are dealing with this very difficult situation.

Our Hiatus House was mentioned even by members opposite. We're very fortunate to have this kind of facility in the Windsor area. Unfortunately, the vacancy rates and the allowable space that they have in the shelter are limited. They are often full to capacity—not just 17 women, but 35 children, which goes to show that most of the time that these women are running and looking for shelter they're bringing their children with them. This past summer, in July, they were at 96% occupancy rate, and that doesn't allow them enough flexibility when they get more women who are arriving at their doorsteps. What are these women to do?

**1750**

I spoke with a number of people who are dealing with all kinds of issues in trying to escape abusive situations at home. I want to talk about Zahara, Mia and Maria. These are three examples of women currently in Windsor who are in domestic violence and abuse cases. All three of these women have landed immigrant status. Their average age is 35 years old. They each have three children. Their children range in age from two to 11 years old. These women came to Windsor with no supports. They came with their husbands. They don't know the city and there is a language barrier. You can imagine how difficult it would be for these women to escape a violent situation at home. Because of the changes in social services, they're not able to access the assistance they need to get themselves out. I ask the government, what do you do about these cases?

We know what changes have been made to the maximum shelter allowances. So any one of these—Zahara, Mia or Maria—is each looking at \$602 as her monthly shelter allowance. I encourage any member of this House to come to my community right now and look for an apartment for \$602 a month, their shelter allowance.

We know that much of the issue is about financial security when these women choose to finally leave their homes. Many of these women are trying to access financial support through the new FRO system. We've talked often about the debacle of that system and how we can't access support payments from these spouses who don't have custody of the children. We want to talk about how many times these women, who are already dealing with the greatest stress in their lives, are trying to call the 1-800 number to understand why they can't access money that's truly theirs. Every time they call they don't get the same case manager, and each time they have to tell some stranger on the phone just how dire a strait they're in, just how abusive it is at home. Every time they call they have to go through the embarrassment and the torture of the entire story of having been an abused woman and why it is they need help to get quickly through the Family Responsibility Office so that they can access support that is truly theirs. This is what is happening. This is an FRO issue, as you call it. This is an issue under the Attorney General. Nothing is being done to satisfy these claims. Our office tries to access help for these women and we're stymied almost as much as the women themselves.

Can you imagine the stress of three children running around at your feet, having been abused at home, finally having the courage to leave, not knowing what the future is going to hold, and then being told that you will be put on hold for 20 minutes? When you get that person to finally come to the phone they don't have your case file, they don't have any of your information and you have to start right back again at square one to try to give as much information as you can and go through all of the emotion that that means.

It is something that the government should address and could have addressed two years ago when we first brought up these issues of the centralization of the Family Responsibility Office. The centralization of those offices meant that the Windsor staff who used to run it were fired. These were the people, the local staffers, who knew the individuals on a personal basis. They knew what their situation was at home. They saved them the time and the embarrassment of having to deal with this terrible home life situation. But now they have to explain it time and time again. That's only one issue, the debacle of the Family Responsibility Office, but many women in our shelter have had to contend with a 1-800 number and no one to answer the phone.

What's happening is that we have a significant housing crisis and no one is building affordable housing in Ontario. We've recognized that problem, and our critic David Caplan has often brought that to the floor of this

House. When you live in Windsor you can't find affordable housing. Where are the women to go when they're trying to strike out on their own? There is nowhere to go.

I want to talk to you about Susan, Martha and Tina. Their average age is 26 years old. These residents have been in our shelter for 35 days. They're looking for a place to move to but there is nowhere to move. We don't have affordable housing in Windsor that's available to these women. There's no priority list for these women, and the allowance they have through social services, until at least they can get on their feet, is simply not sufficient. If they are on their own, their shelter allowance is \$325. Where will we find supportive housing for these women with \$325 a month?

The point I have to make today is that while the bill is something we're going to be in favour of and vote for, the issue of domestic violence and how we can get women established and independent and out of those terrible situations in their homes, and in particular ensure the safety of their children—with the system that the Ontario government has ruined, the system that doesn't allow the safety net for these families, the inadequacies that we keep telling you about time after time, you cannot as a government come into the House today with this bill and say, "There, we've done our thing for domestic violence." You haven't even scratched the surface, because the very real issues that women have to contend with have everything to do with various ministry offices, but none of them are being addressed by the government.

I think it's time that the Ministry of Community and Social Services, the Ministry of Health and the Attorney General's office strike a task force. You should sit down

and say, "If domestic violence is going to be a priority, we're going to discover what the very real issues are."

We heard today from a member across the floor who said she was involved in launching a shelter in her own community of Scarborough. Surely this MPP understands the day-to-day drama that a woman would go through in leaving that abusive home. Surely that member across the way from Scarborough would understand what it means to need the financial security before you can leave, especially when you have children, to know that there's a secure place you can go to, that you'll be able to have a place of your own, that you'll be able to have the support you need just to get you back on your feet.

That currently does not exist in Ontario. It is making women face very tough decisions and what they often do is go back to the abusive relationship. It doesn't even enter into the court system so that the bill we are discussing today can make a difference in their lives. Until the government understands that it's a far greater issue than just one bill is going to satisfy, we are never going to resolve issues that are faced daily by women in Ontario.

#### VISITORS

**The Acting Speaker (Mr Tony Martin):** Before we adjourn, I bring the attention of the House to the Speaker's gallery, where we have Dr Manohar Singh Gill, chief election commissioner of India, and his wife, Mrs Gill. Welcome.

This House stands adjourned until tomorrow morning, Thursday, October 5, at 10 of the clock.

*The House adjourned at 1758.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East / -Est	Agostino, Dominic (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Lankin, Frances (ND)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiles, de la Culture et des Loisirs, ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
Brampton Centre / -Centre	Spina, Joseph (PC)		
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism / ministre du Tourisme	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Davenport	Ruprecht, Tony (L)		
Don Valley East / -Est	Caplan, David (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Minister of Transportation / ministre des Transports	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London West / -Ouest	Wood, Bob (PC)
Durham	O'Toole, John R. (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Eglinton-Lawrence	Colle, Mike (L)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Solicitor General / solliciteur général
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines	Mississauga East / -Est	DeFaria, Carl (PC)
Essex	Crozier, Bruce (L)	Mississauga South / -Sud	<b>Marland, Hon / L'hon Margaret</b> (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Scarborough Centre / -Centre	Mushinski, Marilyn (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Minister of the Environment / ministre de l'Environnement
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Ottawa-Orléans	Coburn, Brian (PC)	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Oxford	<b>Hardeman, Hon / L'hon Ernie</b> (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	<b>Eves, Hon / L'hon Ernie L.</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	<b>Palladini, Hon / L'hon Al</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

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.

## TABLE DES MATIÈRES

**Mercredi 4 octobre 2000**

### PREMIÈRE LECTURE

<b>Loi de 2000 visant à réduire les formalités administratives, projet de loi 119, <i>M. Hodgson</i></b>	
Adoptée .....	4398
<b>Loi de 2000 modifiant le Code de la route (dispositif de verrouillage du système de démarrage), projet de loi 120, <i>M. Dunlop</i></b>	
Adoptée .....	4398
<b>Loi de 2000 modifiant la Loi sur les ressources en eau de l'Ontario (avis relatifs aux permis de prélèvement d'eau), projet de loi 121, <i>M<sup>me</sup> Dombrowsky</i></b>	
Adoptée .....	4398

### DEUXIÈME LECTURE

<b>Loi de 2000 modifiant la Loi sur la Collection McMichael d'art canadien, projet de loi 112, <i>M<sup>me</sup> Johns</i></b>	
Adoptée .....	4400
<b>Loi de 2000 sur la protection contre la violence familiale, projet de loi 117, <i>M. Flaherty</i></b>	
<i>M<sup>me</sup> Boyer</i> .....	4424, 4426
M. Bisson .....	4425
M. Lalonde .....	4426
Débat présumé ajourné.....	4432

# CONTENTS

Wednesday 4 October 2000

## MEMBERS' STATEMENTS

<b>Water quality</b>	
Mr Brown .....	4395
<b>Walk to School Day</b>	
Mrs Elliott .....	4395
<b>Carmen Road overpass</b>	
Mr Cleary .....	4395
<b>Holy Name of Mary school</b>	
Mr Johnson .....	4396
<b>School extracurricular activities</b>	
Mr Gravelle .....	4396
<b>Rosh Hashanah</b>	
Mr Young .....	4396
<b>Doctor shortage</b>	
Mrs Pupatello .....	4397
<b>Tembec</b>	
Mr Bisson .....	4397
<b>Education reform</b>	
Mr Galt .....	4397

## FIRST READINGS

<b>Red Tape Reduction Act, 2000,</b>	
Bill 119, <i>Mr Hodgson</i>	
Agreed to .....	4398
<b>Highway Traffic Amendment Act</b>	
<b>(Ignition Interlock Device), 2000,</b>	
Bill 120, <i>Mr Dunlop</i>	
Agreed to .....	4398
Mr Dunlop .....	4398
<b>Ontario Water Resources</b>	
<b>Amendment Act (Water Taking</b>	
<b>Permit Notification), 2000,</b>	
Bill 121, <i>Mrs Dombrowsky</i>	
Agreed to .....	4398
Mrs Dombrowsky .....	4398

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Red tape reduction</b>	
Mr Hodgson .....	4398
Mr Crozier .....	4398
Mr Duncan .....	4399
Mr Martin .....	4399

## ORAL QUESTIONS

<b>Ontarians with disabilities legislation</b>	
Mr McGuinty .....	4401, 4402
Mrs Johns .....	4401, 4402
Mr Parsons .....	4402
<b>Waste management</b>	
Mr Hampton .....	4403
Mr Newman .....	4403, 4408
Mr Parsons .....	4408
Ms Di Cocco .....	4408

<b>Walkerton tragedy</b>	
Mr Hampton .....	4404
Mr Newman .....	4404
Mr Flaherty .....	4404
<b>Air ambulance service</b>	
Mrs McLeod .....	4404
Mr Hudak .....	4404
<b>Services for the developmentally</b>	
<b>disabled</b>	
Mr Dunlop .....	4405
Mr Baird .....	4405
<b>Environmental protection</b>	
Mr Ramsay .....	4406
Mr Newman .....	4406
<b>Syl Apps Awards</b>	
Mr Coburn .....	4406
Mrs Johns .....	4407
Mr Beaubien .....	4407
<b>Forest management</b>	
Mr Bisson .....	4407
Mr Snobelen .....	4407
<b>Hydro rates</b>	
Mr Galt .....	4409
Mr Wilson .....	4409
<b>Hamilton-Wentworth</b>	
<b>Detention Centre</b>	
Mr Agostino .....	4409
Mr Sampson .....	4409
<b>Information technology</b>	
Mrs Elliott .....	4410
Mr Flaherty .....	4410

## PETITIONS

<b>Northern health travel grant</b>	
Mr Bartolucci .....	4411
Mr Brown .....	4413
Mr Christopherson .....	4413
<b>Child poverty</b>	
Mr Christopherson .....	4411
<b>McMichael Canadian Art Collection</b>	
Mr Wood .....	4411
<b>Water extraction</b>	
Mrs Dombrowsky .....	4411
<b>Occupational health and safety</b>	
Mr Christopherson .....	4412
<b>Education legislation</b>	
Mr Gravelle .....	4412
<b>Farmfare program</b>	
Mr Christopherson .....	4412
<b>Liquor Control Board of Ontario</b>	
Mr Bradley .....	4412
<b>Highway safety</b>	
Mr Gravelle .....	4413

## SECOND READINGS

<b>McMichael Canadian Art Collection</b>	
<b>Amendment Act, 2000, Bill 112,</b>	
<i>Mrs Johns</i>	
Agreed to .....	4400
<b>Domestic Violence Protection Act,</b>	
<b>2000, Bill 117, Mr Flaherty</b>	
Ms Lankin .....	4414, 4419
Mr Tilson .....	4418
Mr Phillips .....	4418, 4422, 4423
Mr Martin .....	4419
Mr Baird .....	4419
Ms Mushinski .....	4420, 4423
Mr Agostino .....	4422
Mr Spina .....	4422
Mr Bisson .....	4423, 4429
Mrs Boyer .....	4424, 4426
Mr Galt .....	4426
Mr Bradley .....	4426, 4430
Mr Guzzo .....	4427, 4430
Mr Duncan .....	4429
Mr Maves .....	4430
Mrs Pupatello .....	4430
Debate deemed adjourned .....	4432

## OTHER BUSINESS

<b>Wearing of ribbons</b>	
Mr Levac .....	4395
<b>Visitors</b>	
The Speaker .....	4397, 4432

continued overleaf