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**Official Report  
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(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 4 December 2000**

**Lundi 4 décembre 2000**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
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Greffier  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 4 December 2000

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 4 décembre 2000

*The House met at 1330.*

*Prayers.*

**The Speaker (Hon Gary Carr):** Members' statements? The member for Algoma-Manitoulin.

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** Point of order.

**The Speaker:** I'm sorry. I apologize. Thank you. I said I would do that and I forgot in two minutes. The Chair of Management Board.

### ESTIMATES

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** I have a message from the Administrator of the Government, signed by his own hand.

**The Speaker (Hon Gary Carr):** The Administrator of the Government transmits estimates of certain sums required for the services of the province for the year ending 31 March 2001 and recommends them to the Legislative Assembly.

### MEMBERS' STATEMENTS

#### SERVICES FOR THE DISABLED

**Mr Michael A. Brown (Algoma-Manitoulin):** On Saturday, I had the good fortune to meet with the board of directors of Algoma Community Living. That's the agency that provides support to developmentally disabled people through the entire district of Algoma, from Hornepayne right straight through to the Elliot Lake, Blind River, Spragge area.

They told me, in meeting with the executive director, Glenn Rampton, and Lila Cyr from Blind River, that Ontario needs a strong new Ontarians With Disabilities Act to tear down the barriers that keep people with disabilities from participating in all aspects of life. Last March, they participated in an event in support of an ODA consultation by my colleague Steve Peters. I was also there. They are telling me there is a critical need for more funding to support aging parents with middle-aged children with a developmental disability still living with them.

This year, they were asked to do a quick inventory of the more pressing cases. They identified a need for funding in the order of \$500,000 to deal with needs that will likely become crises over the next few years. They received only \$93,000. They also told me that over the

past few years, WSIB costs to this agency have increased from \$66,000 to almost a quarter of a million dollars. This is unacceptable.

### LAW ENFORCEMENT

**Mr David Young (Willowdale):** At a ceremony last Friday night, the Rock-Machine, a Quebec biker gang that has battled the Hell's Angels in a bloody turf war over the last six years, were made probationary members of a Texas-based biker gang known as the Bandidos. Toronto police chief Julian Fantino, who also heads the national strategy against bikers, stated that he was not surprised by the move, given the refusal of the federal Liberals to get tough on organized crime. "The response by the federal government to the whole threat is feeble and has lacked courage," stated Chief Fantino. Indeed, one police source was quoted as saying that the federal Liberal failure to make anti-gang legislation a leading issue during the recent election campaign may well have helped to spur on the merger.

We have heard from the federal Liberals time and time again that getting tough on organized crime, getting tough on criminals, is a top priority. But their actions speak louder than words.

Take the Young Offenders Act, for example. For three straight elections the federal Liberals have promised to strengthen the Young Offenders Act, and three elections and eight years later we have seen nothing from them—nothing but more promises, hollow promises, to strengthen the legislation. If a strengthened Young Offenders Act was indeed a priority for the federal Liberals, then why did they let it die on the order paper before calling the last election?

### SMART COMMUNITIES

**Mr Richard Patten (Ottawa Centre):** I rise today to tell the House about the phenomenal transition that has occurred in the new city of Ottawa. This morning's Ottawa Citizen is an article entitled "Ottawa poised to be 'Megacity of the Future.'" The article is subtitled, "City Leads Way in Digital Governance."

As many in this House should know, there is at this time the emergence of a whole new political geography. This new reality requires that government and business work hand in hand to foster the growth of smart communities. There is no better example of how to do this than what is being done today in Ottawa.

The Citizen article refers to a visit to Ottawa by John Eger, the president and CEO of the World Foundation for Smart Communities. He points out that part of Ottawa's advantage is in part the result of the Ottawa Centre for Research and Innovation. This non-profit initiative, I should point out, is a combined public and private initiative. This is an excellent example that all communities should aspire to working together. Mr Eger also refers to the co-operation he witnessed in Ottawa's amalgamation process. He called this "an undertaking which will strengthen the community." He, as a resident of San Diego, relates to his own experience.

In conclusion, I want to emphasize for this House how important it is for different levels of government to truly work together, in addition to government working alongside business when building so-called smart communities like the one we are fortunate to have taking place in Ottawa. Ottawa is an excellent example on which this type of policy can best be based.

#### ACADEMIC TESTING

**Mr Ted Arnott (Waterloo-Wellington):** After hearing the Leader of the Opposition on November 29 talk about students who failed to meet provincial standards, I want to inform the House of the positive testing results achieved in my riding of Waterloo-Wellington. For the second year in a row, grades 3 and 6 students in the Upper Grand School Board scored above the provincial average in provincial reading, writing and math tests. Wellington Catholic board students also achieved higher results this year.

I would like to take this opportunity to credit the students, parents and their teachers in Waterloo-Wellington for these successes to date. With dedication and compassion, teachers provide the mentoring, knowledge and skills that our students need to prosper in a rapidly changing world. I believe most teachers would agree with this quotation from a recent Globe and Mail editorial entitled Education: the Forgotten Issue of the Campaign. Referring to the federal election campaign, it said, "Education is the key to our future prosperity. In a global economy, that depends more and more on knowledge and information. The countries that thrive will be the ones with highly educated people."

In recent weeks, I have visited John Black and James McQueen public schools in Fergus, Ponsonby and Elora public schools, as well as Centre Wellington High School and Elmira District Secondary School. I think the teachers I met there fully understand the importance of their role in students' lives and in encouraging them to do better all the time. That is why I believe they also realize that above-average is a positive first start, but striving to achieve the highest possible scores is the optimal next step forward.

#### PROVINCIAL AUDITOR

**Mr John Gerretsen (Kingston and the Islands):** This evening, we will all have the pleasure of attending a reception honouring Ontario's Provincial Auditor, Erik Peters, who is this year's recipient of the Institute of Chartered Accountants of Ontario's award of outstanding merit. The award is the highest honour the institute confers upon its members. It is reserved for those whose service to the CA profession and to the broader community has been uniquely conspicuous and sustained.

Erik has served his profession and the broader community with distinction for some 35 years. His career achievements in both the private and public sectors, his volunteer leadership of provincial, national and international policy and standard-setting bodies and his local community service have all been marked by the highest standards of competence and professional integrity.

In 1993, he assumed the responsibilities as an officer of this assembly, as the Provincial Auditor of Ontario. Reporting directly to the Legislative Assembly, Erik's office conducts independent audits of government programs, crown agencies and corporations. It assists in holding the government and its administrators accountable for their stewardship of public funds and for achieving value for money in government operations.

As Chair of the public accounts committee for the past year and a half, the committee that directly reviews his reports and makes further recommendations, I speak on behalf of all committee members. We have been extremely impressed by Erik's professionalism and purposeful determination to ensure that all government ministries use the appropriate measures to ensure that taxpayers' dollars are spent wisely and on a cost-efficient basis.

As the Minister of Community and Social Services, John Baird, so aptly put it recently, "Erik Peters is the best friend the taxpayers of Ontario ever had."

I want to congratulate the Institute of Chartered Accountants of Ontario for selecting such a deserving individual as the recipient of this year's Award of Outstanding Merit.

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#### SERVICES FOR THE DISABLED

**Ms Marilyn Churley (Toronto-Danforth):** I want that long as well, Mr Speaker.

Yesterday, December 3, was United Nations International Day for Persons with Disabilities. This morning, seniors in support of a strong and effective Ontarians with Disabilities Act held a press conference to call on the Harris government once again to bring in the act they promised in the 1995 election. Those speaking were Etta Ginsberg McEwan, Mae Harman, Dorothy Rivers and Reta Duenisch Turner. They represented the following groups: Canadian Association of Retired Persons, Canadian Pensioners Concerned, Care Watch Toronto, Older

Women's Network, Ontario Coalition of Senior Citizens' Organizations and the United Senior Citizens of Ontario.

These women's voices were powerful and moving. They spoke about their own personal plights and they also spoke in general about the need to be more caring for the most disadvantaged in our society.

They also spoke about the fact that people with disabilities who have trouble moving around and getting around actually can and want to contribute to society. They want the government to bring back the Employment Equity Act that the NDP government brought in and this government immediately got rid of. They want the government to keep its promise and bring in an effective Ontarians with Disabilities Act and to consult with those most affected.

#### ELWOOD MOORE

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** It is with great pride that I stand here before you today and pay tribute to an outstanding local conservationist and community figure, Elwood Moore.

Mr Moore was born and raised in Grey county and accomplished many things in his life. From 1942 to 1946, Mr Moore was a radar technician in the Royal Canadian Air Force. From 1953 to 1960, Mr Moore was a councillor in Derby township. From 1960 to 1964, he was the reeve, and served as warden of Grey county in 1964.

Mr Moore also made a huge impact on conservation. From 1957 to 1984, Mr Moore was the director of the North Grey Regional Conservation Authority, representing Derby township, and from 1967 to 1969, he was chairman. From 1985 to the present, Mr Moore has been a director of the Grey-Sauble Conservation Authority.

I would like to take this opportunity to acknowledge Mr Moore, who is here in the House today.

Mr Moore has had 44 years of continuous service as Derby township's representative on the conservation authority. In fact, this is the longest continuously serving director on a conservation authority ever.

With municipal restructuring, Derby township will no longer exist as of January 1, 2001, having amalgamated with the surrounding townships of Kepple and Sarawak. As a result, the Grey-Sauble Conservation Authority brought Mr. Moore here today, where he will have the opportunity to meet Her Honour Hilary Weston, the Lieutenant Governor.

Mr Moore is a remarkable and dedicated individual. He deserves recognition from this House for his significant contributions to Bruce and Grey counties.

I want to tell you that all these people are here to honour Mr Moore.

#### HIGHWAY SAFETY

**Ms Caroline Di Cocco (Sarnia-Lambton):** My statement today concerns the stretch of Highway 402 between Sarnia and Strathroy that is under construction. This section has been reduced to single lanes because of high-

way maintenance. I noticed over the summer and fall of this year, as I drove to and from Toronto, that more and more markers to denote the separation between the single lanes were missing over time, leaving large gaps in safety signage.

On November 21, a Michigan woman was killed on that construction section in a head-on collision with a transport truck. Even more alarming is that the probable cause of the fatal accident was the missing signage to mark the single lane divisions.

I drove to Toronto from Sarnia yesterday, December 3. It's almost two weeks since that accident claimed the life of the young woman. The signage has not been replaced and those huge gaps between the safety markers are still there.

We all see huge signs put up ASAP lauding the fact that our tax dollars are at work on this province's highways, yet due diligence on the part of the Ministry of Transportation to ensure safety is obviously not a priority.

Dalton McGuinty and the provincial Liberals understand that road safety is a priority. This signage should have been replaced immediately it went missing, but the Harris government does not even replace it after someone dies.

#### SERVICES FOR THE DISABLED

**Mr Garfield Dunlop (Simcoe North):** I am pleased to rise today to draw attention to the International Day of Disabled Persons. On Sunday, the province of Ontario joined nations around the world in commemorating the day, created by the United Nations in 1992. The UN did so in order to improve the situation of persons with disabilities around the world and to provide persons with disabilities equal opportunities.

Our government currently invests almost \$6 billion—one ninth of the provincial budget—in programs and services to increase opportunities and improve the quality of life for persons with disabilities and their families. In the last five years, we have announced \$800 million in new or enhanced services—a clear indication of our ongoing commitment to people with disabilities.

These important programs and services improve the lives of Ontarians with disabilities and their families in the following ways: they make buildings and motor vehicles more accessible; they create opportunities for people of all ages to live independently and in their communities; they help students with disabilities get an education; they help people with disabilities find jobs, or help support them when they cannot work; and they offer health care services that improve care, provide earlier interventions and improve outcomes.

But government cannot go it alone. The commitment to improving opportunities for persons with disabilities is a shared one. It is shared with business, with other levels of government and with community organizations. Indeed, it is a responsibility shared by all Ontarians.

Together, we're building bridges of opportunity, bridges that will permit every Ontarian to participate more fully in the life of his or her community. I invite the members of the House to join me in recognizing International Day of Disabled Persons and to renewing our commitment to improving opportunities for all Ontarians.

## INTRODUCTION OF BILLS

HEALTH INSURANCE  
AMENDMENT ACT, 2000  
LOI DE 2000 MODIFIANT  
LA LOI SUR L'ASSURANCE-SANTÉ

Mr Duncan moved first reading of the following bill:

Bill 154, An Act to amend the Health Insurance Act to satisfy the criteria for contribution by the Government of Canada set out in the Canada Health Act / Projet de loi 154, Loi modifiant la Loi sur l'assurance-santé pour satisfaire aux critères régissant les contributions du gouvernement du Canada et énoncés dans la Loi canadienne sur la santé.

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

The member for a short statement?

**Mr Dwight Duncan (Windsor-St Clair):** The bill amends the Health Insurance Act so that the Ontario health insurance plan satisfies the criteria set out in the Canada Health Act and the province of Ontario qualifies for receiving the full cash contribution from the government of Canada as described in that act. Those criteria are public administration, comprehensiveness, universality, portability and accessibility. As part of achieving the objective, the bill prohibits the Lieutenant Governor in Council from making regulations that would disqualify Ontario under the Canada Health Act for contributions from the government of Canada because the Ontario health insurance plan would no longer satisfy the criteria under that act.

In short, we're trying to protect the people of Ontario from the hidden agenda of the Canadian Alliance and the Mike Harris government in health care.

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## MOTIONS

### HOUSE SITTINGS

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, December 4 and Tuesday, December 5, 2000, for the purpose of considering government business.

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

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

**Hon Mr Sterling:** Mr Speaker, in order to accommodate the Minister of Labour and get his legislation through this House, I move that, pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to midnight on Wednesday, December 6, 2000, for the purpose of considering government business.

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

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ECONOMIC OUTLOOK

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** In the 2000 budget, we reported that Ontario's economy was growing stronger and faster than expected.

Today, our economy is still growing faster than all of the G7 nations. Our businesses are still creating jobs at a vigorous pace and hard-working Ontarians are still creating new opportunities. These are major achievements. But staying competitive means not standing still.

Some people believe that tax cuts cost government money. Nothing could be further from the truth. Tax cuts stimulate investment, create jobs, and generate the fiscal resources we need to invest in our priorities.

We expect that by the end of this year our tax revenues will be \$14 billion higher than when we initiated our tax cut agenda five years ago.

Ontario's real GDP rose 6.1% in 1999—more than the growth in the rest of Canada, more than any other province in Canada, more than the United States of America and more than any G7 nation.

Our prudent 2000 budget projection suggested our economy would grow by 4.6% this calendar year and 3.1% in 2001. In fact, based on the exceptional performance so far this year, the recent average private sector forecast is that Ontario real GDP will grow by 5.5% this year and 3.7% in 2001.

Strong economic growth is reflected in vigorous job creation. So far this year, Ontario has created 184,000 new jobs compared to the same period in 1999. Since September 1995, Ontario has created 830,000 net new jobs—more than half of the jobs created in Canada over that period of time. We have become and we remain the job creation leader of Canada.

Tax cuts remain central to our strategy for strengthening our economic competitiveness. We are pleased that the federal government finally realizes the economic

benefits of tax cuts and is following our lead by beginning to cut personal and corporate income taxes. But Ottawa must do more to make Canada's tax rates competitive with other jurisdictions, particularly the United States.

In the 2000 budget, we proposed that beginning January 1 of next year the capital gains inclusion rate in Ontario be reduced from two thirds to 50% over four years. We issued a challenge to the federal government to match these reductions. In its October 18, 2000, economic statement and budget update, the federal government did respond.

To ensure that Ontario taxpayers receive the full benefit of this move, we are going to accelerate our capital gains tax rate reductions as well. Today I am announcing that retroactive to October 18, 2000, we will fully implement the 50% capital gains tax inclusion rate.

In the 2000 budget, we also announced plans to support the mining sector with a new bonus deduction for purchasers of flow-through shares. Again, we issued a challenge to the federal government to support this critical sector of the Canadian economy. Ottawa followed the lead by proposing a flow-through share tax credit. Today I am announcing that retroactive to October 18, we propose to introduce a flow-through share tax credit, as opposed to a deduction, of 5% to parallel and harmonize with the federal move.

I would like to thank the Prospectors and Developers Association of Canada and my colleague the Honourable Tim Hudak, Minister of Northern Development and Mines, whose dedication and persistence helped lead the federal government to support this important sector and our northern communities.

*Laughter.*

**Hon Mr Eves:** The members in the opposition benches laugh. It only took the federal government six months and an election to respond to the budget initiative of May 2. However, Liberals are slow learners.

The tax changes announced today complement the many initiatives we have undertaken to support the development of an innovative society.

For example, in this year's budget we announced that we would be tripling funding for the Ontario Innovation Trust to \$750 million. This allows research institutions in Ontario to lever funding provided through the federal government's Canada Foundation for Innovation.

The 2000 budget also proposed the Ontario research stock option credit and the elimination of the employer health tax on stock options paid by research-intensive firms. More recently, we proposed a new 20% personal income tax credit for investments in research-oriented investment funds. We are taking these steps to attract and retain workers in the highly competitive knowledge-based economy.

The SuperBuild Corp represents a new and fresh approach to government capital spending and planning in Ontario. It is an approach anchored firmly in the belief that public-private partnerships can help build public

infrastructure in the most cost-effective and productive manner possible.

Health care still remains Ontarians' highest priority. Through partnerships, we are investing \$1.8 billion to modernize our hospitals and provide Ontarians with the highest standards of health care possible.

Partnerships are also helping us expand our post-secondary education system to meet the challenges ahead of us. Together with post-secondary institutions, the private sector and other public partners, we have committed \$1.8 billion to create 73,000 new student spaces in colleges and universities, ensuring that every Ontarian who is qualified can pursue a post-secondary education.

This year we are investing a record \$1 billion to expand and renew Ontario's highway infrastructure.

We have demonstrated that partnerships between government and the private sector work. The successful sale of Highway 407 to the private sector, the largest highway privatization in the world, generated \$3.1 billion for the Ontario treasury. Continuing construction to complete the highway has created over 6,000 new jobs and has helped relieve traffic congestion for business and commuter traffic across the GTA.

The recent lease agreement between the province and British Energy for the Bruce nuclear facility is a partnership that will see a dormant provincial asset revitalized and reactivated. As a result, jobs will be saved in the Bruce Peninsula communities and new economic growth will be possible in the region.

Details of SuperBuild's activities to date are provided in the first SuperBuild Corp progress report, tabled and released today.

#### 1400

Ontarians, like all Canadians, expect the federal government to be a true partner in the funding of health care and other social programs by committing to fund 18% of provincial-territorial expenditures through CHST, the same share of the cost that the federal government paid in 1994-95.

While we have certainly made progress with the federal government in this regard, it is still today only funding 12% of health care expenditures in the province of Ontario this year. Meanwhile, Ontario will be spending \$2.1 billion more on health care this year than we did last fiscal year.

In the 2000 budget, we announced that in 2001 we would fully implement a made-for-Ontario taxation system. Under that system, Ontario will establish our own income tax rates and brackets and our own approach to reductions in income tax through credits, exemptions and deductions. Today I am announcing that we will use our new made-for-Ontario policy flexibility to enhance Ontario's non-refundable credits for students, people with disabilities and their caregivers. This \$60-million increase in tax benefits will assist both part-time and full-time students with the costs of their post-secondary education and will help people with disabilities live independently and with dignity.

It is Ontario's view that the flexibility provided by the made-for-Ontario income tax system is desirable. We also think it can be achieved within a single tax administration system.

However, the federal government must begin to realize that the interests of taxpayers are different in different parts of this country. Taxpayers in Ontario surely have interests that are unique to Ontario and different from the interests of taxpayers in Saskatchewan, for example. Likewise, those in British Columbia have different concerns from those in Nova Scotia or Newfoundland. Every province should be able to address the needs of its own taxpayers as it sees fit.

A good example is the Ontario research employee stock option credit. It is an initiative that is designed to improve Ontario's competitiveness as a place for researchers to locate and conduct their work. To date, the federal government has not responded to the challenge to match that program, nor has it agreed to administer the benefit at a fair and reasonable cost. If the federal government remains unwilling to act in the taxpayers' best interests, Ontario will have no choice but to establish the capacity to provide this benefit directly ourselves.

In 1995, we committed that we would launch the new century with a balanced budget. We have more than honoured that commitment. We were there one year ahead of schedule.

In response to the strength of our economy and our robust revenue performance, we are eliminating the need for the province's \$1-billion reserve and applying the full amount to reduce the net provincial debt.

We remain committed, as we announced in the 2000 budget, to reduce the net provincial debt by at least \$5 billion during this mandate, more than double the Blueprint commitment.

Based on the Second Quarter Ontario Finances, which we are releasing today, I am pleased to report that we are now projecting a budget surplus of \$1.4 billion for this fiscal year. This projection is based on recent forecasts of 5.5% economic growth this year. Some private sector forecasters have projected even stronger growth.

Stronger-than-expected revenue growth does not mean, however, that government can return to its past practices of being all things to all people all the time. When we are fortunate enough to have extra money, we must invest it wisely.

Earlier in this statement, I spoke of the need to challenge the federal government to act to boost the nation's competitiveness. We are only asking that the federal government work with the provinces in a spirit of co-operation.

We all have a stake in Canada's future. Ontario wants to ensure that Canada maintains its position at the leading edge of the global economy. Ontario cannot do it alone. The provinces cannot do it alone. We can only achieve our goals if all levels of government work responsibly and work together.

Our government remains committed to protecting the gains we have made and ensuring that the outlook re-

mains bright and prosperous for Ontarians today and tomorrow.

**Mr Dalton McGuinty (Leader of the Opposition):** I'm pleased to respond on behalf of my party.

The minister today spent a great deal of time focusing on tax cuts. I want to make it perfectly clear that, based on what we have been hearing from Ontario families, tax cuts alone are not enough to help our families find success in the future.

We believe our families are entitled to first-class public education, and they're not getting it. Instead, they are getting schools sapped of their spirit and characterized by turmoil, demoralized teachers, loss of extracurricular activities, and test results showing fully one half of our children are not meeting the standard for reading and writing in Ontario.

I believe Ontario families are also entitled to an affordable university education. They're not getting that either. Instead, they are getting an undergrad education that costs today in Ontario, all-in, \$48,000. They're getting professional degrees like medicine that cost, all-in, easily another \$100,000. Either our children are graduating with enormous debts or their parents are using their retirement money to finance their children's education, or both.

I also believe Ontario families deserve a health care system they can count on, and they're not getting it. Instead, they're getting hospitals that are short of beds and short of nurses, which means, in turn, that Ontario families are having to contend with longer waiting lines, delayed treatment, and often no room for even our most critically ill loved ones. Mike Harris recklessly fired nurses and closed beds by the thousands. Now our families are paying the price. We believe the parents of sick children and the children of ill parents should have the peace of mind that comes from knowing health care is working.

We believe Ontario's families deserve a government that protects the air we breathe and the water we drink. They're not getting that government. Instead, in the fight against pollution, Ontarians are getting a government that sides with polluters. Mike Harris has fired inspectors and enforcement officers and made Ontario the second-worst polluter in North America. He believes that prosperity in Ontario must come at the expense of the health of our families. We believe we can and must sustain the health of our families as we prosper.

To conclude, I believe it takes a lot more than just tax cuts to help Ontario families get ready for the future. It takes good schools with enthusiastic teachers. It takes an affordable university education. It takes health care that you can count on. And it takes a government that will stand up to polluters and protect our air and our water. When it comes to meeting the needs of Ontario families, tax cuts alone just don't cut it.

I can tell you something else that Ontario families are looking for. They want a government that's going to reach out to help them, but it's difficult for a government to reach out to people when it's so busy patting itself on

the back. It's difficult for a government to steer us toward the future when it can't stop staring into the rear-view mirror. It's difficult for a government to help people reach their goals when it itself is adrift. It's difficult for a government to serve the many when it is so indebted to a wealthy few. That is exactly the case with this particular government.

As well, I think we should be honest about the cause of our prosperity today. Let's give credit where credit is due. The prosperity of Ontario, the prosperity that we are enjoying today, is the result of the financial health and vigour of our largest trading partner by far, the US.

*Interjections.*

**Mr McGuinty:** The government members may be reluctant to admit to this, but our country's federal monetary and fiscal policies have also been very helpful. A low dollar, low interest rates and a modest rate of inflation have all been very helpful to us here in Ontario. Tax cuts by governments play a role in making our province more competitive, but—and here is where the Premier and I have a major disagreement—tax cuts alone are not enough to help Ontario families find success in the future.

1410

**Mr Howard Hampton (Kenora-Rainy River):** As I listen to the government today, I have to ask, what do Mike Harris, Jean Chrétien, Lucien Bouchard and Bill Clinton all have in common? The answer is this: each one of them wants you to believe that they and they alone are responsible for the economy. Each one is in the middle of a masquerade.

*Interjections.*

**The Speaker (Hon Gary Carr):** Stop the clock. Order. Minister of Labour, come to order. Sorry for the interruption.

**Mr Hampton:** As I said, each one of them wants you to believe that they and they alone are responsible for an economic boom that has extended across western Europe and across North America. The fact of the matter is that none of those impostors—none of them—has anything to do or has had anything to do with that huge economic boom. The real question they have to answer is, what have they done in the midst of an eight-year economic boom?

The answer for this government is, in the midst of the longest economic boom since the Second World War, this government now has in the province of Ontario 121 hospitals that are in deficit. Imagine: in the largest economic boom since the Second World War, this government has 121 hospitals that are in deficit. On the education front what does it mean? Well, it means that since 1995 you've taken a total of \$1.7 billion out of education, in the midst of the largest economic boom. It means that we've got 34,000 elementary schoolchildren who can't access the special education they need, in the midst of an economic boom. It means a government that's closing 138 schools. It means that half of our elementary schools don't have music teachers, 63% don't

have physical education teachers and 62% don't have English-as-a-second-language teachers.

It goes on. This is a government that in the midst of the largest economic boom since the Second World War now leaves municipalities with a \$9-billion sewer and water treatment deficit. The Association of Municipalities of Ontario told you that there is \$9 billion in maintenance and capital work that needs to be done. This is a government that, in the midst of this huge economic boom, has cut the budget of the Ministry of the Environment to the extent where even the auditor says that you've had to reduce the inspection of water treatment plants, sewer treatment plants and hazardous waste facilities. The people of Walkerton know all about that.

Then there's the issue of social housing. As rents in the city of Toronto have increased by \$2,000 a year for a two-bedroom apartment and as more and more people face homelessness, this government is now downloading seniors' housing and social housing on to municipalities and is saying to municipalities, "You find the \$1 billion over the next five years to do the needed maintenance."

When the history of these times is written, I suggest that what people are going to focus on is, here is a government that lived during the most incredible economic boom since the Second World War, and what did they do? They underfunded health care, they underinvested in education, they ignored the poorest people, child poverty increased, they underfunded environmental protection and they stopped building social housing, co-op housing and non-profit housing. What has really happened here is that we have a government that has literally wasted the opportunity of a lifetime, a government that had the opportunity to make investments which would produce a better quality of life for people and which would allow people to be more productive economically and socially. Instead of making those investments in community services, in transit, in environment protection, in education, in health care—instead of making those necessary investments—this government squandered that opportunity on tax cuts for its corporate friends. That will be the history of this government, and a shameful history it is.

## DEFERRED VOTES

### CONTINUED PROTECTION FOR PROPERTY TAXPAYERS ACT, 2000

### LOI DE 2000 POURSUIVANT LES MESURES DE PROTECTION DES CONTRIBUABLES FONCIERS

Deferred vote on the motion for third reading of Bill 140, An Act to amend the Assessment Act, Municipal Act and other Acts with respect to property taxes / *Projet de loi 140, Loi modifiant la Loi sur l'évaluation foncière, la Loi sur les municipalités et d'autres lois à l'égard de l'impôt foncier.*

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

*The division bells rang from to 1417 to 1422.*

**The Speaker:** Mr Eves has moved third reading of Bill 140. All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Harris, Michael D.	O'Toole, John
Baird, John R.	Hodgson, Chris	Ouellette, Jerry J.
Beaubien, Marcel	Hudak, Tim	Palladini, Al
Chudleigh, Ted	Jackson, Cameron	Runciman, Robert W.
Clark, Brad	Johns, Helen	Sampson, Rob
Clement, Tony	Johnson, Bert	Snobelen, John
Coburn, Brian	Kells, Morley	Spina, Joseph
Cunningham, Dianne	Klees, Frank	Sterling, Norman W.
Dunlop, Garfield	Marland, Margaret	Stewart, R. Gary
Ecker, Janet	Martiniuk, Gerry	Stockwell, Chris
Elliott, Brenda	Maves, Bart	Tilson, David
Eves, Ernie L.	Mazzilli, Frank	Tsubouchi, David H.
Flaherty, Jim	Molinari, Tina R.	Turnbull, David
Galt, Doug	Munro, Julia	Wettlaufer, Wayne
Gilchrist, Steve	Murdoch, Bill	Witmer, Elizabeth
Gill, Raminder	Mushinski, Marilyn	Wood, Bob
Hardeman, Ernie	Newman, Dan	Young, David

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

#### Nays

Agostino, Dominic	Crozier, Bruce	Marchese, Rosario
Bartolucci, Rick	Curling, Alvin	Martel, Shelley
Bountrogianni, Marie	Di Cocco, Caroline	McGuinty, Dalton
Boyer, Claudette	Dombrowsky, Leona	McMeekin, Ted
Bradley, James J.	Duncan, Dwight	Patten, Richard
Brown, Michael A.	Gerretsen, John	Phillips, Gerry
Bryant, Michael	Hampton, Howard	Pupatello, Sandra
Caplan, David	Hoy, Pat	Ramsay, David
Churley, Marilyn	Kennedy, Gerard	Ruprecht, Tony
Colle, Mike	Kormos, Peter	Sergio, Mario
Conway, Sean G.	Kwinter, Monte	Smitherman, George
Cordiano, Joseph	Levac, David	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 50; the nays are 35.

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

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

## ORAL QUESTIONS

### SOCIAL ASSISTANCE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Premier. I notice in today's statement some good budgetary news: there is going to be a \$1.4-billion surplus. You remind us that we have 5.5% economic growth this year. These are prosperous times.

There is a sad reality, however, in Ontario, and that is the fact that our poor are getting poorer. Notwithstanding the fact that you take a special delight in stereotyping people on welfare as all being drug-addicted junkies

waiting for their next fix, the fact of the matter is that well over half of the people on welfare are single mothers and their children who are desperately struggling to make ends meet.

A little over five years ago, you cut government support to Ontario's poorest families by over 21%. It's been frozen there ever since. Christmas is just around the corner and it seems to me that the right thing to do in the circumstances, given our prosperity, is that all of us be able to share in that. I want to return to something I raised with you before, Premier. Are you now prepared to build a cost-of-living adjustment into payments for our poor?

**Hon Michael D. Harris (Premier):** First of all, let me correct the record on something the member said in the preamble, and that is that Ontario's lower-income individuals and families are getting poorer. I repeat that because it is absolutely false and not true. Ontario's low-income families and individuals are better off today than they were last year, and they were better off last year than they were since we took office. They have more money to spend. They have more money in their pockets. They are relatively better off. In fact, every statistic demonstrates this.

From time to time, those of you who want to criticize even good news will try and twist the facts and statistics around and say, "Somebody else is doing even better." It may be true. Working Ontarians are doing even better than non-working Ontarians, but non-working Ontarians are doing better than they were last year or—

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

**Mr McGuinty:** Thank you, Mr Grinch. About five and a half years ago, Premier, you cut welfare payments by over 21%. I want to come back to the same matter, which you're trying to dance around. We're talking about people who have been on welfare for the past five and a half years. I'm talking about families.

Mr Tsubouchi, who was minister at the time, came up with a diet that he felt could be supported with \$90 a month for food. It was ridiculed at the time and it was generally considered that it would hardly meet nutritional requirements for an adult. What we did today was take that same shopping list Mr Tsubouchi produced some years ago for \$90.81 a month and produced the new total. We sent somebody over to the No Frills store on Parliament Street and came up with a new total of \$105. That's a 16% increase.

Premier, you tell us today that we are enjoying unprecedented prosperity. Why do you not consider it to be the fair thing to do to share our prosperity with our poor?

1430

**Hon Mr Harris:** I think if you review the budgets that the Minister of Finance has brought in, which have led to the prosperity, you will find that the biggest percentage increases in all benefits and all programs have gone to those less fortunate in Ontario, have gone to low-income Ontarians, have gone to more working opportunities for low-income Ontarians. I can tell you today that now,

through our welfare rates, we are funding a higher percentage than the rest of Canada and higher than when we took office just five years ago. But more significant than that is the fact that we have the most generous earn-back provisions—the most generous provisions to get back into the workforce, to top up income, to break that cycle of dependence that was one of the biggest problems that we inherited when we took office. So yes, each and every month, each and every day, each and every year we look at ways that we can help even more to break that cycle of—

**The Speaker:** Order. The Premier's time is up.

**Mr McGuinty:** Premier, you bring to mind a very interesting study in contrasts here. You were prepared to go to the wall for a 42% pay hike for yourself but you're not prepared to go to the wall for cost of living for people on welfare. This is what you are all about. We are enjoying unprecedented prosperity today in Ontario; revenues are greater than they have ever been. You cut welfare by 21%. You alone are the sole contributor to all those children who find themselves on welfare. Christmas is just around the corner and you're not prepared to consider an increase of some 2% or 3%. I ask you one more time, Premier, on their behalf, why is it that we can't share our prosperity with people who find themselves, through no fault of their own, on welfare?

**Hon Mr Harris:** As the only leader of a party that asked for any kind of an increase in pay, the Liberal Party, I'm surprised that you have the gall to stand up, after personally advocating a raise for yourself as well as the \$2,000 you tried to get through the back door that we finally found out about and nixed—

*Interjections.*

**The Speaker:** Premier, take your seat. Member for Hamilton East come to order. Sorry, Premier.

**Hon Mr Harris:** Thank you very much, Mr Speaker. The facts are—

*Interjections.*

**The Speaker:** Order. Premier, take your seat. The member for Ottawa Centre, this is now your last warning. I'm not going to sit down and, as I'm sitting down, somebody shout out. If it happens we'll ask you to leave—simple as that. Sorry, Premier.

**Hon Mr Harris:** I understand the Liberals are ornery that they didn't get a raise, and that's the Liberal way. If they can't line their own pockets, then they get a little snarly. I understand that. I understand all the yelling and screaming. The member for Windsor is upset that she didn't get her raise, and I understand that.

But what we on this side of the House are most concerned about is, how do we help those less fortunate actually do better? Let me tell you what David Perry, head of research for the non-partisan Canadian Tax Foundation said this year: "If you are a single mom at low-income levels, there isn't any better place that you'd rather be than Ontario. Ontario provides significant relief at the bottom of the income scale. You have property tax"—

**The Speaker:** Order. The Premier's time is up.

## AMBULANCE SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** "Are there no prisons, are there no workhouses," Mr Premier?

My next question is for the Minister of Health. I believe the government has a responsibility to ensure public safety. Unfortunately, your ambulance dispatch system is risking lives and in fact has proven to be costing lives. The director of Niagara Emergency Medical Services has linked four specific deaths to your ambulance dispatch system. Four people have died because ambulances are being sent—and listen to this, Minister—to the wrong addresses, sometimes the wrong towns. Sometimes ambulances weren't sent at all. Nobody knows the size of this tragedy as it unfolds around the province, but the auditor has told us that ambulances were failing to make the response times three out of five times last year. Minister, will you scrap your plan to download this broken system on to municipalities and fix what we have before another life is lost?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** I would just encourage the Leader of the Opposition to be careful as to the statements that are made before reviews have been undertaken and to make sure that he can verify the accuracy of the information. However, as I indicated last week in response to a question that had been placed by Mr Bradley, we did review the situation as it existed because we appreciated the concerns, and I would indicate to the Leader of the Opposition today that we have communicated with the region of Niagara and we have stated that in response to the review we will be initiating an external review.

**Mr McGuinty:** Just in case the minister doubts the authenticity, I'd ask her then to spend a bit of time on the front lines talking to paramedics, and you can pick any community you want in Ontario. Paramedics are complaining about being sent to the wrong addresses, about being sent to the wrong cities, and in some cases not being sent at all.

When it comes to your dedication to getting to the bottom of this, Minister, the auditor's report shows that you haven't been inspecting the dispatch centres. More than 60% of the dispatch centres didn't have a review between 1996 and 1998. You assure us that all is well. When I asked you before about whether or not we should be downloading ambulance services on to municipalities, you said, "Yes, they can cope. That is not an issue."

We now learn through our paramedics that people are losing their lives as a result of a faulty dispatch system. We've got an auditor who's telling us that more than 60% of the dispatch centres didn't have a review between 1996 and 1998. What are you doing to fix this broken system?

**Hon Mrs Witmer:** The Leader of the Opposition knows full well that we took all of the information that was provided by the Provincial Auditor very seriously. We have been moving forward in the last number of years in order to ensure the highest level of public safety.

Again I would just say to the member—because unfortunately he didn't hear the response that I had to his first question. I indicated that we were going to be conducting an external review, which he wasn't expecting; he continues down the same path. Again, I would just remind the leader opposite that we are doing everything we can to ensure quality dispatch services. There was a very careful review made of the concerns that had been raised in the region of Niagara, and we are undertaking an external review of the dispatch system there. We are working forward with the AMO group of officials in order to ensure the highest level of standards.

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

**Mr McGuinty:** Minister, whatever you're doing, you're doing too little, too late.

Presumably if you're conducting an external review, it's because you recognize that there are some serious problems internal to the system. If that is the case, why do you insist on going ahead and transferring a broken-down ambulance system to our municipal partners, who are saying, "We can't handle it; we can't cope with it. The system is already broken. Stop thrusting it down our throats"?

If that is the case, I ask you again, if the system is broken, why do you insist on downloading it on to our municipal partners?

**Hon Mrs Witmer:** The member knows full well that already 14 of 49 municipalities have successfully assumed the responsibility for ambulance provision. Furthermore, the member refuses to acknowledge publicly that it was never the province that delivered the ambulance services to begin with. The majority of them were handled either by hospitals, the private sector, the volunteer sector or a municipality. The province was only responsible for 10, and now we have a partnership between the municipalities and the province.

1440

#### DOMESTIC VIOLENCE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Premier, today the Ontario Association of Interval and Transition Houses presented the Legislature with 21 roses that symbolized the violent deaths of women and children in the province who died as a result of domestic violence. They gave 16 red roses to symbolize the 16 women who have already died this year; four red roses to symbolize the four children who have died as a result of violence; one white rose to symbolize the women across the province who may have died as a result of domestic violence, but where we yet don't know about it.

During this legislative session, a number of women's organizations have asked your government to come forward with money for transition homes, for a crisis line and for a number of other measures that would help prevent and protect women and children from domestic violence. Premier, can you tell us, do you think your

government has done enough to prevent violence against women and children in this legislative session?

**Hon Michael D. Harris (Premier):** I appreciate the question. I appreciate the member's and the party's interest and concern in the whole area of domestic abuse, particularly wife abuse and family abuse, as it affects, we all know, primarily but not exclusively women and children.

I would venture to say that I would never be able to stand up and say we will ever have completely resolved the problem, partially I suppose because there are limitations on what governments can do. I can tell you that we treat the matter very seriously. We have made a number of enhancements since we have taken office. We have made a number of enhancements both legislatively and with dollars and intervention programs. We have not done everything that the group you mention specifically has asked for because we fundamentally disagree with some of the areas they are lobbying for. We are trying very hard to ensure that women who are in abusive situations are not financially dependent, and we don't think you solve that problem by making them financially dependent on the state. We think you solve that problem by giving them independence, and we spend—

**The Speaker (Hon Gary Carr):** Order. The Premier's time is up. Supplementary.

**Mr Hampton:** Premier, 20 women and children have died already in the province this year as a result of domestic violence. Earlier this fall, 150 women's organizations came here, and in the midst of this economic boom that your Deputy Premier just boasted about, they asked you for \$350 million to provide affordable housing, to provide shelters, for second-stage housing, for legal aid services so that women who are trapped in an abusive situation could begin the process of getting out. Your government, despite your boasting here today about all the money you've got, couldn't find one cent. The most you could do was to reannounce something that you announced a year ago.

Premier, on the day that your Deputy Premier boasts about how good Ontario's economy is and how much credit you deserve for it, don't you think you could find at least some of the money that would help those women and children achieve a greater sense of independence so fewer of them would die?

**Hon Mr Harris:** We are a government, as you know, that has wanted to focus more resources on those most dependent and fewer resources and opportunities on those who we feel are in a position to help themselves. There's no question, when you deal particularly with women in abusive and domestic violence situations, we treat them as the most vulnerable.

I will say to you that we do have a fundamental disagreement with you and your party because we had a record of five years of abysmal failure and disaster when you tried it for some of the recommendations that have been put forward to us.

Every nickel that we think will be of benefit to those in abusive situations we will find and we will allocate and we will spend. But we are not going back to end

work for welfare and increase welfare rates and create government dependency at the same time as we're trying to eliminate that financial dependency that is at the root of a lot of domestic violence and why they can't leave those situations. That's replacing a wrong with a wrong. You advocate it; some others advocate it. It's been tried and failed, and we won't do it. But we will spend every nickel we can—

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

**Ms Marilyn Churley (Toronto-Danforth):** Premier, I don't think you understand what these women are telling you. They are telling you that it is your cuts and your deregulation that are causing some of them to go back home after fleeing an abusive situation, and some of them not being able to leave.

Today, front-line workers for domestic violence released a book of stories by women and children who tell what it is like to be bruised and battered and unable to escape. These front-line workers are hoping that when you read real-life experiences of women, you will take action today and listen to them. They want action on affordable housing, shelter and second-stage housing, and a province-wide telephone crisis line so that abused women can get help no matter where they live in Ontario. This represents a handful of services that give women the power to leave domestic violence. That is what these women are trying to tell you, and you are not listening.

I ask you in all seriousness, how many more women have to die before you will bring in even one of those emergency measures?

**Hon Mr Harris:** We've already brought in a lot of those emergency measures, as you know. We have responded to a number of the requests. Many of the things we have been asked to do, we have done, or they are under active consideration. But there are some things we are being asked to do that are not under active consideration because they have been tried and have failed in the past.

If this government felt for one second that another billion dollars would 100% solve the problem, that would not be a barrier. We are interested in solving this problem, as we are all problems that come before us. If dollars were solely the answer—when you were in government, I think your total funding for violence against women was \$97.9 million. We are now up to \$134.1 million, substantially more, far in excess of the rate of inflation, even though you left us with an \$11-billion deficit. We will find more dollars for more programs as long as we believe we are going to get—

**The Speaker:** Order. The Premier's time is up.

#### MARRIAGE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier, and it is about the Premier's government's dedication to human rights. The Metropolitan Community Church, a church with the legal right to perform marriages in Ontario, will begin performing

same-sex marriages in the new year. Reverend Brent Hawkes of the church says he will utilize an age-old Christian practice known as the publication of banns, a practice that is recognized in section 5 of the Ontario Marriage Act.

Premier, since the publication of marriage banns is recognized in Ontario law, will you pledge that your government will not interfere with the right of the Metropolitan Community Church to issue legally binding marriage licences to same-sex couples?

**Hon Michael D. Harris (Premier):** No.

**Mr Hampton:** Premier, this is a method of marriage under Ontario law. Ontario law says that where you have the publication of banns and a couple are prepared to enter into that form of marriage ceremony, a licence to marry in Ontario is legally recognized. So tell us, why would you interfere? Why would you not act according to law? This is an age-old Christian practice which is recognized in law in Ontario. Why would you interfere with that?

**Hon Mr Harris:** I didn't say I would. You asked me, would I commit not to? Let me be very clear. I know the Metropolitan Community Church has stated that they plan on performing marriages for any couple willing to go through the marriage banns.

Here's what the province of Ontario does and can do legally. We are responsible for who will marry: a registered clergyman or others if we—there is a consultation process looking at who, for example, can marry. Just who has the capacity to enter into a marriage is under exclusive federal jurisdiction. We take direction from the federal government. I can tell you that sections 91 and 92 of the Canadian Constitution clearly state this. They have exclusive jurisdiction over who can enter into a marriage.

Now, common law has established—I'm happy to share with you my understanding of the federal position—that only a man and a woman can marry. That has been the position of the federal government. As far as I know, it still is and it therefore is the position, quite willingly, of this government.

1450

#### AFFORDABLE HOUSING

**Mr Dalton McGuinty (Leader of the Opposition):** I have a question for the Premier. I want to talk to you about your made-in-Ontario rental housing crisis. In Toronto, the vacancy rate for apartments is now down to 0.6%. In Ottawa it's 0.2%, the lowest in the country. That tells us there are two vacant apartments for every 1,000 units. We have lived under your regime for quite some time and we are paying a terrible price. Will you now admit that your policies, when it comes to making sure we have more rental accommodation built in this province, are an abject failure, and will you agree to start anew?

**Hon Michael D. Harris (Premier):** I think the Minister of Housing can respond.

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** As the honourable member should know, this tightening of the housing market is something that not only Ontario has experienced. Indeed, throughout Canada the statistics do not lie. They simply say that in Canada the number of completions of rental housing accommodation has declined to under 5% a year. When you compare that to south of the border, it's 15%.

One has to ask oneself, what is the cause of this Canada-wide challenge? The cause has to be, at least in part, the federal government's positively discriminating against the type of housing the honourable member and I both want to see built. Their consideration of the type of active versus passive investment, the insurance costs—these are the kinds of things I would dearly love to have the honourable member's help on when convincing Minister Gagliano or his successor to change the Income Tax Act to allow this kind of housing to be—

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

**Mr McGuinty:** You are the Minister of Housing in Ontario. CMHC tells us we might get 1,500 new units built this year—we might. They also tell us we need 20,000 new units to be built every year. What are you doing to make sure we get those 20,000 units built? We know your policies aren't working. They are a complete and abysmal failure. What we want to know now is, what are you going to do to make sure, for all those people who are coming to this province, that the growth in this province might be accommodated some time soon? What are you doing to make sure we get 20,000 new units built every year?

**Hon Mr Clement:** The recent CMHC report has indicated that Ontario's strong economy has attracted job seekers from other parts of Canada. That's the problem of success.

I can tell you what we have done that no other government before us has done. We have changed the building code, we have changed the Tenant Protection Act to allow for more renovations and more types of renovation to be done, we have \$50 million more for up to 10,000 Ontario families who need that kind of rental accommodation. So we have put our money where our mouth is.

What the honourable member can help do is ensure it is not just the provincial government that is spending its time, its energy and its money trying to solve this problem. If we had a federal government that was concerned about this, then we'd get somewhere. I take the honourable member's seriousness on this to mean he is going to come up to Ottawa with me to confront Mr Gagliano to get a solution to this problem that is province-wide and nationwide.

#### COMMUNITY SAFETY

**Ms Marilyn Mushinski (Scarborough Centre):** My question is to the Solicitor General. I know that community safety is one of this government's top priorities.

During the last election, we made commitments in our Blueprint to increase public safety across Ontario—commitments, I might add, that we have kept. We improved public safety through the Sergeant Rick McDonald Memorial Act, which increased the penalties on criminals who take reckless flight from police. Our government has also passed Christopher's Law, creating the first sex offender registry in Canada. And we dedicated the Ontario police memorial to honour police officers who have died in the line of duty. We put 1,000 net new front-line officers into our neighbourhoods, just like we said we would.

Our government is also committed to continually providing police services with the resources they need to do their jobs. Last Friday, you and I joined in presenting the Toronto Police Service with a new tool to help keep the streets of Toronto safer, and I wonder if you could tell this House and the people of Scarborough Centre more about this pilot project and how it will benefit the Toronto Police Service.

**Hon David H. Tsubouchi (Solicitor General):** I'd like to thank the member for the question. Yes, last Friday the member for Scarborough Centre joined me in announcing a new tool to keep the streets of the city of Toronto safer. We approved a Toronto Police Service pilot project to test a new alternative to lethal force when apprehending individuals who pose a threat to themselves or others.

The alternative to lethal force is the Taser. The Taser is an option that will increase the safety of police officers and the public, allowing them to subdue an individual from a distance. The Taser emits a pulsating electric current that overpowers the body's normal electrical system to subdue an individual. This is also being piloted in Ottawa and is being used currently in Alberta and British Columbia.

I'd like to take the opportunity just to remind the House that the coroner's jury inquest into the death of Wayne Williams recommended that police services field test the Taser, a less lethal system.

**Ms Mushinski:** I'd like to thank the minister for that answer. My supplementary question is also to the Solicitor General. At local events, on radio open-line shows and door to door, people I've talked to in Toronto and Scarborough Centre all believe we should be able to live in our communities free from the fear of crime. Our government has made commitments to the people of Ontario to make our neighbourhoods safer.

The Taser is just one of the tools we have given the Toronto Police Service to help them to do their jobs. Could you please tell this House and my constituents about the other resources that our government has given the Toronto Police Service to help keep the streets of Scarborough Centre safe?

**Hon Mr Tsubouchi:** Once again, I thank the member. Earlier this year, the member for Scarborough Centre once again assisted us in presenting a cheque to Police Chief Julian Fantino for an amount just over \$2.2 million, which represents an instalment for the community

policing program. That represents 250 net new officers on the streets of the province.

We also had given last year just over \$100,000 to the RIDE program. Last Thursday, the member for London-Fanshawe kicked off the GTA RIDE program, along with all the chiefs of police for the GTA, Hamilton, south Simcoe, the OPP, and they were joined as well by Wendell Clark, who is the honorary captain of this campaign this year. The message is, "Don't drink and drive." Clearly we want to get that message out and work with our police services in doing that.

#### COURT RULING

**Mr Michael Bryant (St Paul's):** My question is for the Minister of Labour. On November 21, the Ontario Court of Appeal held, in the CUPE decision, that then Minister of Labour, the Honourable Mr Flaherty, "interfered with the independence and impartiality of boards of arbitration ... contrary to the principles and requirements of fairness and natural justice."

So now we have an intolerable conflict of interest. The minister who created a reasonable apprehension of bias is now the person who decides whether the decision is appealed. I just want your assurance as the Minister of Labour that in fact we're going to clean up this conflict of interest. Can you assure this House that the Honourable Mr Flaherty will not be involved in the decision of the Minister of Labour to appeal this decision to the Supreme Court of Canada?

**Hon Chris Stockwell (Minister of Labour):** I thank the member opposite for the question. Frankly, having read the decision, it was certainly interesting to see that it was decided—

**Mr James J. Bradley (St Catharines):** Did you read the whole decision?

**Hon Mr Stockwell:** Yes, I did, and I will read it to you one day, actually.

It was very surprising to see that the decision was that retired judges are not unbiased. They determined that retired judges in fact are biased individuals who couldn't hear these cases. It was a strange conclusion, I thought, considering the fact that they had sat for many, many years on the bench to hear a considerable number of cases and then, upon retiring, suddenly they became biased members of society. I frankly found that surprising.

Can I give you an undertaking that the Attorney General would not be involved in the decision to seek leave to appeal? No, I can't give you that undertaking. The Attorney General is the Attorney General of the province of Ontario. He provides sage and good advice to this government and to cabinet, and I think it would be remiss of us not to seek his guidance considering the leadership he's provided in many cases that have come before us.

1500

**Mr Bryant:** Minister, that's the problem. The person who will decide whether or not the decision goes up to

the Supreme Court of Canada—his actions are the very subject matter of the appeal. If the decision is sent up to the court, then it's going to look like you're trying to save his bacon. If it doesn't go up to the court, it looks like you don't want the Supreme Court of Canada to pronounce on that.

I know you disagree with the decision, Minister, but the Ontario Court of Appeal has said that the then Minister of Labour created the reasonable apprehension of bias.

As you know, it's not just that justice is done; it's that it is seen to be done. We need the appearance of impartiality. All I'm asking for is that a person who is not the subject matter of the appeal be making the decisions. What we need to have in this House is some confidence that the decision as to whether this goes up to the Supreme Court of Canada is in the public interest of Ontario and not in the self-interest of the Honourable Mr Flaherty.

**Hon Mr Stockwell:** The question is absurd, to be perfectly frank. Any question that comes before this government with respect to seeking leave to appeal is decided upon initially by the minister, and that would be me, the Minister of Labour. But that's not where it stops. Obviously, it goes on to consult with the Attorney General, and of course cabinet would make the ultimate decision. To ask that somehow, because the Attorney General was once the Minister of Labour, therefore he should not be involved in taking a decision as important as this is patently absurd. Decisions are made by cabinet on directions from the ministers. I, being the Minister of Labour, would bring it to cabinet, make a recommendation, and cabinet would take a decision. That's fundamentally how all issues are decided upon, and I would think you would expect this decision to follow that particular line of thought.

#### PAROLE SYSTEM

**Mr R. Gary Stewart (Peterborough):** My question is to the Minister of Correctional Services. It is not fair that victims of crime have to see offenders out on the street early when these criminals have refused treatment in prisons. People who have committed crimes and are placed in our institutions repeatedly refuse treatment programs. Because of the federal discount law, they are able to get out after serving only two thirds of their sentence. I believe that's ridiculous. Minister, how will the new responsibilities of the Ontario Parole and Earned Release Board put an end to criminals receiving early release when they refuse treatment?

**Hon Rob Sampson (Minister of Correctional Services):** I thank the member for Peterborough for the question. Quite frankly, the answer is very simple. If the Legislature deems it appropriate to pass the bill before the House, then those who are in jail in Ontario will have to earn their early release. It won't be a gift granted to them, as the Liberals opposite would rather have it be, that is granted to them as a result of their arriving at the

front door of the jail on the day they begin to serve their sentence. This is not a right that is there to be granted; it's a privilege to be earned.

I say to the member from Kingston, who I believe has said on many occasions, "You should release them all," that that would be the Liberal strategy, the Liberal philosophy, which has been clearly demonstrated by his federal cousins in Ottawa, who have this quota system to dump all the people out of jail. In Ontario, you will have to earn your time out of jail. That is quite clear. In Ontario, you will earn your early release.

**Mr John Gerretsen (Kingston and the Islands):** Mr Speaker, on a point of order.

**The Speaker (Hon Gary Carr):** The clock is going to run. Be very quick, because I'm going to be up quickly.

**Mr Gerretsen:** I would ask the minister to withdraw. I would prefer not to be misquoted.

**The Speaker:** That is not a point of order. Supplementary?

**Mr Stewart:** Thank you, Minister, for that response, which I think many people in Ontario, those good-living citizens of this province, wanted to hear. It is reassuring that our government believes that a criminal who needs it should have to undergo treatment before they be released early from prison.

Minister, I understand that the decision-making process for granting early release is a shared responsibility in your ministry causing duplications and overlaps between parole, earned remission and temporary absence programs. How will the board's new responsibilities make a difference?

**Hon Mr Sampson:** Very simply, the board will be reconstituted as the parole board and the earned remission board as well and they will have the responsibility to review early release decisions for the more serious and violent offenders in our correctional system, those generally serving sentences of 15-plus months. For those serving less time, the release decisions will be made by the local superintendents. But all these decisions, whether they be made locally by the superintendents or otherwise, will be reviewed periodically by the board to make sure that those who are serving sentences that have been allocated to them by our justice system spend their time in jail until it's appropriate that they be released, as evidenced by the fact that they have earned that privilege to be released.

I say to the member for Kingston, who I gather I hit a sore spot with, I'm sorry he is a little bit upset, but the federal government is on record—

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

#### CLASS SIZE

**Mr Rosario Marchese (Trinity-Spadina):** I have a question for the Minister of Education. Parents say that your unfair funding formula is inadequate and is short-changing students. You've cut teachers, and we now have 11,000 fewer teachers while there are 60,000 more students in the system. The result, I think you know, is

bigger class sizes. In York region, class size is the key issue in bargaining for elementary teachers. One grade 8 class at Ballantrae public school has 40 students, and that includes special-needs kids who sometimes are left without a specialized teacher. How can you justify your funding formula that has made class size explode and hurt the education of our children?

**Hon Janet Ecker (Minister of Education):** I would really caution the honourable member. He might want to check his facts. We do have more teachers this year than we did last year.

**Mr Marchese:** I love this minister. She's the best, I tell you. I say one thing; she says another. I give facts; she says, "No, no. The facts are different." Forty-two per cent of elementary classrooms have 26 or more students. By the way, I point out that since you came to power, class sizes for grade 2 students have increased by more than 10%. We give facts; she gives us other facts. I agreed with you when you said in September that the explosion in class sizes is a disturbing trend across Ontario. That was an admission of yours, not mine, and I agree with that. It is a disturbing trend, and what we need is action.

You know, Minister, that reducing class size is the only way to improve reading, math, participation and discipline problems. Forty kids to a class is 15 more than experts know is good for kids. You can make a difference. Make 25 the maximum number of kids for grade 8. Will you or can you do that?

**Hon Mrs Ecker:** In the interest of accuracy here in the House: he makes claims, I provide the facts. But I hope the honourable member would subsequently, based on his comments today, support Bill 74, which gives the government the power to require boards to fully report on what they're doing with the increased resources for smaller class sizes. I agree with the honourable member that if they're taking the \$263 million we gave them this year and they're not applying it to class size, we need to know about that. We need to have the ability to fix that.

The other thing: I honestly, again, suggest to the honourable member that he needs to do some re-search. I recognize that class size is very much an important quality indicator for parents and teachers, which is why we put the \$263 million out there. But when you look at the research, it does not track testing results and outcome the way the honourable member stated it did.

1510

#### DRIVER LICENCES

**Mr Pat Hoy (Chatham-Kent Essex):** My question is for the Minister of Transportation. The public auditor has repeatedly warned the Harris government that its headlong rush to privatize is putting Ontario lives at risk—it happened in Walkerton where seven lives were lost—you continue on this insane course. It has been shown that privatizing jails will endanger lives, as would privatizing air ambulance, where four patients have died.

Bill 137 will allow you to privatize driver examination, vehicle inspection and the transportation of dangerous goods on our highways. It will put lives at risk. Three Christmases ago, four horrible deaths caused by flying truck tires forced you to provide the necessary resources to Ontario's road inspectors to correct the problem. Have you learned nothing from this, nothing from Walkerton? You are abdicating your responsibility to protect the public, and for what? The auditor has told you that you haven't saved any money. What is your almighty rush? You are putting lives at risk. Will you at least agree to broad public hearings that will allow Ontarians to be heard?

**Hon David Turnbull (Minister of Transportation):** The member, as usual, is absolutely wrong. Since we became the government, we have substantially reduced the incidence of flying truck wheels. The member should check his facts, because he's just dead wrong.

With respect to the question of driver exam centres, we've been very clear. We're looking toward improving standards. MTO will continue to set and enforce high standards. Our government will make its continuous effort to make our roads safer. Since we became the government, we now have the fourth-safest roads in the whole of North America. That's a lot safer than when you were the government, sir.

**Mr Hoy:** In terms of the flying tire issue, it took four deaths before you made any moves of any significance there.

Minister, you know very well that the devil is in the detail, and your bill gives none. It's the new Harris trick: when in doubt, give yourself a blank cheque. With Bill 137, the power is in the regulations. What the public won't see can't hurt you; is that it? If you have no intention of privatizing these services, prove it. Make it clear in the bill that the public safety will be served; that these services cannot be farmed out to a company whose bottom line is profit, not public safety. Will you do that, Minister? Will you allow broad public hearings and meaningful amendments that will spell out exactly how public safety will be protected?

**Hon Mr Turnbull:** I can quite clearly see that the Liberals are absolutely unwilling to look at any other way of delivering services. You left a mess. You didn't spend money on roads when you were the government. We inherited a mess. When your government was in power, when the NDP was in power, they didn't spend that and our roads were less safe. Today they are a lot safer than when you were the government.

We are committed to safety. We're also committed to finding better ways of delivering services, because customers should be the king, and we will continue to enforce high safety standards.

#### RETAIL STORE HOURS

**Mr Wayne Wettlaufer (Kitchener Centre):** My question is for the Minister of Consumer and Commercial Relations. I have a question about businesses being

able to open on statutory holidays. In the past few days there's been quite a lot of attention paid to an appeal that was made in the Superior Court. Last Thursday's decision to overturn the 1996 ruling that opening on statutory holidays was unconstitutional has created some confusion among consumers about when exactly stores can and cannot open. I thought I was pretty clear on the decision until I heard all the questions from my constituents on the weekend. Minister, I wonder if you could please clarify for the House just what was involved in last Thursday's decision and how it will affect the way stores in Ontario currently do business.

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** I thank the member for the question. I think there was some confusion that stemmed primarily from news reports that were somewhat misleading, to say the least. The case really changed nothing. There was a decision in 1996 which was appealed by the government, and nothing really changed during the interim until that appeal was heard. The law was enforced during that period of time by municipal police services.

As the law was changed in 1996, there remained eight statutory holidays under the Retail Business Holidays Act. They are New Year's Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving and Christmas Day.

**Mr Wettlaufer:** I've also heard some concerns that stores will not be able to open on Boxing Day, which some people mistakenly believe is a statutory holiday. We all know that Boxing Day sales are almost as much a part of Christmas as eggnog and mistletoe. Some stores report to us that half their annual sales are recorded on Boxing Day. Minister, could you please explain how Boxing Day is affected by the Retail Business Holidays Act and whether or not shoppers can look forward to rushing to the malls on December 26.

**Hon Mr Runciman:** I indicated the days that fall under the Retail Business Holidays Act, and Boxing Day is not one of them. It was removed by the Harris government in 1996 in light of consumer demands and the realities of the day. Given the economic good news that we heard from the Minister of Finance earlier today, I think retailers can expect full stores come Boxing Day, given the booming Ontario economy under the Harris government.

#### SOINS DE LONGUE DURÉE

##### LONG-TERM CARE

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** Ma question s'adresse à la ministre de la Santé. Il y a quelques semaines, j'ai parlé au nom des commettants d'Ottawa-Vanier qui ont vu annuler leur chirurgie à la dernière minute et se sont vus placer une fois de plus sur une longue liste d'attente. Plus je parle aux commettants et commettantes d'Ottawa-Vanier, plus ils partagent avec moi leurs inquiétudes face à l'état dégringolant des hôpitaux d'Ottawa-Carleton.

These are people in my riding whose surgeries are being postponed and who are being placed once again on a waiting list because there are simply no beds available to them. This is happening because too many short-term beds are being occupied by long-term patients who should be in separate institutions.

Minister, you continue to trumpet the success of your government in addressing the critical lack of long-term-care beds, and yet what you are saying is completely at odds with what health care professionals and patients are telling me. I want to know what you say to my constituents when they ask you why they are waiting longer than ever before for medical treatment at a time when Ontario is enjoying one of the longest economic expansions in its history.

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** The member probably knows that at this point in the history of Ontario, the \$8.3 billion that we have made available to hospitals as of this year is the highest level of funding we have ever provided to hospitals in this province.

I would also just remind the member that our government has increased health care funding each and every year since 1995, from \$17.6 billion to over \$22 billion today. The only time we've seen any decrease in health funding was from the federal government, when they cut the transfer payments. So we continue to make the money available for all our health care partners, including the hospitals.

**Mrs Boyer:** Minister, the people of Ottawa-Vanier are once again left shaking their heads at your response because they know that what you are saying is completely at odds with what they are experiencing.

La semaine dernière, j'ai reçu un appel d'une dame qui était cédulée pour une opération majeure qui à la toute dernière minute a été annulée. Cette femme avec de jeunes enfants avait fait des arrangements pour qu'un membre de sa famille d'ailleurs dans la province puisse prendre des vacances pour venir l'aider après sa chirurgie.

Minister, her surgery and many others are being postponed because 12% of short-term hospital beds in Ottawa-Carleton are occupied by people who should be in long-term-care institutions. The reason they are not in long-term-care institutions is that these facilities are short 1,900 beds in Ottawa-Carleton alone.

You are the person sitting at the Harris cabinet table who is responsible for fighting for health care in Ontario. I want to know how you, as Minister of Health, can justify what is happening in Ottawa. When are you going to meet the need for 1,900 long-term-care beds in Ottawa-Carleton in order to free up short-term beds and put an end to extensive waiting lists?

1520

**Hon Mrs Witmer:** The member is right. I am the individual who's responsible for fighting for health care dollars and I am very proud of the fact that we were able to convince the federal government to give back to the provinces the money that they've taken away.

I would also ask you, are you not aware of the fact that it was your government, in 1988, that stopped the construction of long-term-care beds? We know there are people waiting in acute care hospitals who need long-term-care beds, and that's why we're building 20,000 long-term-care beds. That's why my assistant deputy minister of health last week went to Ottawa in order to find out where we can place the interim long-term-care beds. But if you hadn't stopped in 1988, we wouldn't be in the situation we're in today.

## RURAL JOBS STRATEGY

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** My question is to the Minister of Agriculture, Food and Rural Affairs. I want to remind this House that this question will not bring the government down, so don't get too excited about it. It's one of those questions that has to be asked from time to time.

Minister, last August you announced a project in my riding, funded by the rural youth job strategy. That was designed to provide investment and jobs for young people by promoting excellence in manufacturing. I, along with many others in my area, am proud of the Excellence in Manufacturing Consortium started in Owen Sound, which has gone on to other areas.

It's an idea that shares learning, expertise, knowledge and resources to meet the training needs of its members and provides great opportunities for the residents of Grey county and Bruce county. I also want to mention that when this consortium got together, I was proud of them for the fact that they got through the red tape and all the bureaucratic mess that it takes to get these grants. They did a real good job if it, I want to tell you that.

Can you give me an update on this project? Is the project meeting its goals?

**Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs):** Thank you, to the member for Grey-Bruce, for the question and for the opportunity to talk a little bit about the ongoing success of our rural job strategy program.

The member refers to the internship program we funded in partnership with the Excellence in Manufacturing Consortium. This is an \$8.2-million project with the goal of creating over 800 intern positions in many communities in the member's area over a two-and-a-half-year period.

Today I'm pleased to report that the project has retained 80% of the interns who have been given this opportunity, many of those in full-time jobs. This is an extremely high level of success and it give us confidence that this project is helping meet the goals of giving our young people opportunities for employment closer to home.

This project is just one of many across the province that are successfully helping young people get their careers off to a good start.

**Mr Murdoch:** I want to thank you for that, Minister, and I hope the opposition heard that, that this project is

working fine. It's working fine for people in my area, like Owen Sound, Markdale, even down in Mount Forest. I just want to make sure you understand that, because a lot of times you get up and all you can ask are negative questions. Sometimes we need these positive questions because the government is doing positive things.

I also want to throw something in, and this isn't on the paper, but I want to make sure, Minister, that we can have some more money for our area. I want to make a bid for that, because we've done such a good job in Owen Sound. We always seem to be leading the province, anyway, so that's nothing new.

But has the youth strategy been working in this way in other areas? How is this working in other areas? I want to know how it's working in other areas, plus I want your commitment that you will work with us and make sure we get some more money.

**Hon Mr Hardeman:** I want to assure the member that the people in his community did a very good job in implementing this program.

The rural youth job strategy was introduced in the 1998 budget, a \$35-million program that's aimed at enhancing training and employment for young people in rural Ontario. We are finding that this program is helping to provide opportunities that may not have existed before, and these opportunities are leading to full-time opportunities in many cases.

So far 66 projects, representing a \$40.3-million investment in the young people of rural Ontario, have been approved. These projects have created about 7,000 jobs, along with providing 3,000 opportunities for work experiences. In all, well over 10,000 young people have been given opportunities that they may not have had if not for this strategy. Mr Speaker, I want to point out to you and to the members here today, and the public as well, that the rural youth job strategy is still ongoing.

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

#### SITE OF EARLY PARLIAMENT

**Mr Rosario Marchese (Trinity-Spadina):** I want to thank you for leaving enough seconds so that I can ask the Minister of Culture this question. I've waited for six weeks. I am calling on you and your government to save the site of Ontario's first Parliament, where you know artifacts and foundations have been uncovered. The site is in danger of becoming a car lot, as opposed to being a part of a living culture for Ontario. Many Ontarians are outraged that you are prepared to stand idly by while this significant heritage site is paved over. I tell you it's the cradle of Ontario's democracy. I'm calling on you to purchase this site, the site of our first Parliament, and do so for the people of Ontario.

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** I'd like to thank the member opposite for his question. Of course, all Ontarians across this great province are interested in the first Parliament Buildings. Some

may know that there is the potential we've found some foundations down on about Front Street. It may be an important archaeological find. We've had a licensed archaeologist there for a number of weeks. He has to provide a report to us about the find. We can't jump into this before we know exactly what has been found. We've gone back and we've protected the foundations by putting dirt back over them so that we have all the precautionary measures taken—

*Interjection.*

**Hon Mrs Johns:** I'm glad you know that. I want to show you that we've made every effort to ensure that we're taking care of these Parliament Buildings. When we receive the report, when we understand the ramifications of the report, the government will be making decisions about what we should do to ensure that the history of the province of Ontario is protected and there for future generations.

## PETITIONS

### SAFE STREETS LEGISLATION

**Mr Bruce Crozier (Essex):** I have a petition signed by hundreds of constituents across the province to the Legislative Assembly of Ontario:

"Whereas charities such as the Muscular Dystrophy Association of Canada, Goodfellows, the Canadian Cystic Fibrosis Foundation, firefighters and many others participate in fundraisers on streets, sidewalks and parking lots;

"Whereas the Safe Streets Act, 1999 effectively bans these types of activities, putting police forces in the position of ignoring the law or hindering legitimate charities; and

"Whereas charitable organizations are dependent on these fundraisers to raise much-needed money and awareness;

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

"We ask that the government of Ontario amend provincial legislation by passing Bill 64, the Safe Streets Amendment Act, 2000, to allow charitable organizations to conduct fundraising campaigns on roadways, sidewalks and parking lots."

In support of this petition, I sign my signature and give it to Andrew to take to the Clerk's desk.

### PARENTAL LEAVE

**Ms Shelley Martel (Nickel Belt):** I have a petition that's signed by over 400 people that's been given to me by Laurell Ritchie of the CAW. It reads as follows:

"Whereas Ontario's Employment Standards Act provides vital job protections for new parents on parental leave, including reinstatement to their previous pay and job, accumulated seniority while on leave, continued par-

participation in workplace pension and health benefit programs, and prohibitions against discriminatory treatment; and

“Whereas unemployment insurance parental benefits have been extended to 35 weeks effective for a child born or adopted on or after December 31, 2000, changes long sought by women’s groups, labour groups and others and in keeping with the modern provisions in many European countries; and

“Whereas parental leave benefits are distinct from pregnancy benefits, this means that a total of 50 weeks of EI benefits will be available to a natural mother who qualifies for EI and serves a two-week waiting period; and

“Whereas the federal government, the Quebec government, and more recently, the governments of British Columbia and Nova Scotia have amended their legislation to allow for at least 52 weeks’ combined pregnancy and parental leave for a natural mother and at least 35 weeks’ parental leave for a natural father or adoptive parent; and

“Whereas the government of Ontario has refused, without just and good cause, to amend the Employment Standards Act in a timely manner, effectively denying parents access to the new EI benefits since they would otherwise risk their jobs at a time when the security of their employment and working conditions is most critical;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to amend the Employment Standards Act of Ontario forthwith to extend the current parental leave and normal protections of workers’ jobs and working conditions by 17 weeks, effective December 31, 2000.”

I’ve affixed my signature to it. I’d ask the government to pass my fair parental leave bill immediately so these provisions could come into effect.

**The Acting Speaker (Mr Bert Johnson):** I want to remind those in the gallery that we don’t have conversations. Could I ask that somebody go up into the members’ east gallery, please.

Further petitions?

1530

#### REGISTRATION OF VINTAGE CARS

**Mr John O’Toole (Durham):** Speaker, I agree with you on this. The member for Peterborough was certainly disturbing me and I have no doubt he’s disturbing you. But I am going to read on behalf of the constituents of my riding of Durham a petition—and by the way, I’m getting thousands of these, all authentically signed.

“To the Legislative Assembly of Ontario:

“Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

“Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable”—sadly—“to

register their vehicles using the original year of manufacture licence plates; and

“Whereas Durham MPP John R. O’Toole and former MPP John Parker have worked tirelessly together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

“Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to immediately pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles,” when they register vehicles.

I’m pleased to give this petition to Rose, who will present it to the table, who will then acknowledge this to my constituents in the riding of Durham.

#### PHOTO RADAR

**Mr Pat Hoy (Chatham-Kent Essex):** To the Legislative Assembly of Ontario:

“Whereas Mike Harris made the decision in 1995 to cancel the Ontario government’s photo radar pilot project before it could properly be completed; and

“Whereas two Ontario coroners’ juries in the last year, including the jury investigating traffic fatalities on Highway 401 between Windsor and London in September 1999, have called for the reintroduction of photo radar on that stretch of ‘Carnage Alley’; and

“Whereas studies show that the use of photo radar in many jurisdictions, including British Columbia, Alberta, Australia, many European countries and several American states, does have a marked impact in preventing speeding and improving road and highway safety, from a 16% decrease in fatalities in British Columbia to a 49% decrease in fatalities in Victoria, Australia; and

“Whereas photo radar is supported by the RCMP, the Canadian Association of Chiefs of Police, several police departments, including many local Ontario Provincial Police constables ... and many road safety groups;

“Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation reinstate photo radar on dangerous stretches of provincial and municipal highways and streets as identified by police. The top priority should be ‘Carnage Alley,’ the section of the 401 between Windsor and London, and all revenues from photo radar should be directed to putting more police on our roads and highways to combat aggressive driving.”

It’s signed by a number of residents from Stratford, Sebringville and Mitchell, and I affix my name to it.

#### NORTHERN HEALTH TRAVEL GRANT

**Ms Shelley Martel (Nickel Belt):** I have a petition regarding this government’s ongoing discrimination of northern cancer patients. It 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 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; and

“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.”

This has been signed by residents of Schreiber and North Bay, Ontario. I agree with them and I have affixed my signature to it.

#### REGISTRATION OF VINTAGE CARS

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** This seems to be a petition that keeps coming back, so I think we've got to do something about this one.

“To the Legislative Assembly of Ontario:

“Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

“Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

“Whereas Durham MPP John R. O'Toole”—the great member—“and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

“Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles.”

I have the pleasure of signing my name, and I'm going to hand this to Geoff, the great page in this session of the Legislature.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms Caroline Di Cocco (Sarnia-Lambton):** “To the Legislative Assembly of Ontario:

“Whereas it has been determined that recent funding allocations to the developmental services sector in the communities of Sarnia-Lambton, Chatham-Kent, and Windsor-Essex have been determined to be grossly inadequate to meet critical and urgent needs;

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

“That the Ministry of Community and Social Services immediately review the funding allocations to the communities of Sarnia-Lambton, Chatham-Kent, and Windsor-Essex, and provide funding in keeping with the requests made by families and/or their agents.”

I affix my signature to this petition.

#### REGISTRATION OF VINTAGE CARS

**Mr John O'Toole (Durham):** I can hardly believe it, but the petitions keep rolling in and I'd like to get them in. They're like letters to Santa, really. The page Pascale will take this to the table.

**The Acting Speaker (Mr Bert Johnson):** If you'd like to read it, we'd like to hear it forthwith.

**Mr O'Toole:** “To the Legislative Assembly of Ontario:

“Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles”—I've heard that before—“and

“Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates”—that's quite sad, actually—“and

“Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked” tirelessly “together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

“Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to allow vintage auto enthusiasts to register their vehicles using year of manufacture plates.”

I have good news on this. I have been speaking with the Minister of Transportation and I think this will carry—

**The Acting Speaker:** Thank you.

1540

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr Pat Hoy (Chatham-Kent Essex):** “To the Legislative Assembly of Ontario:

“Whereas it has been determined that recent funding allocations to the developmental services sector in the communities of Sarnia-Lambton, Chatham-Kent, and Windsor-Essex have been determined to be grossly inadequate to meet critical and urgent needs;

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

“That the Ministry of Community and Social Services immediately review the funding allocations to the communities of Sarnia-Lambton, Chatham-Kent, and Windsor-Essex, and provide funding in keeping with the requests made by families and/or their agents.”

I’m pleased to hand this petition to Rose, from Chatham-Kent Essex. I have affixed my signature to it.

#### NORTHERN HEALTH TRAVEL GRANT

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

“To the Legislative Assembly of Ontario:

“Whereas cancer patients in Ontario requiring radiation treatment face unacceptable delays and are often forced to travel to the United States to receive medical attention;

“Whereas many prescription drugs which would help patients with a variety of medical conditions such as macular degeneration, multiple sclerosis, arthritis, diabetes and heart failure are not covered by OHIP;

“Whereas many residents of St Catharines and other communities in Ontario are unable to find a family doctor as a result of the growing doctor shortage we have experienced during the tenure of the Harris government;

“Whereas many assistive devices that could aid patients in Ontario are not eligible for funding from the Ontario Ministry of Health;

“Whereas community care access centres have inadequate funding to carry out their responsibilities for long-term and home care;

“Whereas the Harris government has now spent over \$185 million on blatantly partisan government advertising in the form of glossy brochures and television and radio ads;

“We, the undersigned, call upon the Conservative government of Mike Harris to immediately end their abuse of public office and terminate any further expenditure on political advertising and to invest this money in health care in the province of Ontario.”

I affix my signature as I’m in complete agreement. I hand this petition to Andrew.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr Pat Hoy (Chatham-Kent Essex):** I have a petition from a number of residents from Chatham and Dresden.

“To the Legislative Assembly of Ontario:

“Whereas it has been determined that recent funding allocations to the developmental services sector in the communities of Sarnia-Lambton, Chatham-Kent, and Windsor-Essex have been determined to be grossly inadequate to meet critical and urgent needs;

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

“That the Ministry of Community and Social Services immediately review the funding allocations to the

communities of Sarnia-Lambton, Chatham-Kent, and Windsor-Essex, and provide funding in keeping with the requests made by families and/or their agents.”

I affix my signature to this important petition.

**The Acting Speaker (Mr Bert Johnson):** The time for petitions has ended. Before we do orders of the day, I just wanted to make sure we’ve all had the opportunity to wish the Minister of Agriculture, Food and Rural Affairs a happy birthday today.

**Mr John O’Toole (Durham):** On a point of order, Mr Speaker: I certainly want to make it clear that I am not challenging the Chair, nor would I ever do that. However, for clarification, on rotation of petitions, is it not true that it’s the Liberal, then the NDP and then the government caucus? That’s the first part of the question. Depending on the answer to that, I have a part two to the question.

**The Acting Speaker:** Question period starts right after those other things and it’s not question period for the Speaker.

#### ORDERS OF THE DAY

##### TIME ALLOCATION

**Hon Rob Sampson (Minister of Correctional Services):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 144, An Act to establish accountability in correctional services, to make offenders demonstrate that they are drug-free, to set rules for offenders to earn their release, to give the board of parole a say in earned release decisions, and to change the name of the board of parole, when Bill 144 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered for third reading;

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That the order for third reading of the bill may then immediately be called. When the order for third reading is called, the remainder of the sessional day shall be allotted to the third reading stage of the bill, the debate time being divided equally among the three caucuses, after which time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That, pursuant to standing order 28(h), the vote on third reading may be deferred until the next sessional day during routine proceeding “Deferred Votes”; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the Minister of Correctional Services for debate.

**Hon Mr Sampson:** I'm going to be dividing my time, which is a total of 39 minutes and 54 seconds, I see from the clock, with the members from Stoney Creek, Halton, Peterborough and Northumberland, all of whom have been speaking quite—

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** They each get one minute.

**Hon Mr Sampson:** No, I think they'll get longer than one minute.

I do want to say a few words as we start off debate this afternoon on this motion before the House as it relates to this very important bill. I want to say to the people watching and listening today that the fundamental principle of the bill before the House, which is the subject of the motion, is that we need to establish some accountability in the correctional system to make sure that we have a system that is appropriately armed, if you will, to help individuals who are working within the correctional service do the best job they possibly can at the tremendous and very difficult challenge that's placed before them by the courts of this province when they sentence somebody to either institutional time or sentences served in the community.

The bill is effectively addressing three fundamental components, one dealing with a framework, if you will, for partnering with the private sector. I know my colleague from Stoney Creek will want to speak, as he normally does quite eloquently, to that particular issue. The second is the tools that allow us to better get a handle on and start to deal with the very serious problem of drug and alcohol abuse within the correctional institutions in this province. The third deals with the concept of earned remission. I'm going to speak to those three points very quickly in reverse order.

As it relates to earned remission, our preference as a government—and we've said this many times—would be that the principle of any remission from a sentence be permanently deleted from the records of the criminal law in this country and this province. But as this province isn't given the authority to deal with writing and changing criminal law, that authority resting in the hands of the federal government, we have to do what we can if the federal government chooses not to deal with earned remission as we would choose. We've made a number of presentations to the federal government through justice ministers' conferences, deputy ministers' conferences, conferences public or private or otherwise, you name them, and we've not been able to convince the federal government to make those changes. Earned remission is still part and parcel of the legislation that governs how individuals are treated in institutions as it relates to their sentences, and we have to deal with that.

The way in which we will deal with it in this province is that we'll make that remission, however it is calculated, something that is earned by inmates in institutions—earned not just by spending your time passively in

institutions, but earned as a result of active, progressive and positive participation in the programs that are deemed appropriate by professional staff in our ministry to help individuals deal with their particular problems in jail, whether they be drug addiction problems, whether they be anger management problems, whether they be other types of criminal thinking challenges. We believe that you need to demonstrate to us that these programs you are going to are having some positive impact on your lifestyle. Why would it be appropriate to have somebody attend drug rehab programs in the institution, continue to participate in drugs and yet still be allowed out after completing two thirds of their sentence? It doesn't seem appropriate. It doesn't seem right. So we will make changes to make sure that inmates in this province earn the privilege—not the right but the privilege—of any early release from jail.

**1550**

I know one of the members of this Legislative Assembly has debated in private members' business a resolution dealing with drug challenges in institutions. Much has been said during that time and in the debate on Bill 144 so far about the tremendous problem of drugs in jail. I know, to the people watching today, it's hard to actually fathom that one would have a problem with illegal drugs and alcohol in correctional facilities, but that is indeed the case.

How serious is that problem? Well, frankly, we don't know. There are a lot of anecdotal stories about how serious the problem is. Our challenge to the service, if this bill passes, will be to implement a mandatory drug-testing program that, by the way, other jurisdictions have done around the globe to help them deal with the drug problem.

Much has been said in this House about how you need other tools to help deal with that problem, and I agree. I fully agree that other tools need to be used to get a handle on the inflow of drugs in the institutions. But surely you only design those tools and pick from the tool basket that's available once you determine how serious the drug problem is in a particular institution and once you establish the framework that says to those who are participating in illegal activities in jail that there is a meaningful consequence to them continuing to do that.

There is a deterrent factor involved in mandatory drug-testing. There have been numerous studies, and I'm holding some in my hand now, that have been done around the globe by those jurisdictions that have implemented what's called mandatory drug-testing. Those studies speak to the fact that there has been a sizeable reduction in the severity and incidence of drugs, however measured, as a result of a plan that simply says to an inmate, "You are going to be tested. You won't know when, but you will be tested, so you'd better beware. You'd better be on guard. You'd better have a positive focus, therefore, on your rehabilitation and your ability to kick that addiction."

The final point I want to speak to today before I yield the floor to my colleagues is very simply a short com-

mentary on one very key component that hasn't met with a lot of discussion so far but should, I think, as it relates to our partnering with the private sector. We've already heard other members in the debate so far raise the examples of the experiments, if you will, or otherwise, south of the border of partnering with the private sector that have not achieved successful results. I've said many times in this House and outside this House that it is not the intention of this government to import the bad correctional practices of other jurisdictions, whether they be with private operators or with public operators. It's not our intention to import that into Ontario. What we're looking for is a solution that is Ontario-based and Ontario-made, one that says the principle here should be on how the institutions are run and less on who is running them.

I understand the NDP caucus's fundamental objection to having the private sector operate in many jurisdictions that have previously been occupied by the public sector. It's a matter of principle over there. They believe the monopoly should rest in the hands of the public sector for a lot of activities that government is involved in.

The Liberals go back and forth, depending on which particular case it is. The member for Stoney Creek has a really good example which he may speak to shortly.

The fundamental principle has to be that you need to focus on how these institutions are being run and not who is running them, and you need to have a system of accountability to make sure that your focus on how they are being run is constant and public. So a fundamental component of the bill that's before the House and one that really hasn't had a lot of debate so far—and I hope we'll see some shortly—is the principle of local boards of monitors. Frankly, it's a concept we are borrowing from other jurisdictions.

What is a local board of monitors? Very simply, it's a group of local citizens who have an interest in justice issues, or who have previously been employed one way or another in a justice issue, being allowed unfettered access to the correctional system to watch what is going on there and be the eyes and ears of the public for what is going on in that institution. It's had a tremendous impact on the way institutions are run in those jurisdictions where that concept of a board of monitors has been applied.

I say to the members opposite who belittle this principle of a board of monitors that it has even worked in institutions that are being managed and run by the private sector. In one of the facilities in the UK, the board of monitors, in their yearly report—they do a yearly report that's public—have said, "Overall, we, like the chief inspector, find very little criticism here and much to praise." They are talking about a private jail in the UK. "Many of the minor recommendations made by us in this report have already been implemented—proof, if proof be needed, that this is a dynamic and forward-thinking establishment." This is a comment from individuals who have been drawn from the community to supervise the operation of a particular facility in the UK. They look at

everything. They speak to inmates, they speak to employees, they speak to the management, and they help us, as public citizens who only see the jail from the outside, understand very publicly and openly what is happening on the inside.

I say to the people who are watching today and to the members of the Legislative Assembly, I believe this is a very fundamental change in the way in which we believe the business of corrections should be run. It shouldn't be something that is operated in a black box. It shouldn't be something that only gets exposed when something happens that we might not want to have happen in a jail or a correctional facility. It shouldn't be something that only comes up when there's a problem. Public scrutiny of correctional facilities should be 24 hours a day, seven days a week, 365 days a year. That's the principle we are trying to impose on all of the correctional facilities in this province, clearly starting with the much larger facilities that we're building. Why? Because it allows us the tools, as the payers of the bill for correctional facilities, as the managers of those individuals who are sent to our institutions for rehabilitation, to monitor how institutions are being run—not who is running them, but how they are being run. Clearly, I say to the Speaker and those who are interested in this debate, that should be the fundamental focus of government.

Having said that, I now yield the floor to members of the Liberal caucus, I gather, and then we will go back on the regular cycle.

**Mr Dave Levac (Brant):** To begin the debate, I will be sharing my time with my friend from York South-Weston, my friend from Essex, and my friend from Kingston and the Islands during this debate.

Well, well, well, here we are. Now we're going to talk about the fundamental changes in the correctional system, a very, very important bill, something that fundamentally will change the way in which we provide corrections in our province, so quoted by the minister. Why, then, are we standing to a time allocation motion? There will be no public hearings—none. The public of Ontario will not get their "put" into this question, this fundamental change in the way we provide corrections, this very important bill.

The drug testing that the minister referred to quite clearly did show improvement when it was provided alongside the treatment programs that these inmates so desperately need and that this government has so desperately cut back on over the years for all Ontarians, let alone the ones inside our prisons.

I also want to refer this minister to a letter I received from somebody who has done corrections for over 24 years, a proud professional.

"On December 5, 2000, I have achieved 24 years on front-line service as a correctional officer in the province of Ontario. I find it somewhat ironic that at the same time that the Ontario government is seeking closure to Bill 144, I implore each and every one of you"—referring to members of this House—"to let this bill go to a committee of the House and resist the urge to just push

this bill through. There are many, many officers such as myself—and, I add here, the general public at large—“that have a vast amount of constructive information that I believe needs to be heard and understood.

“There is nothing in Bill 144 that cannot be achieved by a simple memo from the minister of corrections to his deputy minister and a similar message from the Solicitor General to his deputy minister, with the exception, of course, of the privatization aspect of this bill. This aspect deserves a bill on its own and with full public input. I realize this is not going to happen with this government, so once again I beg each and every member that you at least let the present Bill 144 go to committee so that it can receive at least a portion of the illumination that it deserves.

**1600**

“I can tell you right from the start that my 24 years of service, combined with the hundreds and hundreds of hours of research, indicate without question that private prisons have no place in Ontario. There are no savings; rates of violence, escapes are many times higher than public institutions around the world.

“With regard to competition, could the two superjails not compete for efficiencies, even being public? What is the competition for? The competition for somebody’s money?

“There is also concern at the host community that a private jail will drain economic activity”—this is my interjection: \$3.2 million worth of profit leaving that community—“away from their communities as corporate profits would rather be kept in those Ontario tax dollars working for them in their communities in the form of solid, full-time jobs for Ontarians.” Another anecdote of mine: \$120 million worth of economy will be shut down in order to afford one community \$16 million worth of economics.

“I can also tell you that someone is taking drugs in the jail, that it may or may not be his or her choice. With this man’s experience, very often inmates are forced by others to take these drugs as a sort of initiation or a demonstration of solidarity. Even with a return to the concept—and I say ‘return to the concept’—of earned remissions, we have individually tracked daily remission earnings before, and until recently it was abandoned as a redundant, expensive exercise. You still have to be able to prove why an inmate did not earn full remissions on any given date. So when the early release committee wants to keep Johnny Bad Boy from his full term because he failed his urine test, Johnny Bad Boy’s family is going to ask for some documentation as to why Johnny is not coming home, then Johnny is going to say that he was forced to take the dope and next Johnny will apply for and receive legal aid to fight his case before the courts. Johnny will probably win, and then all other Johnnies will launch appeals of their own.

“I am not making this up, as I have witnessed this. This used to happen all too often and was abandoned in favour of the present system of full remission unless you screwed it up. This way, the power is in the hands of the

superintendents and the front-line correctional officers, which does work better.

“The power to force any inmate to complete their full sentence is already in the hands of the minister. As I said at the beginning of this letter, there is nothing new in Bill 144 as it pertains to drugs in jails or remission that is not already in place and doable. The minister can achieve accountability and effectiveness within legislation that already exists. Bill 144 is not needed in this way as it is written. A separate bill should be debated with regard to privatization of correctional services with full public hearings. At the very least, this bill should be allowed to go to committee.

“Please, I implore you to take your time with this bill. Please do not force third reading and pass this bill in haste. Please, set aside the partisanship, take time to listen to the men and women who work in Ontario correctional service.

“This is my anecdote, and the rest of the province. We know what works and what doesn’t. Together we can have a correctional system that we can afford to be very proud of, regardless of political stripes.”

This was from a 22-year veteran of correctional services.

A couple of short points and I will yield the floor to my colleagues. I want to make sure that people understand that we are talking about the privatization issue, but this bill before us is going to stop that debate. We need to understand very clearly there will not be public hearings on this bill. We’ve had six public hearings on Bill 101 for the allowing of trails to be created in the province of Ontario regarding snowmobiles. I’ve sat on that committee. I’m proud to say that was a very well-attended committee. It was very well attended by the public who had an interest in snowmobiling and its consequences for trails and permits across Ontario. We had six separate days of hearings from people from all over northern Ontario and people from southern Ontario. Today we’re talking about the fundamental change of how we provide corrections in our system, that our society removes the right of freedom from those who have committed crime, and we’re going to change that fundamentally, as said by the minister. He said himself that it’s a very important bill.

Question: why no public hearings? It doesn’t make sense.

I’ll tell you something. I was able to meet with a gentleman by the name of Dave Walker. Here is a gentleman’s story that I believe should be told to this House, because it points to the fact that there is a solution that the minister doesn’t want to hear about. We’re talking about drugs in our system. Let’s talk about Dave Walker, an operational manager from Maplehurst Complex. Walker was there with Dixie, his specially trained institutional drug dog—specially trained. I want to make sure that’s very clear to the public: a very specially trained dog to work inside a correctional facility—not sniff at an airport, not sniff anywhere else but in a correctional facility. They were familiar faces, Dave and Dixie, in

Ontario jails for almost 11 years before the Tory government came in and got rid of them in 1996.

**Interjection:** Minister Runciman.

**Mr Levac:** Yes, then-minister Runciman. Mr Walker's expertise with his dog Dixie is making it clear to Mr Sampson the scheme to drug test inmates will do little to cut down drug smuggling in the jails. Oh, my gosh. From 1985 to 1996, 400 searches were conducted in Ontario jails. Correctional services dogs logged over 2,000 drug finds, found over 250 weapons and caught six escapees, yet this government cancelled that program.

If you don't let the drugs in, you don't have a problem going out. This has put the health and safety of the officers in jeopardy because that program was stopped and these inmates will do anything to get their drugs. The Tory government decided to utilize other dogs, but they weren't trained for this specific task. We've been waiting for three years to see Mr Walker returned. I challenge the government to put him in place before they worry about random drug tests.

The minister tells us that 83% of inmates have substance abuse problems. Where did they get the figure? But they're telling us, "But we've got to sample, for us to know what the real number is." So they're fudging numbers, maybe? They're telling us that 83% have a problem out there, and because that's a large problem we need to do drug tests to make our numbers perfect. What I would like to say very clearly is they've been given the example: the federal government. The federal government uses ion scanners and X-ray machines. The minister kind of fudged on that a little bit and said, at the beginning, that they were too expensive. No, don't spare the expense. Don't let the drugs in, in the first place. You won't have a problem with drug use in the beginning. If you use the dogs and the scanner, you'll stop the drugs from getting in and it'll trickle, trickle, trickle down to nothing before you let them get in. Then you won't have a problem with them on the way out.

Let's focus just a little bit of time back to where we should be focusing this, because I know the minister wants to get us way over there. Let's talk about those big bad drugs over there. Let's talk about privatization. Let's bring that back for a moment, because this our last kick at the cat. This is our chance to tell the public that what the minister's trying to tell you is, "Relax. Take it easy. It's OK. We know exactly what we're doing. We've got everything all taken care of. Everything we've put in place will work hunky-dory." Check the record. How much of all the hunky-dory stuff have you seen out there?

**1610**

Minister, I'm very much afraid that you've been taking this Chicken Little thing too far in saying that all of the examples that we have worldwide are the bane of the world, and you're saying, "We can fix it." Ontario is the only province, the only jurisdiction, in this entire planet that can make corrections work the way you say they work in the private sector. No one per capita has been successful with private institutions—no one. But

Mike Harris and Mr Sampson are going to make it work. They're going to force it down your throat.

Let's talk about that. Over 135 communities across the province don't believe you; 135 communities and growing are going to say to you, and they've said to you, "We don't want it in our neighbourhood. We don't want privatization because we have done our homework. Mr Sampson has his lapdogs telling us that we're just Chicken Little and the sky is falling and we're going to say how bad everything is." So 135 communities in our province are all a bunch of scaredy-cats and 70%—I keep coming back to this because I want to drive it home—of the people in Penetanguishene, when polled by your own government, said to you, "No, I don't want private prisons. We'll take the publicly run prison; we think it's a great investment. But we want it public." Some 70% of the public in Penetanguishene said to each and every one of the members who sponsored that poll, "No, we don't want it." So what's this government going to do? "You're getting it whether you want it or not."

What did this government say to the 135 communities across the province, to the elected officials in those communities? This isn't just people sending in letters. These are passed resolutions by politician after politician. Every single one of those communities had elected officials at the local level say to the government, "No." How did the government respond? The government sent them a letter that basically said, "You're not getting anything more from our government if it has anything to do with corrections." So there you go. It was just a threatening letter that basically said, "If you don't toe the line, you're not getting anything now or in the future." Shame on you. Shame on you for throwing down the gauntlet to democracy.

What should have been going on was to have a dialogue to find out what's going on. "Let's have a dialogue and discuss with your community the pros and cons." They had done their research and they had done their homework and they wanted to present that information to you. In some communities' cases, all they said was, "We just don't like the idea." One community that I'm very much aware of basically said, "We don't want our institution closed because of privatization." They didn't even say they were against privatization, but they got the same letter. And the same letter said, "You're never going to get anything more of a correctional institution nature across this, forever and ever, amen."

I've got tons and tons of examples, and I know they've been reviewed, but I just want to give you a couple more because it was pointed out that safety is the number one priority. Here's safety. Escapes: between 1995 and 2000, a comparison between private and public sectors was done in California. In the private facilities, with an inmate population of 122,871 inmates, there were 173 escapes. That's a lot. Let's compare that to the public institutions. The inmate population was 160,606. That's a lot more. Guess how many escapes? Any guesses? None? How about 10 escapes, total attempts, compared to 173 with a smaller population.

Assaults: in her paper, *Prison Privatization: Recent Developments in the United States*, Judith Greene, a senior fellow for the Centre on Crime, Communities and Culture, reports that private prisons have an assault rate that is 50% higher than their public counterparts. Additionally, inmate-on-inmate assault is 66% higher. Safety, eh?

Staff turnover: the expertise that we're talking about—the person who wrote the letter, in terms of 24 years' service—guess what? The turnover is 40.9%, because they want to get out of that mess. What is it in the public? It's 15%.

It's not just us who are against this. The chiefs of police are against it, the PAO is against it—that's the Police Association of Ontario. There are many, many groups across the province that are against this plan, against this bill, and I therefore will tell you I cannot and I will not support this. I will continue to fight to make sure the public knows what it's having done to it, instead of for it. For that I thank you, Speaker, and I will yield my time to the member opposite.

**Mr Peter Kormos (Niagara Centre):** I regret that here we are with yet another time allocation motion before the House, another closure motion, another what will inevitably be a successful motion that's designed not to encourage debate, not to broaden the debate, not to ensure that every member of this Legislative Assembly has an opportunity to contribute to the debate but to end the debate, to shut her down because this government simply doesn't like democracy. This government doesn't like criticism. This government has a very low threshold of tolerance when it comes to having its shortcomings, and there are many of them, pointed out.

That's what happens during the course of debate. You see, this isn't a debate this afternoon about private prisons. It's a debate about this government's motion to kill debate about their plans to turn over the prison system in Ontario to their, the government's, corporate American for-profit private prison operators, the Wackenhuts, the Corrections Corp of America, with track records of their own that are far from enviable, and with the legacy of fiasco after fiasco in privatized jails throughout the United States and, yes, in England and in other parts of the world.

The government is trying to cloak this under the guise of fighting drugs in jails. It's trying to cloak this under the guise of somehow making a meaningful change to how statutory remission is acquired or indeed rescinded. The government is cloaking this under the guise of somehow trying to talk about these community-based panels as some sort of progress in corrections.

The problem is, I have less and less time to listen to the minister of corrections when it's him talking about corrections because I think I've heard about all he's had to say, ever will have to say or ever will be capable of saying about corrections. As a matter of fact, I'd heard all this minister of corrections had to say about corrections a year and a half ago, after I heard his first comments when I was up in Penetanguishene with him at that public

citizens' meeting. I heard what this minister had to say about corrections. It wasn't very impressive.

The poor minister just doesn't have a handle on what's going on. I suspect he has no real passion for it. I suspect he has no real interest in it. I suspect his sole job as minister of corrections is to effect the transfer of corrections from the public sector, where there's public accountability and where public servants who are professional, who are trained, who are skilled, who are committed—our correctional workers as we have them now—are traded off for the megajails, the poorly trained staff, the poorly paid staff, the low levels of commitment of staff in the private sector.

How do you make money in a private jail? It's not difficult. It's easy. You make money by housing the biggest number of prisoners, the biggest number of inmates, and by employing the fewest number of staff and paying them the lowest possible wages. I also can't avoid the observation that the timing of this announcement, "Oh, let's get tough on drugs in jails," as if somehow Mr Sampson—I'm sorry, the Minister of Correctional Services as he's more appropriately referred to. I understand that, Speaker. Sometimes I get carried away. I rely on and look forward to your interventions that will keep me on the path, that will prevent me from straying as I'm wont to do from time to time. I value those interventions on your part, Speaker.

The minister of corrections all of a sudden went, like that old fellow—who was it?—Archimedes jumping out of his bathtub, "Eureka, there are drugs in our jails." Well, no kidding, Minister. You just discovered that? How long have you been the minister? Why haven't you spent a little more time, as you're travelling around Ontario in your limousine and in the government jet, talking to correctional workers instead of to your high-priced help, instead of to the lobbyists for Corrections Corp of America, Wackenhut and others like them, and instead of to that tight circle of Reform Tories who want to abandon everything that has ever been built by communities, by the public collectively, and handed over so that huge profits can be made by your corporate friends, and almost inevitably American corporate friends?

**1620**

Had the minister been spending more time talking to correctional workers, the staff in our correctional institutions, then he might not have been as shocked as I'm sure he was, because the auditor was certainly shocked. I have not seen so many corrections-related criticisms in an auditor's report in my 12 years here. Good God, the corrections system is being gutted. There is a Snobelenesque crisis in the making, in the works, in the hopper. Look at what the auditor has to say about this cook-chill facility, another great brainstorm from these guys over there: an increase of almost 100%, from the original estimate of five million bucks to \$9.5 million—almost doubled in the cost of this facility, which still doesn't have the capacity to provide or create or produce or put together or cook all of the foods, all of the meals that are necessary for some 16,000 prisoners here in the province,

when in fact it can only produce 15,000 a day. What are they going to do? Get a thousand takeouts from Wendy's, McDonald's, Burger King, Harvey's or whatever happens to be the fast-food joint of choice in that particular jurisdiction or neighbourhood? This big cook-chill facility—"Oh yes, we're going to whip things up." Of course, it involves a huge investment on the part of the taxpayer, huge losses of money—a disaster. Equipment costs for the retrofits were estimated \$100,000. What did they end up being? Almost four million bucks. Like I said the other day: the government that couldn't organize a drunk-up in a brewery. You just don't have the capacity. The auditor's report is replete with example after example.

Let's move from the cook-chill on to Camp Getaway, another privatized young offender facility, another privatized correctional institution, done with much fanfare, to be fair, by this minister's predecessor: Camp Getaway, Camp Turnaround, Camp Run-Amok, as some have labelled it. Remember, that's the high-security, maximum security young offender facility, with some of the most dangerous young offenders in this province, privately run for profit. What do they do to accommodate these young darlings? They leave the doors unlocked, they leave the company van parked outside the door, keys in the van and inevitably enough money in the glove box to provide at least one drive-through at a McDonald's, enough for literally the vanload of kids, some of the most dangerous offenders in the province, who don't even have to scale the wall to get out of Camp Getaway. You just turn the doorknob because the door was left unlocked. They didn't have to run in the dark of night through bushes to get away from guards, because the facility so conveniently leaves a van parked with the keys in it. These kids didn't have to jump the wires. They didn't even have to show some of that basic level of skill when you hotwired a car in my day, where I come from, that you had to have if you were ever going to attempt something like that. They left the keys in the van for fear that the little darlings might have trouble jumping the wires or hot-wiring the ignition, and at least half a tank of gas.

One of the most disappointing things, as I understand it: the van contained all the crepe paper and plastic plates and cups and forks and knives that were supposed to be set up for the opening day ribbon-cutting celebration for the minister the next day. These escapees wrecked the minister's day, no two ways about it. But they also laid the groundwork for what is inevitably going to be more of the same when we witness privatized prisons here in Ontario. I tell you, the minister isn't approaching this on an experimental basis, not by a long shot. The minister is hell-bent for election on this one. He's going for broke. He's going full blast to that immediate short-term goal of full privatization.

One of the problems that this government should start understanding they don't get yet. Britain privatized a lot of its jails—some of the same operators that we're talking about, the Corrections Corp of America, the Wackenhuts, the for-profit American corporate operators, the

ones who haven't shown a great deal of expertise at running prisons, who show a whole lot of skill at sucking profits out of a country or out of a jurisdiction—and do you think the profits they made in England stayed in England? Of course not. They flowed back to the United States. Do you think the profits that they propose to make here in Ontario are going to stay in the province? Of course not. They're going to flow back into the United States. Those are public tax dollars being used to generate private profits, not a penny of which is going to remain here in the province. And these guys call that good management? I call it outright foolishness.

Surely somebody has got to be under a great deal of pressure to acquiesce to that kind of demand from the private corporate jail operators. What do they have on you guys? What is it? What is it that they've got so much leverage on you that you will let them plunder the Ontario economy and use Ontario tax dollars to generate private profits, not a penny of which is going to remain here in the province? Something is going on here, and I'm afraid we've only seen the tip of the iceberg so far.

The proof is in the pudding, because the government doesn't want this issue debated any more. That causes me a great deal of concern. It generates a whole lot of suspicion about exactly why it is that this government doesn't want to see this exercise being debated. It causes a great deal of suspicion, because this government made it very clear from day one. We've had what, two days of debate on Bill 144? I think that's it. Two days of debate and the government's saying, "Shut her down." My goodness, these are the guys who wanted a 42% salary increase. Then they said, "OK, we'll forgo the 42%; we'll for 32%," and then said, "No. Let's just split the difference, make it 17%." Yet they don't want to debate legislation. They don't want to rise to their feet and debate the bills that are being presented to this House, and they want salary increases? The more commonsensical proposition would have been salary reductions—not increases.

The minister may not spend a whole lot of time—as a matter of fact, he hasn't spent any time talking to correctional workers, but there are other people around here who have, thank goodness. I, for one, have spent a great deal of time talking with correctional workers across the province in any number of communities and at any number of institutions. Just the other day, Thursday morning, I was at Mimico Correctional Centre down there in what used to be the old town of Mimico, west end Toronto. You've already been introduced, by reference to his name and his work, to Lieutenant David Walker, right here, a made-in-Ontario correctional officer; a professional correctional officer with many years of experience; a correctional officer who has a great commitment to continuing to build strong, effective, meaningful corrections and rehabilitation here in Ontario.

You see, that wasn't the first time I've been with Dave Walker. I first met him around three years ago when he came down to my constituency office, and I was shocked when he told me what this government, the Harris

government, had done to him. Lieutenant Dave Walker, one of Ontario's outstanding correctional officers, also had been operating a drug detection program that was showing results that had never been met before, and haven't been met since. He'd been in corrections for over 20 years. He had worked at Hamilton-Wentworth Detention Centre; at the Brantford Jail; at the Toronto Jail—the Don jail; Maplehurst in both the correctional centre and the detention centre.

**1630**

Most of his fellow correctional officers and workers knew him as the dog handler, dog trainer who serviced Mimico—yes, that very correctional centre that I was at with a whole bunch of correctional workers, including obviously the correctional officers. Lieutenant Walker would tell you that most of his correctional worker brother and sisters would know him as the dog handler/trainer who serviced Mimico Correctional Centre with his drug searches and escapee recovery for that period of 11 years from 1985—to when?—to 1996. That's when Lieutenant Walker was cut off at the knees, when he was told his services are no longer required.

If Lieutenant Walker were here today, he would tell you as he told folks at Mimico on Thursday past, that in that period of 11 years, he and his dogs—Dixie is the latest one; there were predecessors to Dixie's role—conducted over 400 narcotics searches, had over 2,000 drug fines. They were able to find the drugs before the drugs were taken.

It's too late, my friend the Minister of Correctional Services, when you get handed the little plastic cup of an inmate's urine, because then the drugs have already been taken. You've already got a bunch of guys all hopped up in a cell block or in a wing. All hell has already broken loose. There already have been assaults, and possibly worse, on other inmates and on correctional officers.

Correctional officers are as committed as anybody could ever be to controlling the smuggling of drugs into our prisons, because for correctional officers and other correctional workers it's life and death. They're the ones—not the minister, not any of us—who have to go in and break up riots that can result when a bunch of guys in a particular cell block are all whacked out on whatever drug it is that happens to have been smuggled in and ingested that day. They're the ones who have to deal with the extortion that surrounds the trafficking in drugs, because part of the extortion is against weaker inmates who are prevailed upon. You see, this is how it works. If you had talked to correctional workers, you'd have discovered this. If you had the courage to let this bill go to committee where it should go so it can be discussed with input from any number of professionals, including your professional officers, our professional correctional officers here in the province of Ontario, they'd tell you that one—not the only, but one—of the conduits for drugs are weaker prisoners who are serving weekend sentences or other intermittent sentences, or whom it's known are going to be sentenced on a particular day, who are leaned on—be it in the bullpen or in the paddy

wagon, what have you—to smuggle drugs in, knowing that the person leaning on them has their colleague, partner, intended recipient of the drug in the jail. That's one of the ways it happens.

Correctional officers have to deal with that. They have to deal with the violence among prisoners in the course of that extortion. They have to deal with the violence among prisoners that grows when you've got increasing indebtedness from one prisoner to another, because one prisoner has been buying drugs and hasn't got the cash to pay for them, merely promises.

Correctional officers are as committed as anybody could ever be—ever—certainly far more so than this minister, to the smuggling of drugs into our jails. But, Minister, you haven't bothered talking to them, and you've made it clear you have no intention of talking to them. That's why you don't want this bill to go to committee, so that you can't be required to talk to them. You don't really care about drugs in our jails, because if you did, you'd talking to those correctional officers and you wouldn't be coming up with wacky, cockamamie schemes like urine testing of prisoners when in fact you've already shut down Lieutenant Dave Walker, a drug dog handler and trainer, who had been the single most effective deterrent against drugs in our jails that we've witnessed for a period of 11 years, from 1985 through to 1996.

When I first met Lieutenant Walker it was in my constituency office. I recall listening to what he had to say then and being shocked and outraged, and writing to the minister seeking some sort of clarification on why you could dump this guy, why you could slam the door shut on Lieutenant Walker, who in that 11 years with his dog had over 2,000 drug finds, who found over 250 weapons, who dealt with over 300 misconducts and over 50 Criminal Code charges, who was directly involved in the capture of six escaped prisoners and who was employed and utilized in 22 institutions from Windsor all the way through to Ottawa.

Lieutenant Walker would tell you if he were here—and he would certainly tell the committee hearing that we're not going to have, because this government doesn't want to have committee hearings around Bill 144; it's embarrassed to because it knows that its real agenda will be exposed—that the real problem occurred when you saw the merger or, effectively, the takeover of the corrections ministry by the Solicitor General in 1995. Again, mark the year in your calendar—1995—the year the Tories got elected, because then corrections, effective 1996, abandoned Lieutenant Walker, one of their own correctional officers, and began using only the OPP canine unit. They were warned by correctional workers, correctional staff. The ministry was warned. They were told this was going to be a disaster because the dogs that were used by the OPP were not trained for prison use. They were involved in customs searches and in opium field searches, and they have proven totally ineffectual, in contrast to the skilful handling and training of the dogs

that Lieutenant Walker had employed over the course of 11 years through to 1996.

Lieutenant Walker, if he were here or if he were at those committee hearings which won't be held because this government refuses to have committee hearings, notwithstanding this very important issue of determining how it is that we can best keep drugs out of our prisons, would tell you—Lieutenant Walker, a correctional officer with over 20 years' experience, somebody who has been right there in the front lines very effectively dealing with the issue of drugs in prisons, was not consulted once by this government or by this minister, not so much as a phone call—that one of the concerns that was raised with the minister, when the minister abandoned him and his correctional services trained dog, was that the use of OPP officers and their dogs would be disastrous, with a significant failure rate of detecting drugs. Mr Walker has ended up being dead on, bang on correct. He would point out that the OPP dogs are failing due to the unfamiliar and unique conditions that the prison environment presents to those police dogs, and that in contrast his dogs have been trained to work specifically in, and only in, correctional facilities.

The failure of the ministry to use this appropriate method of detecting drugs in prisons has been the subject matter of occupational health and safety concerns expressed by correctional officers. There are in fact two complaints before the Ontario Labour Relations Board, one being that the use of OPP dogs is jeopardizing the health and safety of our correctional officers and the overall security of the institutions and community, and that the stopping of the successful correctional service dog program in this province is jeopardizing the health and safety, again, of correctional officers, other correctional workers and the security of those institutions and the community.

**1640**

Those hearings have been going on for three years. They're scheduled next to resume in January 2001, but by then it may be all for naught, because by then this government will have handed over, lock, stock and barrel, all of those jails that public dollars have built, including the two mega-jails; in fact, all three. With the additions to Maplehurst, we've got three of these mega-jails—Lindsay, Penetanguishene, Maplehurst. Maplehurst will be the largest prison in all of Canada: over 400 transactions a day; that is, people going in and out of that jail.

Don't you get it? That's how the drugs get in and out. All the peeing in the bottle in the world ain't going to stop the motivation to get drugs in. It's silliness. We've got a problem. And this minister wants people running around with little containers of their urine, for Pete's sake. It's too late then. Don't you get it? The drugs have already been taken. All hell has already broken loose. You want to stop the drugs on their way in, and those you haven't been able to—I don't want you to get overly creative here, but use your imagination as to how people smuggle drugs in. It's done. But the drug dog, Lieutenant

Walker and his program, were able to catch those drugs once they had been removed from those secret body cavities, or private body cavities.

**Hon Janet Ecker (Minister of Education):** As opposed to public cavities?

**Mr Kormos:** That's right. For instance, your mouth would be far more public than the body cavities that are being used to carry these drugs into prison.

**Hon Mrs Ecker:** Just so we're clear.

**Mr Kormos:** Now you've got the message. I'm not the one with the obsession with urine; it's you guys. People on social assistance—this government wants their urine. People in jails—this government wants their urine. There are going to be tanker truck loads of people's urine criss-crossing this province labelled "Urgent delivery to Mike Harris." He wants your urine now.

**Mr Joseph Cordiano (York South-Weston):** Don't forget the members.

**Mr Kormos:** There's a bill before the Legislature wanting members' urine. My God, there are children watching this. What's the matter with you people? Because it doesn't solve the problem. It may look good for a one-day—you see, one of the problems with this bill is that this government knows that this bill, like the proposal of drug testing for social assistance recipients, has crossed the laughter threshold. Nobody's really even taking it seriously. It is the subject matter of satirists and CBC comedians rather than being taken seriously by anybody.

This government thought it was going to return to its "get tough with prisoners" roots and take a little bit of attention away and remove the glare of the spotlight that was shining down on them when they wanted their 42%—"No, let's make it 32%. We'll split the difference. We'll settle for a 17% salary increase." Remember that? They wanted to split the difference, go to 17%. "Nobody will notice that." But the opposition caucuses, to the final member, said no. Every member of both opposition caucuses stood firm and said no, that they won't insult the public of Ontario by joining in any claim for a salary increase. My colleague the leader stood firmly saying no. The member for Nickel Belt stood firmly and said no. My good friend the member for Trinity-Spadina said, "No, I don't want it. I'm not going to be a party to that sort of abuse of the taxpayers of this province." Opposition members said no.

This government started at 42%. They figured they were softening the blow by going down to 32%. Then they said, "Oh, what the heck, let's split the difference at 17%." Thank God there was an opposition then that was prepared to stand up and say no to the obscenity of that kind of salary increase. So you've got the same kind of opposition members standing up saying no to this government's silly bills that appeal to what they think is their constituency that wants to get tough on drugs.

I want this government to reflect on the dangers of voting for this legislation, which will prevent committee hearings. What are you afraid of, or are you just gutless wonders? What are you afraid of that you don't want this

bill to go to even a few days of committee so that correctional officers can come forward and talk to you about how drugs really can be controlled in our prisons and about how the program that this government shut down was the one effective program that was controlling the smuggling of drugs into our jails and most certainly detecting them once they had gotten in so they could be seized? Over 2,000 seizures in the course of 11 years, and you guys want to test urine. You just don't get it.

**Mr David Christopherson (Hamilton West):** It's a fetish.

**Mr Kormos:** Well, I'm sure there's a name for it somewhere in some obscure—it probably doesn't have to be that obscure, but this obsession on the part of this government with testing urine rather than really getting rid of drugs in our jails.

This government doesn't want to talk to correctional officers because they're afraid of what correctional officers will tell them. Correctional officers will tell this government—its backbenchers, its cabinet, its Premier—that this government has created the crisis in prisons. This government has destaffed prisons, has overpopulated them, has treated correctional officers with the same sort of disdain with which this government treats teachers, and workers of all stripes, quite frankly; the same sort of disdain with which this government treats the poorest people in this province; the same sort of disdain with which this government treats women.

The arrogance, the disregard for democracy, the fact that all these Tory backbenchers—I know what's happening. There's a cabinet shuffle coming up, and once again ambitions are rising at a heated rate, because one cabinet minister's loss is another backbencher's gain. That's how it works. That's how people are kept in line. That's how people can be compelled to vote for a bill like Bill 144, and, more importantly, it's how they can be compelled to support a motion like the closure motion before the House this afternoon that will shut down debate on Bill 144 and prevent it from ever going to committee.

I repeat, what is this government afraid of? Why are they clearly taking their marching orders directly from the Wackenhuts and Corrections Corps of America? I understand that perhaps some of the people on the inner circle, some of the people in cabinet, might have some close interests, maybe the fact that campaign contributions come from one corporate sector or another. But surely there are one, two—are there three backbenchers there who are prepared to stand up and vote against this most undemocratic of motions before us this afternoon? Surely there are. I'm not looking for an honest backbencher; I'm just looking for one with a little bit of backbone. Trust me: you can have all the faults, all the flaws that anybody in this chamber has ever had over the history of 100-plus years—a little bit of backbone, some spinal column, the courage to stand up and do what's right, because there may be one or two or three new cabinet positions, friends, but there ain't going to be room for all of you. It just doesn't work that way.

I know. It's like buying a 6/49 ticket. I mean, we all know what the odds are, but who of us hasn't bought a 6/49 ticket, and perhaps as we're driving home on the QEW, that two-and-a-half-hour drive, as it is in rush hour, used the dollar investment, notwithstanding the million-to-one odds, to engage in fantasies about what kind of car we would buy if we won or which debts we'd pay off first? I understand. But when the traffic has started moving again and you're not stuck any more on the parking lot, on the Don Valley or on the QEW, you know you've got to get back with reality and that the odds are 10 million to one or something. So, please enjoy the fantasy, but accept reality.

**1650**

I put it to you that I understand why some of you may indulge in the fantasy of being plucked from the anonymity of the backbenches and thrust into the spotlight in cabinet. But once you've indulged in the fantasy, get with reality and understand—sorry, guys—that with some of you a snowball has a better chance of surviving Hades than you do of being in Mike Harris's cabinet. So for those of you that that applies to, and you know who you are, stand up and be counted. Tell your whip and your House leader that you're not going to be pushed around this way while they pursue their own political ambitions. Stand up and tell your whip and your House leader that you're not just a little marionette here whose strings can be pulled, who comes into the House on command, who votes on command, who votes the way you're told to vote. Tell that House leader to go pound salt. That House leader may have a commitment to some corporate donor to his or her election campaign or to the Conservative party but, by God, you've got the courage, the guts to merely do what's right.

I understand people being bought off, but do you realize how easily you're being bought off? Heck, a cheese tray and a couple of bottles of Ontario wine are all it takes. Most of you, if they scratch you behind the ears, will follow them home. You just want to be wanted. Friends, your individual integrity, I suggest to you, the ability to look at yourself in the mirror in the morning is far more important than being patted on the head by the Premier as he absentmindedly strokes you, walking past you in the members' lounge behind the chamber. He puts on his pants two legs at a time just like most of you. Please understand that.

You've got a chance now to say no to this time allocation motion. You've got a chance to help in the fight to save a corrections system in this province that will actually engage in rehabilitation. You've got a chance to save some correctional officers' lives, because the answer isn't in Bill 144, and that's exactly why this government doesn't want it debated any further and that's exactly why this government doesn't want to see it go to committee.

The answer is going to come from correctional officers, whom I want you to understand very clearly your minister of corrections has ignored and treated with disdain from the get-go. Rather than using them as the

incredible resource they are and can be, he's given them the boot. He shrugged them off. He has accused them of some of the most despicable things, with no respect for the incredible work they do keeping our prisons safe, keeping our communities safe—our professional, public sector correctional officers—and making communities safer because they know what rehabilitation means. Those correctional officers and other correctional workers know how to control the flow of drugs into our jails and have a far stronger interest in doing that than your minister does. But they are the ones who have been handcuffed by your government. They're the ones who have had their drug program shut down with not so much as a thank you. It is those correctional officers who are this province's last hope to preserve a correctional system that will have some meaningful role in both corrections and rehabilitation, something your minister has no interest in and no concern about. In over 12 years I've never seen—Speaker, tell me if I'm wrong—a Minister of Correctional Services with less interest in corrections and rehabilitation than the one we have now. I understand the fights his predecessor went through, and that could well be why his predecessor is no longer minister of corrections and Solicitor General.

Government members, here's your chance to do the right thing.

**Mr Brad Clark (Stoney Creek):** A funny thing happens when we walk into this place, this hallowed room with plush carpeting and the green chairs. A funny thing happens when we're lined up on both sides of the House. We immediately take polarized viewpoints on so many things. I've seen it happen time and time again. On this particular bill, Bill 144, there has been a polarized viewpoint on drug testing and there's been a polarized viewpoint on privatization. I'd like to touch on the privatization issue.

The privatization issue that is in this bill really speaks to a public-private partnership for correctional services. That's what it speaks to. It's not talking about a private sale. It's a private-public partnership.

What I find fascinating when we've walked through the door—and I've seen some of my colleagues on the other side find themselves in this quandary—is that our past history or our viewpoints—or as the member for Ancaster-Dundas-Flamborough-Aldershot said last week on this bill, our personal principles and values are what we should be debating when we're talking about privatization—somehow get twisted around.

I'm going to speak to a couple of things. I don't understand how the opposition members can say that a private-public partnership is bad when private-public partnerships have happened across the province for years. We can go to Hamilton-Wentworth: the airport is now a private-public partnership that the regional government put in place. A private operator is now running the airport owned by the municipality. The newest Liberal member supported that private-public partnership—not a bad thing. It has actually done extremely well.

The sewage treatment plant and water treatment plant in Hamilton-Wentworth: another private-public partnership.

*Interjection.*

**Mr Clark:** You may disagree, the member says she disagrees, but her own whip, the member for Hamilton East, voted for it in January 1995.

I'm raising these things because there is some polarization on issues, when in reality we can't do it that cut-and-dried. But it happens. We sit in here and we listen and we hear the hissy fits about, "Oh, privatization bad. We good." You can't do that, and then we see it happen. We see it. It's ridiculous.

Are we now at the point where all the municipalities that have taken positions on garbage removal and snow removal, where they've sent it out to the private sector—is that bad? It was a decision the municipalities made. I ask the honourable members on the other side, at what point, then, do we make the decision that we shouldn't consider a private-public partnership in correctional facilities? At what point can we say, "You know what? It's just bad because we've decided it's bad"? Why can't you look at it from the—

**Ms Caroline Di Cocco (Sarnia-Lambton):** Public safety; accountability.

**Mr Clark:** The member is saying, "Public safety." Snow removal is not a public safety issue? Please, you can't have it both ways. You have municipalities that have been provided the tools for public-private partnerships. We're simply saying, why can't we do the same thing here? A request for qualifications has gone out. Are we saying that it's going to be privatized? No. If no tender comes in—we have no idea what's going to happen, but you've said, cut and dried, "No, you can't go there. You simply can't go there."

The reality is that public-private partnerships are a part and a tool that any government should be able to explore.

**Ms Di Cocco:** With an appropriate business plan.

1700

**Mr Clark:** The member says, "With an appropriate plan." So she agrees that if the ministry puts an appropriate business plan in place, with standards, this would be simple thing.

You know, the member for Ancaster-Dundas-Flamborough-Aldershot stated last week that some parts he agrees with and some parts he doesn't agree with. I can understand why, because he supported the public-private partnerships for the water treatment plant, the sewage treatment plant, and the airport. So the reality—

**Mr John Gerretsen (Kingston and the Islands):** Speak to the issue.

**Mr Clark:** I am speaking to the issue, Mr Gerretsen. We're talking about private-public partnerships as an opportunity for government to look at. Mr Speaker, you see, on that side they simply say, cut and dried, "No, you can't go there," and they don't want to talk about what other governments can do and have done. They don't even want to talk about the tools that some of them have used themselves when they were in municipal govern-

ment. The reality is, we're simply looking at one more tool. I don't think the people at home can condemn a government for examining one more option. This bill does not make correctional facilities in Ontario private. It allows for the opportunity to look at it, the opportunity to develop private-public partnerships. For anyone to simply turn their nose up when in the past they themselves have supported similar ventures, I just can't understand it.

**Mr Cordiano:** This is indeed a really good debate that we are having here this afternoon with respect to the bill that's before us, the Corrections Accountability Act, as it's called, Bill 144.

One of the comments that comes to mind immediately when thinking about it is what this government is doing with its time allocation motion. Repeatedly I need to say something with regard to this, because repeatedly this government and perhaps the two previous governments have used this measure with greater frequency than ever before, and used it with impunity. I think this is a sad day indeed. Some of my colleagues who are veterans of this House have commented on this, but I think it's time to say again that we are doing ourselves a great injustice when we continue to move forward with time allocation motions with the frequency with which they are being used in this Legislative Assembly. It denies members the opportunity they need to engage in full debate. Worse than that, it denies the opportunity for the public to engage in the kind of feedback that's necessary to have greater accountability on the part of their elected representatives and, as well, to gain the kind of insight into very complex measures that perhaps are being taken on behalf of the public.

Why deny the public the opportunity to have a say directly? Why deny the public greater input into what's being decided? I think that's a great loss for our democracy in this province. It ruins the institutions that we are here to uphold. It denies members the opportunity to engage in public hearings in the committee process. That is very, very important to allow for fulsome debate. If you think that's a waste of time, you shouldn't really be here, because frankly, you're doing yourself a great injustice. Members of this assembly should have greater respect for their own positions, and by allowing for committees to have full public debate and full public hearings, you are acknowledging that it is important to engage in real democratic discussions. That's what you're denying when we don't have the kind of public hearings that we don't have in this province, and that has escalated over the last number of years. Fewer and fewer committees have full public hearings, with very few, short days given for that kind of hearing to take place.

With regard to Bill 144 and the discussion around privatization, at the end of the day we have to focus on the fact that privatization can take place. If you were to create a proper model for following the privatization in certain areas of government, it would be to the public benefit and in the public interest.

That hasn't happened with this government. I'd like to cite the case of Highway 407 being privatized. That is certainly not the model to be used—far from it. In the end it has resulted in a windfall for this government, but short-term. In the long run, the public and the Ontario taxpayers are going to pay for it. Tolls will rise. In addition to that, the private sector got a huge windfall from the fact that the 407 does not pay property tax or make payments in lieu of property tax. Again, that's a demonstration of this government's willingness to sell off whatever assets it has in its possession for the bottom line in the short term to allow its books to look much better than they otherwise would.

In addition to that and on a more serious note, with respect to privatizing social services, under absolutely no circumstances should direct social services that are being provided be given to a private sector operator, in my opinion. It hasn't worked in the field of health; it will certainly not work in delivering social assistance, the delivery of those kinds of services. I believe that's where we should draw the line.

At the end of the day, privatization is not something I'm opposed to, nor is our party opposed to it. What we are opposed to is privatizing those services which have a direct impact on public safety, a direct impact on the social well-being of this province. We don't believe those services can be delivered efficiently and effectively. In fact, even south of the border, in places like New Mexico, Maryland, Oklahoma and Ohio, where they've tried private prisons, they are now starting to move away from further privatizations because it has been proven that they are an abysmal failure in terms of their economics. It doesn't work; it's costing far more with these private prisons. There are a greater number of escapes; there are a greater number of problems associated with those prisons. Privatization does not work in all instances, and certainly when it comes to correctional services it's not working at all. The case is being made south of the border and in other jurisdictions internationally. We are concerned about that.

We're also concerned with respect to drug testing. I personally object to a wholesale drug-testing plan for prisoners when the government has not put forward a plan for rehabilitation and for remission. There are simply not enough of the necessary resources going into rehabilitating prisoners when it comes to drug or substance abuse. That is being entirely neglected, and greater resources ought to be going into ensuring that drugs are not entering our prisons.

I believe my time is up. I would like to turn it over to one of my colleagues.

1710

**Mr Ted Chudleigh (Halton):** I've been listening to the debate today, and, as is the case much of the time in this House, we hear one side of the debate being that of the status quo, and we hear the other side of the debate being one of change. Of course, change can be worrisome to some people, depending on how that change is

done. I can understand how the opposition, as is their right, is concerned about change.

The change we're talking about in this particular bill is a very important change. If we don't change the behaviour of the guests at our correctional institutes—the revisiting rights, the revisiting factor of the times they go back to jails is very high; 80% of them return to jail. It's a very disturbing factor. In other words, in 80% of the cases, we have not been able to change their patterns, to change their behaviours.

The change that we're introducing here today is aimed at making those behavioural changes during the period of time when these people are incarcerated in our jails. It's sad to say that this bill is even necessary at all, because Ontarians probably wouldn't believe what goes on in our jails. In fact, it's my guess that Ontario believes that most of the proposals within this bill are already in place, because without these things being in place, things will remain the same. We will have 80% of the people who are released from our jails revisiting our jails again in the very near future.

Drug and alcohol testing for offenders was part of our Blueprint platform, and as you know, when we make a promise, we keep it. Of course, Liberals at all levels have different concerns and different concepts of keeping their promises. I noticed with some dismay that the Prime Minister has already broken his first promise, and he broke that promise less than 24 hours after he was elected.

You will probably remember that halfway through the election, on a particular week when things weren't going too well, the Prime Minister suggested that we should re-elect him because he would not serve out his term; if we elected him, he would resign after two years. Of course, shortly after he was elected, about 18 hours after he was elected, he said, and this is classic Liberal politics, that he would now serve out his full term. It's interesting that those kinds of things should happen within that party on a fairly consistent level, and fairly regularly.

Substance abuse is a known factor in criminal behaviour. About 80% of adult inmates in our provincial jails have some degree of drug or alcohol dependency. Testing these convicts will enhance the ability of the ministry to monitor the offenders' compliance with court orders and release terms.

The program will, if passed, have three components. We'll have testing in institutions, we will test for those released on parole, and we will also test for those who are under community supervision, such as conditional sentencing. Offenders would be tested for alcohol, opiates, cocaine, amphetamines, marijuana, and PCP, with other tests added as technologies are developed to ascertain if these drugs are being used.

Inmates who are not drug-free would lose the ability to earn credits toward early release and would forfeit those credits already earned. Those who do not comply with testing could face a number of consequences as well. Parolees refusing tests or failing tests could, under proposed changes to the Ontario Board of Parole, have

their parole suspended. Offenders with substance abuse problems would have rehab programs made available to them, as the previous speaker talked about, as part of a court order or as a condition of parole.

In addition, we are proposing to change the Ontario Board of Parole into the Ontario Parole and Earned Release Board, with public safety as our number one concern. The new board would be responsible for all inmate release decisions—other than temporary absence programs—such as parole and early release. This change would streamline the decision-making process and duplications and overlaps between parole and temporary absence programs would then be eliminated.

Currently federal law gives inmates an automatic one third off their sentence. This must be stopped. Jail should mean jail. We will change the earned remission program in provincial institutions. Inmates will have to earn an early release by actively participating in rehab programs, doing work, learning skills, taking classes, doing community services and demonstrating positive behaviour.

We believe that these programs will move the prisoners toward a change in their behaviour. Without that change, they will be back in jail shortly after they get out. Inmates could lose earned remission by failing to participate in programs, violence against correctional staff, failing drug testing, and failing to meet to standards for positive behaviour.

Earned remission committees would be established for each correctional institution and be responsible for reviewing, verifying and approving inmates' earned remission. The proposed Ontario Parole and Earned Release Board would have authority to audit, review and reverse earned remission decisions made by local committees. It would make all early release decisions for offenders serving 18 to 24 months in Ontario prisons.

I particularly like the local monitoring board the legislation will set up. Local community members will sit on these boards acting as day-to-day observers. The boards would strengthen the links between correctional facilities and local communities.

Regarding the idea of letting private companies operate correctional facilities in Ontario, it's perhaps best to consider what others have said. The members opposite have quoted many times quotes from the United States, but in Scotland, "Sources inside the SPS"—that's the Scottish Prison Service—"believe a dramatic shakeup of the penal system is imminent, caused partly by the success of Scotland's first privately run jail, HMP Bowhouse, near Kilmarnock, which will be given a clean bill of health in its first official report from the Chief Inspector of Prisons.... Kilmarnock 'has the potential to set performance levels for the remainder of the SPS' and said it 'set a benchmark against which others could be measured.'" That comes from the Sunday Herald of April 30 this year.

We hear about how the staff may nor may not be trained and what quality of staff we might find in private facilities. I want to assure you that the private operators' correctional staff would have to meet exactly the same

standards that the ministry's correctional officials have to meet in education, experience and training.

I look forward to this bill being enacted. Having Maplehurst and Milton in my community, it's important to me and it's important to my constituents in Halton to ensure that the facility is run in a safe and reasonable way and that this continuous revolving door that we have with our prisoners in Ontario be put a stop to so that when people enter a prison at least have the opportunity to go through a behavioural change which will enrich their lives and the lives of society upon their release.

**Mr Bruce Crozier (Essex):** In the few minutes that I have this afternoon to add to the debate on the resolution to choke off debate on what I consider to be a very important bill, I would normally say that I'm pleased to stand in my place to speak, but I'm not.

Once again you guys are setting a record. You are cutting off democratic debate. I can only imagine a couple of reasons why you're doing it. Either you don't want to hear what we have to say and what the public has to say, or you're trying to get this bill through so quickly. Frankly, I don't think you could arrange a two-float parade if what you're trying to do is get this legislative agenda in order. We're getting near the Christmas season. You don't want any public meetings on this. Are you afraid of what the public might have to add to the debate? I don't hear anything. I assume they're afraid to hear what the public has to add to this debate.

As I pointed out last week in another choking-off-debate motion, we lead the country in provincial Legislatures that bring in this kind of motion where you cut off the democratic process. I don't know whether they're proud of that or not, but they must be, because they keep trying to enhance this record. It's like having the record in the CFL for having the most fumbles. What you usually like to do is have the record for the most passes—we'd like to occasionally have note of a few interceptions—and then you go on to a touchdown. But these guys just continue to fumble the ball and they want to keep on going.

1720

I ask again, because they had a lot to say just then, are you afraid of what the public will have to say on this? I don't hear a no, so I guess you must be. This is a very important issue when the public is involved. This is a question of public safety. You can discuss in all the other debates about private versus public operatorship, but when it comes to public safety, there are communities in this province that don't agree with what you're doing, so why won't you go out and listen to them? It's a very simple thing to do. You always say you consult. Well, I don't think they're consulting with the public on this one. I don't think they even had any intention of consulting with the public because I think they're afraid of what they might find out. They might find (1) that the public is very interested in this bill; (2) that the question of public safety is just as important or maybe more so than the issue of privatization; and goodness knows, the government might even find out that there are some people who

agree with it and that you'd like to hear from them, hear what they have to say and hear why they support you. But you won't do that. It's a very simple request, and that is, to get public input.

As you know, the way this motion is worded, as of 10 minutes to 6 today we'll be voting on this closure motion. Unless they are better at getting their caucus in here than they are at arranging these two-float parades, we might even be able to defeat them on that, but I doubt it. So at the end of today, second reading will be done. The next time, when third reading is called, we'll have one afternoon of debate, one more afternoon to debate the issues when it comes to Bill 144.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** It's an important bill.

**Mr Crozier:** My colleague from Flamborough, Aldershot and the others said, "It's an important bill." I think I've heard some members on the other side say, "It's an important bill." I think members of the government have said, "It's an extremely important bill." Well, if it's important, let's see how many times you're willing to have a public meeting. Let's see if you're willing to go out and ask the public about it. You're not. Are you afraid to go out and ask the public what they think about this? Come on. Are you afraid?

**Mr Clark:** How many Liberals will be here to vote?

**Mr Crozier:** He's just nattering. A few weeks ago the Speaker said, "I don't know whether that's really intelligent heckling or bourgeois noise." I think this afternoon I've heard some bourgeois noise. I haven't heard any intelligent heckling yet because you haven't answered my question. I don't even mind if they interrupt me to say that they agree with me, but they won't do that.

All I'm standing here today to point out to you and the public is that this government is afraid to go to the public and ask them what they think. Therefore, they're choking off debate.

With that, I'll pass it on to one of my colleagues to speak on it as well.

**Mr R. Gary Stewart (Peterborough):** I'm really pleased to speak to this particular bill. I just want to inform the member from Essex that you don't win any football games unless you get a touchdown. You can run back and forth, up and down the field, and certainly the opposition over their term in government some time ago ran up and down the field and never made a decision in their life.

We keep hearing about "no consultation." Let me tell you this: there has been consultation on the possibility of privatization for the last couple of years in the areas that might be considered privatization of correctional institutions, and there has been consultation for the last three or four years on the issue of privatization. So for anybody to stand in their place and say there has not been consultation, I don't know where they've been. Possibly they may have been sleeping.

I hear this constant rhetoric about privatization from the opposition. Why don't you guys over there go out and say, "I believe everybody in the private sector is a crook.

They can't do anything right"? Say that, because you criticize them constantly. "They know nothing. Only if you're in the public sector do you know anything." I'm sorry, that is not a fact. Please tell me that anybody who is in the private sector doesn't know anything.

**Mr John O'Toole (Durham):** On a point of order, Mr Speaker: Is he on his script? I'm in his caucus and I know—

**The Deputy Speaker (Mr Michael A. Brown):** It is a point of order. The member must refer to the motion before us.

**Mr Gerretsen:** Mr Speaker, on a point of order: Let it be known to everyone that nobody on this side has ever suggested that people in the private sector are all crooks.

**The Deputy Speaker:** That is not a point of order. Sit down. The member for Peterborough.

**Mr Stewart:** They asked if I was talking about the bill. I talked about the bill at the very start, when we were talking about consultation, and this seems to be the problem. We've consulted for the last two years and it's time now to make some decisions. I know that's difficult for you folks over there because you really can't. You've got to flip this way one day and over here the next day. I know you can't make those decisions.

What I'm saying is that privatization in this bill is a possibility. I get very annoyed when I hear people criticize the private sector. I also get very annoyed when people don't seem to want or don't believe in drug treatment. That one really bothers me. It seems they also condone alcohol abuse, drug abuse, all of these things, so I get very annoyed. This is one of the things in this particular bill that I'm pleased about. Everybody said that in 11 years they found 2,000 people who were taking drugs, or they found them in the prisons. That's a good record? What about all the other ones? Is that a good record? I would say we should try to improve that record, and with this type of bill, maybe that would happen.

As I said, the bottom line as far as I'm concerned is treatment, whether it's alcohol, whether it's drugs, whatever it may be. I really get concerned about that.

Why did we start a RIDE program? So people who are disobeying the law or breaking the law through substance abuse should be taken off the highways and should be charged. But no, we shouldn't do it in the penitentiaries? We shouldn't do it in the correctional institutions? Guys, I'm sorry, you've got to decide which way you want it.

I'm very pleased to speak to this bill and I support it 100%.

**Mr Gerretsen:** Let me just respond to the member opposite that we on this side of the House believe in the private sector. We believe that the private sector is responsible for a lot of the wealth and growth of our economy in this province.

However, having said that, let me also tell you that we do not believe the private sector should be involved in the correctional system of this province. The members opposite would like you to believe that because you say something good about the private sector, therefore the private sector should be involved in everything. We on

this side of the House do not believe the private sector ought to be involved in the correctional business, and the reason for that is quite simple.

When we as a society feel that somebody has broken the rules, after giving due process, either by disobeying our criminal laws or other laws of this province, and we as a society say to the individual, "You have not lived up to the rules and therefore you need to be punished and you need to be rehabilitated." So it is society that should be in charge of the correctional system. It is society's punishment that is being handed out.

1730

From all the nonsense we've heard from the other side, we heard one individual in effect say that our public institutions have totally failed us and therefore we should privatize our correctional institutions. I say to the member, why don't you make the public institutions that are there now better?

Read the report that the Provincial Auditor has come up with, when the Provincial Auditor makes the following statement—and I'll just read it to the members so that you and the public can once again be aware of it. The auditor says on page 74 of his report this year, "We concluded that the ministry's systems and procedures were not adequate to ensure institutional resources were managed with due regard for economy and efficiency, nor to ensure services and programs were delivered in accordance with legislative and ministry requirements." In other words, your own ministry hasn't been up to the job, and rather than saying, "I don't think we can do it; therefore, we'll let the private sector do it," you should make that public service better than it's been.

It just goes on and on. It goes into examples of where contracts have been avoided and money paid without any contractual responsibilities. Let me just go on. This crowd on the other side likes to talk as if we've got the most violent criminals in our provincial system. Let me just read to you once again what our Provincial Auditor says about that. I think this is very apropos. It states, "The majority of inmates were admitted to Ontario's institutions for property and other offences not related to crimes of violence. For the last eight years, the selection criteria for temporary absences continued to be confined to low-risk, non-violent offenders. Our examination revealed"—this is the examination of the Provincial Auditor—"that Ontario's success rate with the temporary absence program over the eight years remained unchanged at about 97%, with the failures attributed mainly to technical violations such as missing a curfew."

Now here comes the relevant part as far as this crowd is concerned. It goes on to say, "Ministry staff indicated there was not one case"—not one case in eight years—"of an offender reported to have committed a serious crime while on temporary absence." Get it through your heads that the most violent criminals in our system are in the federal system; they are not in the provincial system, because the people who are in our provincial systems are there because they have been sentenced to two years less a day. So that's number one.

They like to talk about being tough on crime, but they're not really being tough at all. Tough on crime: passing the squeeze law—you remember that one—setting up an office for the Victims' Bill of Rights and then not giving the office any kind of resources to work with so that the real victims of crime can be compensated in a proper and adequate way.

Rehabilitation: If you want to make sure that the people who are in our correctional institutions right now will not return once again in the future, you've got to get involved in rehabilitation. It has been known over the last 50, 60, 100 years that if you take the attitude of just throwing somebody in jail, whether it's a provincial institution or a federal institution, and throwing away the key and somehow expecting that person to come out as a model citizen at the other end, without any kind of adequate programming that would lead to that individual's rehabilitation, it is just not going to happen.

From reading the report and from reading some of the comments that have been made by the members opposite, we can only come to the conclusion that what this government has really been doing over the last six years is making sure that the current system is failing. They have wanted the current system to fail so that then they can say, as the member from—what was his riding again?—Halton said, "We can't do anything. The system has failed. Therefore we'd better privatize it." If you put the adequate resources there, then you don't have to spend the somewhere between \$50,000 and \$90,000 per year it costs to maintain an inmate in one of our provincial institutions. If you put adequate resources there in the rehabilitation process, then that individual will not return.

What happens when you privatize it? The private entrepreneur wants clients. They want to run these institutions. To what extent do you think those individuals are going to be involved in rehabilitation? Tell me. I'd like somebody to answer me. It is not going to be in their self-interest, since they're running this on a private, for-profit basis. There's absolutely nothing wrong with making a profit if you're in private business, but what's going to happen to these individuals if they are running a for-profit kind of penitentiary-correctional system? It is not going to be in their interests to rehabilitate these people.

Up until last week I would not have thought that anybody could possibly think that way, but from some of the comments I've heard from the members opposite, I've now come to the conclusion that one of the reasons the Provincial Auditor has given a blatant condemnation of our correctional system in his current report is simply that they've allowed the system to run down so that they can say, "Well, there's no other thing we can do but privatize it."

What you should be doing is building up the morale of the people who work for you. They are hard-working individuals. They are people who have the best interests of society and of the correctional institutions and the inmates at heart. I represent a community that has seven federal penitentiaries, as you know—Kingston—and we have over 3,000 people who work as correctional officers

in our community. I can tell you that the vast majority of these individuals are highly professional, highly qualified individuals who know their job and know what they're doing. With all this talk about privatizing some of the most vital aspects of our community institutions, all you are doing is lowering the morale of the people who work for us in one way or another.

As I get into my last few seconds, I just want to restate the point once again that, yes, there are some items that can be privatized, but certainly not the breach of society's rules and how we deal with the individuals who have breached the rules, who have violated the laws that you and I and the people in the federal Parliament have enacted. That is a role for society to take on, because only by society taking on that role collectively through our correctional services is there any kind of accountability in the system. If you privatize the system, the degree of accountability that the public demands is simply not going to be there.

I urge the members opposite to at least take this bill out for public consultation because, as the minister himself said, we are in for some profound changes.

**Mr Doug Galt (Northumberland):** It was interesting to see the response from the member for Kingston and the Islands when the member for Peterborough was talking about privatization and what can happen in the private sector. Very obviously a nerve had been touched that the member for Kingston and the Islands just couldn't handle. It was very obvious that the member for Peterborough was dead on, right on track.

But I think when you sum this up, it really isn't the public versus private or private versus public. What we're really talking about is monopoly versus competition. That's what's really going on with our police at this point in time, particularly when some of the amalgamations occur and there's competition: is it the local police force that's in this urban centre or is it going to be the OPP? It really sharpened up our police forces. They're more visible, they're more active, and it's interesting to see that kind of competition rather than the traditional monopoly we've grown used to. I see the same kind of thing moving into our correctional facilities.

Having said that about monopoly versus competition, or in some cases ending up private, I had the good opportunity two years ago to go to Camp Turnaround and observe first-hand what goes on at Camp Turnaround.

1740

**Mr Crozier:** Did you watch the escape?

**Mr Galt:** I hear the opposition muttering away about an escape. Yes, an escape did occur on the day of their opening, but there hasn't been a single escape since from it or any of the others that are working in that particular direction.

It certainly was impressive for any member of the Legislature to go to, which is interesting. In this legislation it is stated that any member of this Legislature can go to any one of those correctional facilities and tour and inspect and see them at any time. I think that's truly

accountability and that's a lot of what our government has been doing.

After seeing Camp Turnaround and how it operates and the kind of discipline, the kind of support that our young people get there, I had the opportunity to be at the Brookside Youth Centre in Cobourg on December 1. This was the first graduation that they had for Success Through Education and Discipline, STEAD, a very, very impressive program indeed. There were six graduates who graduated this past Friday: [names expunged]<sup>†</sup> There were only five there because one of them was doing so well that when he came before the judge recently, the judge gave him the opportunity to be free. One of the others did stay, though. He had the opportunity to leave a week ago Friday but stayed a full week so he could be there for this particular graduation. The reason? The kind of support he was receiving from the officers, the employees at the corrections facility, not to mention the support he was receiving from the other five in this graduating group.

When we mention the six that were graduating, that's the number going through each time. I might mention that part of this course has to do with strict discipline, which is very important. That's part of the support you see there. It also—

**Mr Kormos:** On a point of order, Mr Speaker: My apologies to the member if I misapprehended his reading of the list. I take it these are not young offenders?

**The Deputy Speaker:** The point of order?

**Mr Kormos:** The member, who should have learned from the throne speech—

**The Deputy Speaker:** The member for Northumberland.

**Mr Galt:** Thank you very much, Mr Speaker. Continuing with the particular program there, it certainly was very, very impressive. I was talking about the one who didn't want to leave. He actually stayed for a full week so he could be at the graduation.

I was talking about the support that was there, the encouraging—

**Mr Kormos:** On a point of order, Mr Speaker: I'm concerned that a member of this assembly has just published the names of young offenders. I could be erroneous, I could be in error, and if I am, I apologize to the member, but I'm concerned that he's named a list of young offenders, when that is clearly a violation of the act or is the subject matter of a major—

**The Deputy Speaker:** It isn't a point of order. It may be something else, but it's not a point of order. The member for Northumberland.

**Mr Galt:** What I read from was a program that was given out publicly that day.

Coming back to the bill we're on, it relates to things such as drug and alcohol testing, a particularly important part of the bill. I mentioned earlier the fact that it relates

to members of the Legislature being entitled to enter and inspect the facilities. Also, it relates to the governance and authority for public-private partnerships for the delivery of correctional services.

They're even changing the name of the Ontario Parole Board to the Ontario Parole and Earned Release Board, which reflects this ability or opportunity for those who are in corrections to earn their release, and that makes so much sense. The local boards of monitors will be part and parcel of working with these particular prisons.

But coming back to the drug and alcohol testing, there's been a lot of fun, and the opposition even brought in a bill recently to criticize this particular activity, that we're doing it for those on welfare. When you have such a large percentage of our inmate population on drugs, how are they going to go out and really act in society and work in society and get along and get jobs? By testing and making sure they're off drugs, they're certainly going to be able to contribute to society in the future.

This is about increased public safety, with these people getting out and being freed, with meeting the standards that are indeed required. I can very enthusiastically support Bill 144.

**Mr Kormos:** On a point of order, Speaker: With respect, Hansard is published as a result of what's said in this chamber. I am requesting the Speaker to intervene to diminish the damage of Hansard in itself, which is available and published and, through the electronic Hansard, available to literally millions of readers. I'm asking the Speaker to intervene to ensure that the names of the young offenders that were read into the record by the member who just spoke are not contained in that Hansard. I believe the House has a duty to mitigate the crime that was committed by Mr Galt and not be a party to it by virtue of republishing it.

**Mr Galt:** What I read was from a program.

**Mr Kormos:** No, it's calling it—

**The Deputy Speaker:** That is not within the Speaker's discretion, nor is it a point of order. The House may deal with the issue.

Time for debate is now completed. Mr Sampson has moved government notice of motion number 80. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. Call in the members. This will be a 10-minute bell.

*The division bells rang from 1747 to 1757.*

**The Deputy Speaker:** Mr Sampson has moved government notice of motion number 80.

All those in favour will rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted

Baird, John R.

Beaubien, Marcel

Chudleigh, Ted

Clark, Brad

Hodgson, Chris

Hudak, Tim

Jackson, Cameron

Johns, Helen

Johnson, Bert

O'Toole, John

Ouellette, Jerry J.

Palladini, Al

Runciman, Robert W.

Sampson, Rob

<sup>†</sup> The names of the young offenders have been expunged by Order of the House dated Tuesday, April 24, 2001, in the spirit of compliance with the Young Offenders Act (R.S. 1985, cY-1)

Clement, Tony	Kells, Morley	Snobelen, John
Coburn, Brian	Klees, Frank	Spina, Joseph
Cunningham, Dianne	Marland, Margaret	Sterling, Norman W.
DeFaria, Carl	Martiniuk, Gerry	Stewart, R. Gary
Ecker, Janet	Maves, Bart	Tascona, Joseph N.
Elliott, Brenda	Mazzilli, Frank	Tilson, David
Flaherty, Jim	Molinari, Tina R.	Tsubouchi, David H.
Galt, Doug	Munro, Julia	Turnbull, David
Gilchrist, Steve	Murdoch, Bill	Wettlaufer, Wayne
Gill, Raminder	Mushinski, Marilyn	Wilson, Jim
Hardeman, Ernie	Newman, Dan	Wood, Bob
Hastings, John		

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

#### Nays

Bartolucci, Rick	Curling, Alvin	Levac, David
Bountrogianni, Marie	Di Cocco, Caroline	Marchese, Rosario
Boyer, Claudette	Dombrowsky, Leona	Martel, Shelley
Bryant, Michael	Duncan, Dwight	McMeekin, Ted
Caplan, David	Gerretsen, John	Pupatello, Sandra
Churley, Marilyn	Hoy, Pat	Ramsay, David
Conway, Sean G.	Kennedy, Gerard	Ruprecht, Tony
Cordiano, Joseph	Kormos, Peter	Sergio, Mario
Crozier, Bruce	Kwinter, Monte	Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 49; the nays are 27.

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

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** On a point of order, Mr Speaker: I understand that Mr Galt, the member for Northumberland, a few minutes ago or during the debate this afternoon read into the record the names of six individuals who were or were not—we're not certain—young offenders who were at a correctional institution.

It's my belief at this time that that may have been a contravention of the Freedom of Information and Protection of Privacy Act.

**Mr Rick Bartolucci (Sudbury):** May?

**Hon Mr Sterling:** It may have been; I'm not sure. I haven't heard all the facts surrounding it.

In order to help those six individuals, I would ask unanimous consent of this Legislature that we expunge from the record these names at this time from Hansard so

that these individuals will be protected. I ask for that unanimous consent at this time.

**The Deputy Speaker:** Mr Sterling has asked for unanimous consent. We do not have it.

**Mr Kormos:** On a point of order, Mr Speaker: There was an immediate response in this Legislature. There was a request made to this assembly immediately after these persons were named by the member spoken of for an effort to remedy it. With respect, the House had a chance at that point to remedy what could have been an oversight. Those efforts were rebuffed. They were rebuffed with great disdain.

With respect, Speaker, it takes a motion to expunge content of Hansard, a motion to be put to this House, to be debated and voted upon. That is the proper procedure. That's the procedure the government should be taking if it expects assistance from opposition members.

**The Deputy Speaker:** That's not a point of order.

**Hon Frank Klees (Minister without Portfolio):** On the same point of order, Mr Speaker: I think it's important to note that when the issue was raised on a point of order in the course of debate, it was in fact the Speaker who did not allow any further discussion on that issue, indicating that it was not a point of order, and directed the House to continue debate.

**The Deputy Speaker:** That is not a point of order either.

**Mr Galt:** On a point of order, Mr Speaker: The names were read accidentally. I had a program that was given at the time of graduation. I'm just explaining why it was in there.

**The Deputy Speaker:** Thank you. This is not time for debate. This is time for legitimate points of order. If there needs to be a situation rectified, that could be put forward, as the government House leader did, by asking for unanimous consent, but no one else has done that.

It being 6 of the clock, this House stands adjourned until 6:45 of the clock.

*The House adjourned at 1803.*

*Evening meeting reported in volume B.*

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