



Legislative Assembly
of Ontario
Second Session, 37th Parliament

Assemblée législative
de l'Ontario
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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 28 May 2001

Lundi 28 mai 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 28 May 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 28 mai 2001

*The House met at 1330.
Prayers.*

WEARING OF RIBBONS

Mr Michael A. Brown (Algoma-Manitoulin): On a point of order, Mr Speaker: I wish to ask the House for unanimous consent to wear a yellow ribbon, with the support of the community of Wawa, asking that Henrietta be returned safely home.

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

I thank the member.

MEMBERS' STATEMENTS

EDUCATION FUNDING

Mr Michael Bryant (St Paul's): Humewood is a public elementary school located in the western part of St Paul's that is going through the hell that is public education under Mike Harris. The school is losing three and a half teaching positions next year: three full-time and one part-time. That's more than one in seven of the school's teachers. The ESL program is being reduced from one full-time teacher to 50% of a teacher, in a school where 21% of the students do not have English as their first language. The library is reduced from one librarian always on duty to the library being open only 70% of the time. The vice-principal is reduced from full-time to half-time. Grade 2 is reduced from three teachers to two and a half: there will be three classes of 20 in the morning and two classes of 30 in the afternoon. It's all because of the government's broken funding formula.

One mother of a first-grader and a fourth-grader wrote to me, "I cannot foresee that the children of the city of Toronto will be able to compete on a global level.... I do not understand why the Ontario government is spending so much money on testing our children, when the funding is not available to help the children who are not meeting the government standards.... What is being done to our schools and therefore our children is a disgrace. Give us our schools back."

Another mom wrote, "My twin daughters will be in grade 4 classes with 29 children in them. The grade 2s, which my son is in, will have three classes of 20 in the morning and then" will "be reorganized into two classes of 30! in the afternoon."

This makes no sense. That's why Dalton McGuinty and the Ontario Liberals have a better alternative for working families and public education: a real cap of 20 students in the primary grades; scrapping the broken funding formula; lighthouse schools that innovate and permit schools to succeed; and curriculum flexibility, emphasizing the basics but giving schools the opportunity to innovate.

I say, on behalf of the parents of Humewood school and on behalf of parents across the riding of St Paul's, it's time for the Harris government to wake up and check out the McGuinty plan. For those of you in Ontario who have it: www.OntarioLiberal.com. Follow the links to "Education."

The Speaker (Hon Gary Carr): For the member for Durham, the clock isn't working, so the member didn't have any time. The clock isn't working for your members. I would beg a little bit of indulgence. The table will remind me, and I'm sure all the members won't—

Interjection.

The Speaker: He got the "www" in on time.

For all members, the countdown clock isn't working but the table will still watch the clock to make sure it doesn't go extra-long. I appreciate the indulgence of the House.

VOLUNTEERS

Mr Doug Galt (Northumberland): This evening in Cobourg there will be a celebration in recognition of 141 volunteers for their valuable work throughout the community. Volunteers are being honoured during the International Year of Volunteers. They will be presented with the Ontario Volunteer Service Awards for their hard work and dedication over the many years.

It is with an event like this that the Ontario government has the opportunity to thank and recognize the province's volunteers. Youth volunteers are being recognized for two or more years of continuous service, and adults are being recognized for five, 10, 15, 20, 25, 30, and now this year is 50-plus years of continuous service.

In Cobourg tonight there will be two local residents honoured for 50-plus years of community service. They are Mary Cappler, figure skating club, Port Hope, and also Ruth O'Neill, with the corporation of the Town of Port Hope and Hope.

This is an opportunity to express our appreciation for the long-term commitment that these individuals have

given to their community. As their work is being recognized this evening, they also act as role models for other individuals to become volunteers or continue to volunteer in their community.

Ontario's International Year of Volunteers theme this year is "Everyone Counts." This is very true in Northumberland, as ordinary people are making extraordinary differences through their efforts in their community.

UNIFIED FAMILY COURT

Mrs Marie Bountrogianni (Hamilton Mountain): I rise in the House to speak about the most needy and vulnerable members of society: the children. In particular, I wish to bring to the attention of the House and to the Attorney General in particular a situation of growing urgency in the Hamilton-Wentworth area.

For over 30 years, Hamilton has had a Unified Family Court addressing the needs of children and families in struggles for custody and, most importantly, to protect the rights of the child. However, increasingly there is statistical evidence to show that something is not functioning correctly in the system. There's gridlock. Children are falling through the cracks and being forced to exist in limbo for extended periods of time as their cases drag on for months and sometimes years.

In 1998-99, there were 1,609 motions heard in the five unified court jurisdictions pertaining to the Child and Family Services Act, 1,360 of them in the Hamilton-Wentworth court. Hamilton has the lowest caseload on a per capita basis, yet ranks worst in the number of motions resulting from those cases, often by a factor of 10.

This trend is replicated in the number of court-ordered supervised visits. While Toronto has over 5,000 children under their care, they facilitated 46,000 trips; Hamilton has 1,200 children in care and facilitated 42,000 trips.

Of greatest concern in the Hamilton area is the length of the temporary care situation. By constantly remanding cases, filing dozens of motions, requiring multiple appearances in these cases, children are forced to live in limbo, often in foster situations while their parents continue to have access to them. Research has shown that this has a detrimental effect on growth and development, particularly emotional development.

I believe that the situation in Hamilton is untenable. I believe the system is in a state of dysfunction. I call upon the Attorney General to order an independent review and conduct a needs analysis to explain the anomaly of the Unified Family Court in Hamilton-Wentworth.

The Speaker (Hon Gary Carr): Members' statements.

ONTARIO TRILLIUM FOUNDATION

Mr John O'Toole (Durham): I'd first like to introduce a student who is shadowing me today from Port Perry High School. David Jehu is a grade 10 student who is joining me.

Mr Speaker, through the Ontario Trillium Foundation, our government has consistently shown that it supports many community-based projects throughout the province. Today I want to recognize some of the projects in my riding of Durham that will be receiving funds from this agency of the Ministry of Tourism, Culture and Recreation.

The Clarington Concert Band will receive a grant of \$55,000 for the second annual Great Canadian Town Band Festival, running from June 15th through the 17th in Orono village. Organizers of this three-day music festival, which attracts bands from across Ontario and the US, include Dave and Judy Climenhage, Janet Cringle and Barry Hodgins. They and many others are working hard to ensure that the musical traditions of small-town Ontario are kept alive and well.

Receiving Trillium grants of \$300,000 over four years is the Scugog Shores Millennium Project in Port Perry. This is an innovative plan for shoreline restoration that will see the creation of an ecology park stretching three quarters of a kilometre along the shores of Lake Scugog and will include a walking trail. I recently had the pleasure of taking part in project chairman Reverend Sandy Beaton's commissioning of this important event.

The Port Perry Legion, Branch 419, will also have a \$50,000 grant for making their facility more accessible to those in need.

I also want to congratulate Cartwright Sports and Recreation and the Clarington Tigercats football club for their successful applications. Clearly, this is a case where the government is working for the community.

1340

WAWA MASCOT

Mr Michael A. Brown (Algoma-Manitoulin): The township of Michipicoten wants Henrietta home. People are wearing yellow ribbons awaiting Henrietta's return. Businesses are displaying yellow moose-crossing signs in their windows.

Some time ago, government agents arrived at Young's General Store. They politely but unceremoniously spirited Henrietta off to lock-up. She has been held without bond and incommunicado since the seizure.

Anita Young, the store's proprietor, Reeve Doug Woods and the whole community of Wawa want Henrietta back. I ask the Legislature, do we want those thousands of tourists and children who have had their photographs taken with Henrietta to come to the realization that they may have been consorting with an underworld mooster?

Henrietta is not just a stuffed moose. Henrietta is an icon that has attracted thousands of people to the beautiful town of Wawa. People come to town to visit the many fine restaurants, hotels, outfitters and other businesses and attractions, but they also come to see and be seen with the charismatic Henrietta.

I have asked the Minister of Natural Resources to return Henrietta to my custody. I will see that she is

returned home. I personally guarantee any necessary court appearances, and I guarantee that I will take every step necessary to ensure that her testimony will not be influenced.

Minister Snobelen, I ask you to free Henrietta. Free our moose.

BEAR CONTROL

Mr Gilles Bisson (Timmins-James Bay): I really do hope that moose gets free some time.

I want to say to the minister responsible for natural resources across the way, Minister Snobelen, that what we told you would happen two or three years ago is happening. The government cancelled the spring bear hunt. They said this was a good thing for all kinds of reasons. We in northern Ontario said you have to have some sort of controls in order to control the population, otherwise we will be inundated by bears, especially in smaller communities.

We now have stories across northeastern Ontario, in my region of the province, where we have bears coming into the community. In fact, the town of Chapleau is being inundated by bears as they go into the community in record numbers than seen before.

Just recently I was up in Moosonee—I think it was on Saturday—and they've got bears running out on the runway. I've got to tell you, it's pretty hard to land my plane when I've got to be ditching around bears that are running down runway 08.

I say to the minister across the way that what really bothers me is that when we contact the Ministry of Natural Resources and say, "What are you going to do about it?" they say the ministry has lost the responsibility to do anything about this because they have been cut back so badly that they don't have the staff to go out and do anything about getting the bears out of the communities. So they say it's passed on to the provincial police. You call the OPP and the only response they've got is, "Other than shooting them down, we've got no money."

I just say to the government across the way, this whole policy doesn't work, and before somebody gets hurt, we ask you to do something positive in this regard.

HABITAT FOR HUMANITY

Mr Ted Arnott (Waterloo-Wellington): This year, Habitat for Humanity of Waterloo region will build a brand new home in New Hamburg in my riding of Waterloo-Wellington.

I want to congratulate the Abarca family, who can look forward to earning the better living conditions for which they dream as they work with Habitat for Humanity to build a home of their own.

Pat McLean, Woolwich township councillor and executive director of Habitat for Humanity in Waterloo region, has advised me that Habitat for Humanity's goal is the elimination of poverty housing.

They are doing this for people with strong coordination, public support, work by volunteers, what they call "sweat equity" and homeowner training by the prospective home-owning families.

These homeowners learn home maintenance, how to be good neighbours and how to budget and pay the mortgage, and this formula has been a tremendous success.

Since 1988, Habitat for Humanity has developed 34 homes with families in Waterloo region. Three are being built this year, and five are projected for next year.

The home to be built in Waterloo-Wellington this year is a first for New Hamburg, with special thanks to Doug Wagner, a Ross Dixon financial services adviser, for sponsoring and helping Habitat for Humanity make this dream of a home a reality for the Abarca family.

Last month, my family and I had an opportunity to offer our support and to meet many of the supporters of this project at the Habitat for Humanity fish fry in New Hamburg.

Their compassion and understanding of the pride and importance of home ownership for families is inspiring to all of us, and I encourage everyone to help Habitat for Humanity give a hand up to people in our communities across this great province.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Ernie Parsons (Prince Edward-Hastings): I spent this past Saturday morning in a wheelchair touring my community to get a sense of the obstacles that face citizens in wheelchairs. It was a profound event for me when I realized that what seems like a minor barrier is in fact major to those in chairs.

This is National Access Awareness Week. The Premier promised in writing in 1995 to pass an Ontarians with Disabilities Act during his first term in office. To this date, not only has that act not been put in place, but the Premier has refused to meet with any citizens from that committee. He has refused their requests 27 times. Five times he indicated he was too busy, four times he referred them to someone else and 18 times he ignored their requests to meet with them.

This is not acceptable. Ontarians with disabilities have a voice. This week, I will be tabling a resolution that requires the Premier to meet with the Ontarians with Disabilities Act Committee. They are full citizens and are entitled to nothing less than a meeting with him. We know only what we experience or what we are told and learn from others. To ignore this request from citizens is an absolutely unbelievable and unforgivable situation.

I call upon all members of this House to support my resolution, which will require the Premier to meet and dialogue with, learn about and serve Ontarians with disabilities.

ROY EDWARDS

Mr Garfield Dunlop (Simcoe North): I'm very pleased to rise this afternoon to pay tribute to a constituent of mine who recently was honoured by the Simcoe County District School Board for 45 years of dedicated service to the youth of Simcoe county as a school trustee.

Roy Edwards, a very proud husband, father and grandfather, served Simcoe county schools and communities with dedication and enthusiasm as an elected school board trustee from 1949 to 1994. Throughout his 45-year tenure, Trustee Edwards maintained a strong commitment to Simcoe county's public education system as it evolved from one-room schools to a county-wide network of urban and rural community schools. Mr Edwards chaired the Simcoe County Board of Education from 1979 to 1981.

A long-time resident and farmer in the Medonte area, Roy Edwards earned the trust and support of students, staff, parents and community members by carefully considering local education issues with his respected blend of reason, common sense, fairness, warmth and friendly sense of humour. In June 1995 the Ontario Public School Boards Association presented Roy with the Dr Harry Paikin Award of Merit in recognition of his dedicated service.

I congratulate the Simcoe County District School Board, under the leadership of director Sharon Bate and chairperson Mary Anne Wilson, for naming their boardroom at Midhurst the Roy Edwards Meeting Room on May 9 this year. On behalf of the citizens of Simcoe county, I want to thank Roy for his commitment to education.

INTRODUCTION OF BILLS

VICTIM EMPOWERMENT ACT, 2001

LOI DE 2001 SUR L'HABILITATION
DES VICTIMES

Mr Sampson moved first reading of the following bill:

Bill 60, An Act to give victims a greater role at parole hearings, to hold offenders accountable for their actions, to provide for inmate grooming standards, and to make other amendments to the Ministry of Correctional Services Act / Projet de loi 60, Loi visant à accroître le rôle des victimes aux audiences de libération conditionnelle et à responsabiliser les délinquants à l'égard de leurs actes, prévoyant des normes relatives à la toilette des détenus et apportant d'autres modifications à la Loi sur le ministère des Services correctionnels.

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

Does the minister have a short statement?

Hon Rob Sampson (Minister of Correctional Services): Yes, thank you, Speaker. The title of the bill

actually speaks quite directly to the content. We believe that victims should have a greater role in the criminal justice system, so the bill would propose that they have more role to play in parole hearings. The bill establishes a framework for the implementation of some minimum and basic grooming standards in jails in Ontario, and it also requires that internal disciplinary hearings proceed when an inmate is accused or alleged to have assaulted a correctional officer, regardless of whether criminal charges are laid.

1350

FIREARMS SECURE LOCKING
DEVICES ACT, 2001LOI DE 2001 SUR LES DISPOSITIFS
DE VERROUILLAGE SÉCURITAIRE
D'ARMES À FEU

Mr Bryant moved first reading of the following bill:

Bill 61, An Act to require secure locking devices for firearms / Projet de loi 61, Loi exigeant des dispositifs de verrouillage sécuritaire pour les armes à feu.

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

The member for a short statement?

Mr Michael Bryant (St Paul's): The bill prohibits the sale of any firearm that does not have a secure locking device incorporated into its design unless the purchaser is provided with or purchases a secure locking device for that firearm at the time of sale.

The bill would also prohibit the sale of any firearm manufactured after the bill comes into force if the firearm does not have a secure locking device incorporated into its design. The bill would not apply to firearms purchased for police use.

The bill would come into force six months after it receives royal assent. Trigger locks save lives, and this is the Firearms Secure Locking Devices Act.

PHYSICAL FITNESS DAY ACT, 2001

LOI DE 2001 SUR LA JOURNÉE
DE L'APTITUDE PHYSIQUE

Mr O'Toole moved first reading of the following bill:

Bill 62, An Act proclaiming Physical Fitness Day / Projet de loi 62, Loi proclamant la Journée de l'aptitude physique.

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

The member for a short statement?

Mr John O'Toole (Durham): This bill proclaims the first Friday in September in each year as Physical Fitness Day. Medical studies have consistently shown that a moderate amount of physical activity is one of the keys to a long, healthy and productive life. This bill provides for a special day to promote physical activity and its benefits.

Evidence suggests that many people in Ontario live an increasingly sedentary life. This is a dangerous and expensive trend: it endangers our health, lowers our quality of life and costs taxpayers billions of dollars in health care premiums that would not otherwise be necessary.

The principles of the bill also recognize the valuable contribution made by coaches, volunteers, educators, parents and medical professionals in promoting physical fitness. These community leaders serve as role models in encouraging Ontario to include a moderate amount of physical exercise in their daily lives. A healthy body certainly contributes to a healthy mind.

MOTIONS

HOUSE SITTINGS

Hon Janet Ecker (Minister of Education, 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, May 28, Tuesday, May 29, and Wednesday, May 30, 2001, for the purpose of considering government business.

The Speaker (Hon Gary Carr): I apologize. The motions were introduced on the order paper separately. You'll have to do them separately, if you would.

Hon Mrs Ecker: In the attempts of efficiency, we will go back. I move that pursuant to the standing order, the House shall meet from 6:45 pm to 9:30 pm on Tuesday, May 29th.

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

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1355 to 1400.

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

Ayes

Arnett, Ted	Hastings, John	Snobelen, John
Baird, John R.	Hudak, Tim	Spina, Joseph
Barrett, Toby	Jackson, Cameron	Stewart, R. Gary
Beaubien, Marcel	Johns, Helen	Stockwell, Chris
Clark, Brad	Kells, Morley	Tascona, Joseph N.
Coburn, Brian	Klees, Frank	Tilson, David
Cunningham, Dianne	Maves, Bart	Tsubouchi, David H.
DeFaria, Carl	Mazzilli, Frank	Turnbull, David
Dunlop, Garfield	Miller, Norm	Wettlaufer, Wayne
Ecker, Janet	Munro, Julia	Wilson, Jim
Elliott, Brenda	Mushinski, Marilyn	Witmer, Elizabeth
Galt, Doug	Newman, Dan	Wood, Bob
Gilchrist, Steve	O'Toole, John	Young, David
Gill, Raminder	Runciman, Robert W.	
Guzzo, Garry J.	Sampson, Rob	

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

Nays

Agostino, Dominic	Dombrowsky, Leona	McGuinty, Dalton
Bartolucci, Rick	Duncan, Dwight	McLeod, Lyn
Bisson, Gilles	Gerretsen, John	McMeekin, Ted
Bountrogianni, Marie	Hampton, Howard	Parsons, Ernie
Boyer, Claudette	Hoy, Pat	Peters, Steve
Bradley, James J.	Kormos, Peter	Phillips, Gerry
Brown, Michael A.	Kwinter, Monte	Pupatello, Sandra
Bryant, Michael	Lalonde, Jean-Marc	Ramsay, David
Caplan, David	Lankin, Frances	Ruprecht, Tony
Colle, Mike	Levac, David	Sergio, Mario
Curling, Alvin	Marchese, Rosario	Smitherman, George
Di Cocco, Caroline	Martel, Shelley	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 43; the nays are 35.

The Speaker: I declare the motion carried.

Motions?

Hon Mrs Ecker: I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, May 28, 2001, for the purpose of considering government business.

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

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1404 to 1409.

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

Ayes

Arnett, Ted	Hardeman, Ernie	Runciman, Robert W.
Baird, John R.	Hastings, John	Sampson, Rob
Barrett, Toby	Hudak, Tim	Snobelen, John
Beaubien, Marcel	Jackson, Cameron	Spina, Joseph
Clark, Brad	Johns, Helen	Stewart, R. Gary
Coburn, Brian	Kells, Morley	Stockwell, Chris
Cunningham, Dianne	Klees, Frank	Tascona, Joseph N.
DeFaria, Carl	Maves, Bart	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Miller, Norm	Turnbull, David
Elliott, Brenda	Munro, Julia	Wettlaufer, Wayne
Galt, Doug	Murdoch, Bill	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Witmer, Elizabeth
Gill, Raminder	Newman, Dan	Wood, Bob
Guzzo, Garry J.	O'Toole, John	Young, David

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

Nays

Agostino, Dominic	Dombrowsky, Leona	McGuinty, Dalton
Bartolucci, Rick	Duncan, Dwight	McLeod, Lyn
Bisson, Gilles	Gerretsen, John	McMeekin, Ted
Bountrogianni, Marie	Hampton, Howard	Parsons, Ernie
Boyer, Claudette	Hoy, Pat	Patten, Richard
Bradley, James J.	Kormos, Peter	Peters, Steve
Brown, Michael A.	Kwinter, Monte	Phillips, Gerry
Bryant, Michael	Lalonde, Jean-Marc	Pupatello, Sandra
Caplan, David	Lankin, Frances	Ramsay, David

Colle, Mike
Curling, Alvin
Di Cocco, Caroline

Levac, David
Marchese, Rosario
Martel, Shelley

Ruprecht, Tony
Sergio, Mario
Smitherman, George

Clerk of the House: The ayes are 45; the nays are 36.

The Speaker: I declare the motion carried.

Motions? The government House leader.

Hon Mrs Ecker: One more time. I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Wednesday, May 30, 2001, for the purpose of considering government business.

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

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1413 to 1418.

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

Ayes

Arnott, Ted
Baird, John R.
Barrett, Toby
Beaubien, Marcel
Clark, Brad
Coburn, Brian
Cunningham, Dianne
DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Galt, Doug
Gilchrist, Steve
Gill, Raminder
Guzzo, Garry J.

Hardeman, Ernie
Hastings, John
Hudak, Tim
Jackson, Cameron
Johns, Helen
Kells, Morley
Klees, Frank
Maves, Bart
Mazzilli, Frank
Miller, Norm
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan
O'Toole, John

Runciman, Robert W.
Sampson, Rob
Snobelen, John
Spina, Joseph
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

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

Nays

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Brown, Michael A.
Bryant, Michael
Caplan, David
Colle, Mike
Curling, Alvin
Di Cocco, Caroline

Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Hampton, Howard
Hoy, Pat
Kormos, Peter
Kwinter, Monte
Lalonde, Jean-Marc
Lankin, Frances
Levac, David
Marchese, Rosario
Martel, Shelley

McGuinty, Dalton
McLeod, Lyn
McMeekin, Ted
Parsons, Ernie
Patten, Richard
Peters, Steve
Phillips, Gerry
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Sergio, Mario
Smitherman, George

Clerk of the House: The ayes are 45; the nays are 36.

The Speaker: I declare the motion carried.

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, I rise on a point of privilege under standing order 21, on business arising out of the House.

The budget was tabled in this House on May 9, and the Treasurer has not attended one question period since that day. It is extremely frustrating for the official opposition not to be able to stand up and—

The Speaker: Sorry to interrupt the member. He does know that a point of privilege needs to arise out of the business here today. Relating to the attendance of any member, the member will kindly know that I have no authority whatsoever on attendance. I will let him continue if he could get very distinctly to the point he is trying to make arising from the point of privilege.

Mr Duncan: The point is that tonight we begin debate on the budget bill, and for nine or 10 sitting days since the budget was tabled, we have not been able to question the Minister of Finance about that. It undermines the very essence of this chamber and what parliamentary democracy is about.

The Speaker: Again, the member will know the Speaker has no authority regarding attendance of any member in this House.

Mr Duncan: On a point of order, Mr Speaker: We were informed that the Premier would be in attendance today.

The Speaker: Just for any clarification, the government House leader.

Hon Mrs Ecker: There was never any notification that I'm aware of about his attendance today.

The Speaker: I thank the government House leader.

Same point of order?

Mr Duncan: Normally we're informed, and it happens quite often that we're informed the Premier will not be here. The Premier's schedule today indicates he is in his office down the hall doing appointments at Queen's Park. We have not been informed that the Premier will not be in the House today.

The Speaker: Again, I'm not privy to what whips and government House leaders inform each other of.

Mr Dalton McGuinty (Leader of the Opposition): On a point of order, Mr Speaker: I'm asking for your assistance and guidance and, ideally, direction with respect to the private education tax policy. In particular, I want to ensure, on behalf of opposition members and the Ontario public, that it garners the attention it deserves according to the principal values of democracy that govern this Legislature.

As a point of reference, when funding was extended to Catholic schools in 1985, there were extensive public hearings across the province. I understand that those hearings took some 80 days, including 68 days of public hearings. Earlier today, I delivered a letter to the government House leader requesting that there be full debate among members of this Legislature, as well as extensive public hearings on the government's newly introduced policy to extend tuition tax credits for private schools.

As leader of the official opposition, I'm asking you now, as Speaker of this assembly, that you ensure that the significant and dramatic departure in our province with respect to education policy receives thorough debate among the members, as well as ample and sufficient public hearings.

The Speaker: I've said in the past that the Speaker is governed by the standing orders. I don't have the power and authority to do that.

Mr James J. Bradley (St Catharines): We wish you did, though.

The Speaker: Some may wish I did, and on occasion I may even wish to have some more power, but unfortunately we're governed by the standing orders and I have no authority regarding the hearings.

Mr McGuinty: Mr Speaker, on a separate point of order, then, and in light of your ruling, I would ask for unanimous consent from members of this Legislature to amend Bill 45, the budget bill, by removing those sections of the bill that deal with the extension of tuition tax credits for private schools so that they may be introduced as a separate piece of legislation and thereby become entitled to separate debate and separate, full public hearings.

The Speaker: Is there unanimous consent? I heard some noes.

Mrs Lyn McLeod (Thunder Bay-Atikokan): On a point of order, Mr Speaker: I believe it is the prerogative of the Speaker, and I believe there is a federal precedent in which the Speaker of the House of Commons exercised his authority to divide a bill if he felt that it could not be given due consideration because of the nature of the omnibus bill.

I would submit to you that this particular amendment that the Leader of the Opposition has requested is in essence a division of the bill. It separates out a section of the bill which does institute a substantive change in long-standing policy. Even if you do not have the authority to order hearings, I believe you do have the authority to divide the bill and allow a portion of the bill to be dealt with separately in the interests of due parliamentary procedure.

Hon Mrs Ecker: On a point of order, Mr Speaker: First of all, as the honourable members are well aware, this legislation is budget policy. It's well within the orders.

Secondly, if the honourable member, the leader of the party, wishes to debate this issue, I welcome him to the debate tonight and on subsequent occasions when this legislation is indeed being debated in this chamber.

Mr McGuinty: Mr Speaker, if I may, further to my colleague's point of order and for purposes of your consideration: Last week was constituency week. I had the opportunity to visit schools and to meet with a number of constituents. I can tell you—I haven't got an exact tally now—that we have received close to 700 separate letters on this issue. It is a matter of grave concern to the people of Ontario and I believe—

The Speaker: I appreciate it. As you know, some bills that have appeared here—Bill 26, for example, was an omnibus bill that was allowed to pass through. This is not even close to some of the other bills that have appeared, so the bill is entirely in order.

The member for Thunder Bay-Atikokan on the same point of order.

Mrs McLeod: Mr Speaker, it's actually asking for clarification, because I believe the decision not to separate Bill 26 was made by the Speaker of the day. If my recollection is correct, it was recognized at the same time that he did have the authority to divide the bill but made the decision that it would not be divided.

The Speaker: There are some bills that have come up and there has been some discussion on the same point of order. Basically, it's based on the size of the bill, being omnibus. This one is not even close in terms of being out of order and it is in fact very much in order. It's very controversial, I may say, and may be as controversial as some of the other bills, but it is perfectly in order and there is nothing wrong with the bill.

ORAL QUESTIONS

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My question is, as might be expected, for the Minister of Education. During the 1999 election leaders' debate, your Premier looked directly into the camera and said the following: "I've been asked, would I support private schools. I went to the Jewish congress and I told them no, my priority is public education." Your Premier made a very specific campaign promise and I am absolutely certain that many Ontario voters relied on that specific commitment. They were induced by that specific promise to vote for Mike Harris and the Conservative Party.

I think it's time, Madam Minister, to inject at least a little bit of honesty into this debate. Will you be straight now with Ontario families and admit that you have broken your promise to them?

1430

Hon Janet Ecker (Minister of Education, Government House Leader): Before the honourable member starts throwing around accusations, I should refer him to an article in Now magazine that he might want to read.

This is about respecting parental choice, very, very simply. This is also about continuing a commitment to the public education system that this government holds very, very seriously: more money, higher standards, better choice for parents, more information for parents—initiatives which the honourable member continues to oppose.

Mr McGuinty: If you won't defend the Premier, then we'll see if you're prepared to defend yourself, Madam Minister. On January 13, 2000, you sent a letter to Minister Axworthy and you said, "Extending funding to religious private schools would result in fragmentation of the education system in Ontario and undermine the goal of universal access to education." On January 19 of the same year, you sent a letter to me and you said, "Complying with the UN's demand ... would remove from our public education system at least \$300 million per year, with some estimates as high as \$700 million."

Can you tell me why it is that a policy that not so long ago was viewed by yourself as something that would fragment and undermine public education, a policy that would cost public education somewhere between \$300 million and \$700 million, has now become your personal cause célèbre? Why is it that suddenly something that was so wrong yesterday is so right for you as Minister of Education today?

Hon Mrs Ecker: If the honourable member recalls, the reason the Premier and I wrote to him was because we weren't quite clear what he was saying and where he was coming from.

Secondly, my commitment—

Interjections.

The Speaker (Hon Gary Carr): Will the minister take her seat. Members, come to order. We're not going to continue if I can't hear. Sorry, Minister of Education, for the interruption.

Hon Mrs Ecker: Thank you very much, Mr Speaker. We might even correspond with the honourable member again just to make sure we're clear where the Liberals are coming from on this, because it seems to depend on who you're talking about what their position is.

I don't need lectures from the honourable member about my commitment to public education, which is as strong today as it was when I first took this portfolio and for as long as I shall stay in this portfolio.

Mr McGuinty: Madam Minister, you can dance over there, you can dance all you want, but you are dancing on your own and you have seriously damaged your own personal credibility.

In your letter to me of January 19, 2000, you implored me, you beseeched me, you begged me not in any way to accede to the request put forward by the UN. Here's something else you said at the time: "Quite obviously, such an action would run directly counter to Ontario's long-standing commitment to public education."

I'm asking you on behalf of working families which relied on the Premier's specific promise during the course of the election and your specific commitment made not that long ago, why is it that you have suddenly changed your mind and have betrayed public education and our families?

Hon Mrs Ecker: I might refer the honourable member to Now magazine, which has a wonderful article here: "As usual, the Liberals want to have it both ways." It quotes his education critic as contending that "funding for religious schools doesn't necessarily mean less money for the public system."

Interjections.

The Speaker: Will the minister take her seat. Order. I'm going to start to pick people out now. Just so you know, we're going to start picking people out and we're going to start throwing them out.

Hon Mrs Ecker: Even the honourable member's own education critic has said publicly that funding religious schools doesn't mean taking money out of the public education system. I happen to agree with the Liberal critic, because this government has increased public

education funding yet again this year, over \$370 million this year of new money, new investment.

We're continuing to move forward with what we promised the voters we would do: higher standards, standards which the honourable member opposes; testing so we know how our students are doing, testing which his critic this weekend was saying, "Who needs testing"—

The Speaker: Order. I'm afraid the minister's time is up. New question.

Applause.

Mr McGuinty: Madam Minister, they can clap for you, but you are swinging all on your own on this one. This is about your personal credibility and integrity, and you should have the decency and the honour to castigate this policy, to disown it and to say that it's wrong for public education and wrong for our families.

Ten years ago the leader of your party, Mike Harris, felt so strongly about the need for public hearings on the budget of the day that he tied up this House for three weeks, and let me tell you what he said at the time: "I am fighting and will continue to fight for the right of the public of this province to be heard, to come before the parliamentary committee to pass their comments on this budget...." Your Premier, Mike Harris, said that a public hearing on a budget was a right for Ontario voters.

Will you do today what your Premier said yesterday was the right thing to do? Will you give Ontario families the right to appear before a parliamentary committee and to voice their concerns about your private school voucher policy?

Hon Mrs Ecker: The honourable member may want to sit here and cast aspersions about the integrity of people on this side of the House; he can be personal if he wants. I don't think that furthers legitimate public debate in this chamber or in any other place.

This issue is clearly about parental choice, a choice that parents make within the public system, a choice that some parents may wish to make outside the public system in independent schools, and we believe that is a choice that should be respected, that parental choice should be respected.

I know the honourable member, after dithering on both sides of the issue here, is now going to say to those parents, those families in his riding, in Mr Kwinter's riding, in Mr Kennedy's riding, in Mr Caplan's riding and in Mr Bryant's riding, "We don't respect your choice. We don't think you know best for your kids, and we're going to take that away from them."

We respect parental choice; it's time the honourable member did.

Mr McGuinty: It is painfully obvious to all who paid any attention to this that one day you said that this was wrong and a terrible thing and now you stand up in this Legislature and tell us that it's a wonderful thing and a wonderful development for public education.

Do you know what you need to do? You need to hold public hearings. Presumably you are proud of this policy; you are quite prepared to defend your policy. Why is it that you won't allow Ontario families to appear before

you or the representatives of the government during public hearings to voice their concerns?

I'll ask you the same question again, Madam Minister: will you hold public hearings so that Ontario families will have an opportunity to voice their concerns about your private school voucher policy?

Hon Mrs Ecker: First of all, the honourable member keeps describing it as a private school voucher, but that's not what it is, and he knows that. So he can try and twist that if he wants.

Secondly, it was Ontario working families who told this government, who came to this government and said, "We want this government to respect parental choice," and that is why we took the decision we did. That is why the budget laid out not only more money for our public education system, money above enrolment growth, new investments in public education, but also laid out a way that we can respect the parents who choose independent schools.

Mr McGuinty: Let's review this for the public now. First of all the Premier said he would never do this. After the election you said you would never do this. Now you're doing it. No other jurisdiction in Canada funds private schools in this way. No other province has money for a tax credit so that they're inviting parents to abandon public education, and by the way, no other government has been so determined to kick the stuffing out of public education for six years straight. This is radical, this is a broken promise, but first and foremost, this is wrong.

Madam Minister, if you are so darn proud of this public policy, I ask you once more: why won't you commit to public hearings so that Ontario families and everybody concerned about the future of public education can attend and voice their concerns about your private school voucher program?

1440

Hon Mrs Ecker: We're not holding public hearings on private school vouchers, because there's no one promoting that.

Secondly, the honourable member can try all he wants to make statements that do not reflect the reality in this country, but there are five other provinces that do fund independent schools. Other countries that the honourable member likes to cite in this House as having great records in public education also have support for independent schools. With all due respect, it is not an unusual thing for a government to do.

Thirdly, we respect and support parental choice within the public system. We're putting in place mechanisms by which parents can have stronger voices in the public system. We also respect parental choice outside, in the independent schools. I don't know why the honourable member doubts the wisdom of parents. I don't know why the honourable member cannot accept that parents may wish to make a choice—

The Speaker: Order. I'm afraid the minister's time is up.

New question.

Mr Howard Hampton (Kenora-Rainy River): A question for the Minister of Education. At the same time that your government intends to extend public funding to private schools, you are closing 138 public schools across the province. The school boards are very clear about why it's happening. It's because there's not enough money in the funding formula to allow them to operate their schools, and therefore they have to close. When you close schools like that, it tears the heart out of the community. But what it also means is thousands of young children spending hours on a school bus to get to the next school.

How do you justify closing 138 elementary schools in Ontario at the same time you extend \$300 million of public funding to private schools? How do you justify that?

Hon Mrs Ecker: We have increased funding for school accommodation, for school construction in this province. He may not have noticed it, but we have construction of over 200 new schools, schools in my riding and the ridings of all members here with growing communities with growing families that need new schools. For the first time—under this government, not under his government—we're actually seeing a decrease in the number of portables across this province, a trend I would have thought the honourable member would support, and that is because of the way we assist school boards in funding capital expansion in this province.

Mr Hampton: You're telling boards of education to go out and borrow money if they want to build new schools. The same school boards are telling you that part of the process is that they have to close existing schools. Other boards of education across this province are having to close schools. Kids are having to spend hours on school buses to get to the next school. That's the question, Minister: how do you justify closing 138 elementary schools, forcing children to spend hours on school buses to get to the next school at the same time that you say you've got \$300 million a year in public funding to support elite private schools? It doesn't match. You're closing public schools in order to find the money to fund private schools. How do you justify that?

Hon Mrs Ecker: We have more children in the public education system. That's why we're building more schools—"more" being the operative word here. If the honourable member would like to pretend that in communities where there have been shifts in population, where children have grown up and moved out—if he wants school boards to sit there and pay overhead for schools that are less than a third full in some communities, he should say so. What we are doing with school boards is helping support an expansion in those communities that are growing. We are helping to support higher standards in the classroom with our funding. We are helping to support an improvement in capital construction. His government didn't have the courage to do it. We've made that decision. It's a decision that school boards have said is working well for them in terms of meeting the needs of growth communities. That

is the purpose and objective of trying to build new schools where those are needed.

Mr Hampton: If you're so convinced that using public money, taxpayers' money, to fund private schools is such a good idea, then you ought to hold public hearings and go out there and talk to those parents who are seeing their children bused an hour and a half to get to the next school.

You ought to come to my community, Minister, where the school that I went to is brimming its overflow. They're using portables, yet they have to close the school and bus the children.

You ought to get out there, Minister, and hold those public hearings. You ought to tell those parents who are seeing their school closed, their community school shut down, their children being bused for an hour and a half, why that's a good idea.

Will you hold public hearings, Minister, so that all those parents who are seeing their public schools closed while you fund private schools can have a say in this and tell you whether they think it's a good idea? Will you hold the public hearings?

Hon Mrs Ecker: The honourable member has asked this question before and we have said that the government is making decisions about how consultation should occur on the implementation or the initiatives that are in the budget. You will be one of the first to be informed, sir, when that decision is made.

Let's go back to what's important here. What's important here is, one, that initiative is respecting parental choice. Second, what is also important here is that there is over \$315 million out there for school construction. We have more school construction going on now, some \$3 billion in projects that are going on out there, because of investments we've made in the public education system, because of the commitment to the system, investments that will continue because we agree and we support the public education system.

The Speaker: New question.

Mr Hampton: Again to the Minister of Education, at the same time that you intend to make \$300 million of public money available to private schools, there are thousands of children across this province who need junior kindergarten, who need early childhood education, but they aren't getting it. The boards are clear on why it's not happening: because the money isn't in the funding formula to do it.

Your own study by Fraser Mustard said that this had to be a priority, that if we want children to do better in the education system, we should be funding junior and senior kindergarten.

Minister, how do you justify denying thousands of children across this province the junior kindergarten they need, that Fraser Mustard, in your own report, recommended, while at the same time you can afford public money for private schools?

Hon Mrs Ecker: The budget included \$1,000,200,000 for health care. I don't hear the honourable member

saying that that was taken out of the public education system.

The budget also included more money for GTA transit. I don't hear the honourable member saying that that was being taken out of the public education budget.

There was a 40% increase for children's treatment centres, something that his government didn't manage to do when they were there, a long-overdue decision. I don't hear him saying we took that out of public education, because the truth is quite the contrary: we are putting more money in the public education system, new investments, to help that system.

Mr Hampton: It's interesting that the Minister of Education, who's supposed to be the defender of public education, wants to talk about transportation to deflect attention away from what she's doing to the education system.

Your own Education Improvement Commission said that extending full-day junior kindergarten had to be a priority if children were going to succeed. They said that, yet we see that thousands of children across the province continue to be denied access to junior kindergarten and the senior kindergarten that they need, because you don't have the money. Yet at the same time you can be generous to elite private schools, you can give their parents a \$3,500 tax credit.

Minister, how do you justify it? You deny children who need access to JK and SK. You deny them that access, you won't fund it, but you've got lots of money for elite private schools. How do you justify that?

Hon Mrs Ecker: The honourable member well knows that we do fund junior kindergarten and senior kindergarten in this province. We do, sir, and there has actually been an expansion in some of those junior kindergarten classes.

Second, we continue to increase investments in the public education system. We continue to move forward with a testing agenda, with a comprehensive teacher-testing program, with safe schools, all important priorities that parents said were needed in the public education system. That commitment, those new investments, that commitment to public education stands, and it's as strong today as it's ever been.

1450

The Speaker: New question. Leader of the official opposition.

Mr McGuinty: For the Minister of Education. Madam Minister, your private school voucher program represents a dramatic departure from Ontario education policy. It was something that was never promised; in fact, it was something that the Premier specifically said he would not do. Until recently, you yourself, in your letter that you sent to me, specifically said that we should not do this. You said yourself that this would cost the public education system at least \$300 million per year, with some estimates as high as \$700 million per year. Those are your words. Ontario parents are very concerned about the impact this is going to have on the integrity and

viability of public education, where 96% of our children go to school.

I ask you again: why is it that you will not allow those concerned parents to attend before a parliamentary committee through the public hearing process to voice their concerns?

Hon Mrs Ecker: First of all, it was concerned parents who said, "Invest more in the public education system." We did. It was concerned parents who said, "We want to make a choice to go to a school that might better reflect the religious values of my family." We respected that.

The other thing that I think should be very clear is the budget made very clear that our financial commitment to public education stands, that our financial commitment to public education will increase as it should. No one on this side of the House, no one, supports taking money from the public education system to put it anywhere. That's why we are putting more in the public education system.

The Speaker: Final supplementary?

Mr McGuinty: Madam Minister, what are you afraid of? Why are you ashamed of this policy? Why won't you put it before a parliamentary committee and have it travel the province and give Ontarians the opportunity to comment on your policy? What are you afraid of? Do you know that your government, for a snowmobile safety act, sent this to a travelling public committee that spent five days travelling the province to get feedback from the Ontario public? We're talking here about a dramatic departure for public education.

I ask you once more: why is it that you are afraid of holding public committee hearings that will give the opportunity to Ontarians to voice their very serious concerns about your policy?

Hon Mrs Ecker: The only fear in this chamber is the fear of listening to the honourable member trying to decide which side of this issue he's been on for couple of weeks.

The government is considering decisions about a range of pieces of legislation in terms of how they're going to be discussed. I would welcome the honourable member to come to the debate when this legislation is going to be debated in this House.

It's the views of parents which make a very strong impression on this government. That is why we made the commitments we made to public education. That's why we've made the investments in public education that we've made. That's also why when parents came to us and said they wanted us also to assist, to respect that choice to go to an independent school, for example, a school that might well better reflect their religious values, this government said we were prepared to respect that choice.

The honourable member, again, clearly showed that he thinks he knows better than those parents about what works best for their kids. If he wants the public education system to succeed, then perhaps he might consider supporting—

The Speaker: Order. The minister's time is up.
New question.

RURAL CRIME

Mr Toby Barrett (Haldimand-Norfolk-Brant): My question is for the Solicitor General. One thing we know for sure about crime, it's not unique to large cities. Roughly a quarter of Ontario's population resides in rural communities and on farms. Residents in my constituency of Haldimand-Norfolk-Brant are in that 25%, and they're worried. They're worried about rising crime, as are our big-city cousins. For example, car and truck thefts always seem to be high in our area. We've had tractor theft in Haldimand. One farm meeting I attended, virtually every farmer there had either a tractor or farm equipment stolen from farm buildings or from their farmyards.

Minister, what is the status of rural crime in our province?

Hon David Turnbull (Solicitor General): Regrettably, there has been an increase in rural crime over the last few years. Livestock and farming equipment are very valuable, and farmers and their families have much of their livelihood tied up in these items. Rural communities obviously face a unique challenge, and that is that neighbours often live far away. Everyone deserves to feel safe, whether they live in a city or a rural setting, and that's why the OPP have developed a strategy to respond to rural crime.

Mr Barrett: Minister, I wish to report that in my riding, the Haldimand-Norfolk OPP have confirmed that break and enters did decrease from 921 incidents in 1999 to 908 in 2000, so it has gotten a little better in recent years. As well, auto thefts fell from 504 to 435 in the same period. Unfortunately, thefts over \$5,000 increased from 39 reports to 57 between 1999 and 2000. Could you tell my constituents and other residents of rural Ontario what our government and the Ministry of the Solicitor General are doing to address rural crime?

Hon Mr Turnbull: In 1998 the OPP introduced a special rural crime prevention strategy aimed at reducing the number of break-and-enter crimes.

Interjections.

Hon Mr Turnbull: Apparently the Liberals think this is funny. Our party takes it seriously. You've done nothing about this, you and your federal cousins.

Interjections.

The Speaker (Hon Gary Carr): Order. The Solicitor General, take his seat. Thank you, folks.

The Solicitor General.

Hon Mr Turnbull: The Liberals are soft on crime; we know that.

Funds for the initiatives through the front-line policing crime prevention grant have, in a six-month period, reduced break-ins by 8.8% where OPP jurisdiction lies. So we've expanded, and now have dedicated rural and agricultural crime teams. We're funding \$4 million per year, allocated for the next three years.

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Minister of Education. I want to draw to your attention Bill 12, An Act to increase the safety of equestrian riders, a private member's bill put forward by a colleague of yours in your party. The bill is one page in length, and I wonder if you know that this bill is the only matter of business before the justice and social policy committee and a full day of public hearings has been set aside to consider the matter of equestrian helmets.

It seems to me, in the grand scheme of things, that if your government believes it's important to award one day of public committee hearings for equestrian helmets, surely you can see your way to seeing that we have several weeks made available for public committee hearings for your private school voucher bill.

Hon Janet Ecker (Minister of Education, Government House Leader): First of all, I can give you one guarantee: there's not going to be one day of public hearings on a private school voucher bill proposal, because that's not what's before this Legislature.

Secondly, I think it is important to have hearings on that particular bill, which the honourable member has worked very hard on. Many pieces of legislation that come through this House have hearings, and when the government has made some decisions around the hearings around bills, around the consultation and discussion that have to be done on any number of pieces of legislation that are coming before it, we'll certainly let the honourable member know.

Mr McGuinty: Madam Minister, I want you to explain this to the Ontario public now, because I'm sure they're somewhat confused about your priorities over there. When it comes to an equestrian helmet bill, you can set aside one full day of public committee hearings. When it comes to a snowmobile safety bill, you set aside five full days—extended over the course of two weeks—of public committee hearings, which travelled.

Why is it, then, that when we have your new education policy, a matter which is far-reaching, which is unprecedented, which represents a dramatic departure from traditional education policy in Ontario, which was never promised during the course of the campaign—in fact, it was specifically promised by the Premier not to go there and, more recently, you yourself said you weren't going to go there. Why is it, in view of all of that, Madam Minister, that you can't give us even one single day of public committee hearings on your bill?

1500

Hon Mrs Ecker: As the honourable member, if he would bother to listen, would know, first of all the Ministry of Education—

Interjections.

The Speaker (Hon Gary Carr): Minister, take your seat. Thank you. Minister.

Hon Mrs Ecker: I've already answered the honourable member's question. He doesn't want to listen,

and that's fine, but you know what? The legislation that is being debated in that committee had to do with a child who died. Now, he may not think that's important, but the members on this side do believe that that particular debate is important. When the government has decided about the range of discussions and consultation that may be needed on budget bills, on other legislation that is before this House, we will certainly be announcing that. But for him to continue to try to make allegations in this House I think is grossly unfair to all of the members in this Legislature.

The Speaker: Stop the clock.

Mrs Lyn McLeod (Thunder Bay-Atikokan): On a point of privilege, Mr Speaker: I think it's important at this point to make it very clear that the bill, Bill 12, which is indeed valuable legislation, has all—

Interjections.

Mrs McLeod: Mr Speaker, if I may. That bill—

Interjections.

The Speaker: Order. Next one this side yells, they're out.

I hear points of order, point of privilege; I've told you a lot of times, I need to hear them. You can heckle the other politicians. I need to hear points of order and points of privilege. Next one on the government benches that does it is out.

Member for Thunder Bay-Atikokan, sorry for the interruption.

Mrs McLeod: But that is a bill which has all-party support. It is totally non-controversial. We agree it's important, we don't believe it needed to have public hearings to give it our support; we do believe—

The Speaker: Order. There's no point of privilege on that. Sorry for the interruption. We're back to questions.

SCIENCE FAIR

Mr Ted Arnott (Waterloo-Wellington): To the Minister of Energy, Science and Technology. Minister, we are all aware how important it is to have young people of this province interested in science. Science is a necessary component of our future. How is the government working to interest young Ontarians in science careers?

Hon Jim Wilson (Minister of Energy, Science and Technology): I thank my colleague for the question. The government is committed to increasing young people's awareness of science, technology and innovation in this province through a number of initiatives. Most recently the Ontario government was proud to support the Canada-Wide Science Fair in Kingston. The fair saw approximately 450 of Canada's top young minds in science and technology from grade 7 to high school graduation compete in a number of categories, including computers and biotechnology.

Over 150 of those competing students were from Ontario, and I'm pleased to report that Ontario students earned 10 gold medals and 51 medals overall, as well as 33 honourable mentions. Ontario students attending the

fair were part of Sci-Tech Ontario, a project sponsored in part by the Youth Science and Technology initiative of the Ministry of Energy, Science and Technology. This initiative will commit \$5 million—that's the first time in the history of this province—toward science and technology awareness partnership projects by the end of 2005.

Mr Arnott: Minister, I want to thank you for that fine answer, and I want to say that I've been informed that a student from Waterloo-Wellington, Ben Schmidt, was very successful at the science fair. Could you please tell the House about his gold-winning project.

Hon Mr Wilson: I had an opportunity to meet Ben Schmidt of Elora, and yes, he was awarded best junior project at this year's fair.

Interjections.

Hon Mr Wilson: Hey, this is important to Ben Schmidt and his family and to science and technology in the province, so why don't you pay attention over there?

His project, called RAT: Remote Access Topography, was judged to be the best of the 125 grade 7 and grade 8 projects from across the country presented at this prestigious annual event. He designed, built and programmed a robot to create a map while finding its way to a goal through an obstacle course. This robot then uses the map to return, using the most direct path, just like a rat solving a maze. Hence, the name of the project.

Ben will be a guest of honour at the Ontario Research and Development Summit to be held by the Ontario government Research and Development Challenge Fund on May 30. I think the honourable member, and all members of this House, should extend congratulations to Ben Schmidt for his award-winning project.

HOME CARE

Ms Frances Lankin (Beaches-East York): My question is to the associate Minister of Health. Minister, community care access centres all across this province are sending out notices to tens of thousands of frail seniors, telling them the bad news from the Harris budget. An 80-year-old who is incontinent and has had to make do with two baths a week has been told she can only have one. A 90-year-old who just had knee surgery has had all of her homemaking hours cut and now will only get one hour per week of personal care. A retired civil servant who is a polio survivor with one paralyzed arm and a 50% breathing capacity has been cut from three hours per week to one, and others are being cut off completely.

I've heard from CCACs in Windsor, Niagara, Waterloo, East York, Scarborough, Kingston, Sudbury—all across this province. The bottom line is that your inadequate base funding plus your new no-deficit law means that tens of thousands of frail seniors and disabled people are losing their services starting Monday, June 4. Minister, will you reconsider and increase the CCAC base funding so they can meet the need for services in their communities?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'd like to thank the member opposite for the question. Let me say that health care in the province of Ontario is very important. As we heard earlier today, the Mike Harris government put \$1.2 billion into health care this year in their budget. It was a substantial increase of about 5.4% to health care.

With respect to CCACs, let me say that from 1994-95 to 2000-01, we have increased long-term-care community services by 57% and we've also increased in-home service funding by 77%. We've made a substantial commitment to CCACs across the province.

The Speaker (Hon Gary Carr): Supplementary?

Ms Shelley Martel (Nickel Belt): Minister, the question was, will you increase base funding to CCACs so that everyone who needs in-home health care can get it? You know, Minister, that ever since you've been the government, every single year you've had to bail out CCACs at the end of the fiscal year. We have a situation in northern Ontario now where eight of the nine CCACs have a combined deficit of \$20 million.

In the case of Sudbury-Manitoulin, as a direct result of your underfunding of the CCAC, the CCAC held a press conference last week and announced it would have to cut \$1 million in critical home care services, which will have a terrible effect on seniors, on the disabled and those being discharged from hospital. The result will be they will have to pay for it themselves even if they can't afford it, they will have to go without because they can't afford it or you will force them into long-term-care institutions because they can't remain in their own homes because they don't have the support.

Minister, despite a promise made by Cam Jackson in 1998, the Manitoulin-Sudbury CCAC has still not received equity funding. It was supposed to last year and this year, and not a cent has been received. The question is, when will you provide additional base funding to all CCACs and when—

The Speaker: Minister?

Hon Mrs Johns: The Mike Harris government is very committed to making sure that health care is in the communities where it's needed, when it's needed, and we take that commitment very seriously. As I said earlier, we have made substantial commitments by putting dollars into in-home services in the province of Ontario, increasing them by some 77% since the party took power in 1995. It's our goal to continue to make sure that we provide the best-quality health care services we can in the home. We know that this helps seniors and people who are at home to ensure that they are able to stay in their homes as long as possible, and that's a very serious commitment. That's why this government has made those kinds of substantial commitments, not only to community care access centres but to health care all across the province.

1510

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Minister of Education. Minister, I want to return to your total absence of any sense of proportion when it comes to the value of public hearings for your private school voucher program. Not only did your government hold one day of public committee hearings for the equestrian helmet bill and five days for the snowmobile safety bill, you also held four days of public hearings for the Local Control of Public Libraries Act, you held two days of public hearings for the Electronic Commerce Act and you held public hearings in connection with the Savings and Restructuring Act, the aggregate and petroleum act and a host of others. Madam Minister, we're talking here about a policy that will impact the 2.25 million Ontario children who attend public schools. It's their future that hangs in the balance and, by that, our future as a province.

So I'm asking you, Madam Minister, on behalf of all those kids and all their parents, why is it that we can't have public committee hearings when it comes to your bill?

Hon Janet Ecker (Minister of Education, Government House Leader): The biggest threat to those over two million children in the public education system is those individuals who believe—and it's not a unanimous thing—that political protest is acceptable in the classrooms. That is the biggest threat to public education that we have in this province today, because teachers went to teachers' college to teach, not to be involved in political protests. Students who go to school are going to learn; parents are sending them there to learn.

When the task force we put in place to make recommendations about how to resolve the current disputes that existed over extracurricular activities said that everyone should join together to tell the unions to help, support and encourage their teachers to do extracurricular activities, instead of using it to be a political protest, did the Liberal Party support that recommendation? Did they come out with the students and the parents?

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Final supplementary.

Mr McGuinty: Madam Minister, on behalf of those 2.25 million children, I wonder if you might, just for a moment, stop finding enemies of the state everywhere, stop fighting with teachers and unions and focus on the issue at hand.

You are putting forward a policy which is very far-reaching, which is unprecedented, which we had no notice of, which is going to affect our children and the education they receive inside the public education system. You've given public hearings for all kinds of other bills which, while worthy in the grand scheme of things and with a measured sense of proportion, are not

as worthy as your policy in terms of the impact that it's going to have on our kids and their future.

I ask you once more on their behalf and on behalf of their parents, why is it that we can't have full, travelling, public committee hearings for your policies?

Hon Mrs Ecker: Public committee hearings, travelling hearings and meetings with stakeholders are all part of the consultation decision that occurs on budget bills. That is not unusual.

As I said to the honourable member, when decisions are made about what discussions, what consultations, what meetings and what hearings will take place about any of the pieces of legislation that are before this House or that will come before this House, we will certainly let the honourable member know.

I will be very pleased to tell all of those other stakeholders who think that those bills that are having public hearings are not as worthy as another issue. I don't think ranking the worthiness of legislation and bills in this House is appropriate.

Our commitment to those over two million students in the public education system stands. That's why we're bringing in higher standards, which he opposed, safer classroom legislation, which he opposed, testing—

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

WINE INDUSTRY

Mr Bart Maves (Niagara Falls): My question is for the Minister of Agriculture. Minister, the Niagara region is well known as a tremendously abundant fruitland area, particularly for its grape and wine industry. I know that grape growers and winemakers have made great inroads in the past few years into new markets. Past ministers have worked with myself and the member for Erie-Lincoln on successfully bringing in new VQA legislation, direct delivery regulations and have opened up the European market.

Could you stand in your place today, Minister, and tell this House what you, as the Minister of Agriculture, are doing to ensure this industry continues to thrive?

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): I thank the member for Niagara Falls for the question. Just a few weeks ago, I was in the heart of wine country at one of the many terrific wineries that are in the Niagara Falls area. My colleague the Minister of Tourism, Culture and Recreation joined me at Vineland Estates to announce our government's announcement of just under \$1.2 million.

This project will expand domestic and export markets for Ontario wines and, at the same time, create a stronger tourism industry in the wine region. Under the healthy futures for Ontario agriculture program, we've joined forces with the Wine Council of Ontario and the Ontario Restaurant Hotel and Motel Association to put the wines of Ontario front and centre across this country and in countries around the world. We expect this project to increase domestic sales of Ontario's wines by \$51

million, increase export sales by \$1 million and create an additional 1,000 jobs.

Mr Maves: I'm glad to see you are continuing to work in co-operation with the wine industry, ensuring that Ontario's wine is enjoyed around the world. However, being from the Niagara area, I know the wine industry demands a pretty highly skilled labour force. Have you done anything to help fill those 1,000 new positions?

Hon Mr Coburn: The member is quite correct that the new jobs in the wine industry will demand talented, highly skilled people. That's why we have, under the rural youth job strategy, invested more than \$570,000, and another \$2-million project will prove to be a win-win situation for young people in rural Ontario and certainly in the wine industry. This gives students from across the province an opportunity to learn about, and eventually get a job in, one of the province's most exciting sectors. In addition, the industry will benefit from a new generation of well-qualified wine experts.

This project is a joint effort between the provincial government and the private sector. I believe this project is a great resource for Ontario's youth, especially for those interested in working in the wine industry.

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition):

A question to the Minister of Education: you're telling us now that you're talking about some kind of consultations and some kind of hearings after this bill becomes law. We don't want those hearings at that time; we want, on behalf of Ontario families, and especially Ontario parents, the opportunity to voice concerns before this bill becomes law, in the hope that somehow we can influence you into understanding something you and the Premier used to understand, that a voucher program is not in the interest of public education. It's not in the interest of the 96% of Ontario children who go to public schools. It's not in the interest of the 2.25 million Ontario kids who go to the public system day in and day out. On behalf of those children and on behalf of those parents, tell us why we can't have public committee hearings.

Hon Janet Ecker (Minister of Education, Government House Leader): First of all, I agree with the honourable member that vouchers are not in the interest of the 2.25 million students. That's why we're not doing it. That's why we're putting in place something that respects and supports parental choice.

Secondly, I've already answered the honourable member's question on a number of occasions regarding further steps of consultation, discussion, hearings or whatever with this legislation, as with other legislation.

We on this side of the House do not need any lectures from the honourable member about commitments to public education. We've put forward more money, new investment. Every piece of legislation we've brought forward to put in standards he's opposed. When we said school boards shouldn't take special education money

and spend it on other things, he disagreed with that, because he voted against the bill. When we brought in legislation that said that classroom dollars could only be used in classrooms, he voted against that. Every standard we bring in to—

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

Mr McGuinty: If the minister won't accept my advice, then how about a lecture from one Janet Ecker in your letter to me, Madam Minister, before you performed your flip-flop of Olympian proportions. You said at the time, "extending funding to religious private schools would result in fragmentation of the education system in Ontario and undermine the goal of universal access to education." You also said this would cost somewhere between \$300 million and \$700 million. Furthermore, you said that would have to come out of public education funding. If you are so proud of your policy, which apparently you are, then why are you afraid to take it out and expose it to the light of day and give parents an opportunity to comment on this bill? I ask you once more: why can't we have public committee hearings on this bill?

1520

Hon Mrs Ecker: I've already answered the honourable member's question on public hearings. I'm opposed to taking public money—

Interjections.

The Speaker: We'll wait.

The Minister of Education.

Hon Mrs Ecker: I've already answered his question, but his caucus was making so much noise that I'm sorry he missed it.

The Speaker: New question. The member for Parry Sound-Muskoka.

Interjections.

The Speaker: Stop the clock.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: Are hissy fits allowed in the standing orders?

Interjections.

The Speaker: The member for Parry Sound-Muskoka.

Interjections.

The Speaker: OK, folks. Everyone take their seat. I'm going to start to throw people out starting right now.

Interjections.

The Speaker: Minister? Thank you.

We were at the member for Parry Sound-Muskoka with a question.

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: I think the comments made by the member opposite with respect to the Minister of Education were both unparliamentary and unnecessary, and—

The Speaker: Take your seat. Do you know what we're going to do? I allow points of order because I treat them very seriously. They are now getting abused, and I'm going to get up very quickly. It's not going to be part

of the debate any more. If you want to use a point order and you want to use it up, we're going to let the clock run and I'll stand up and we won't have any question period. It's as simple as that. It is now being abused.

Applause.

The Speaker: Thank you very much. I don't need any clapping on it.

The member for Parry Sound-Muskoka on a question.

Ms Frances Lankin (Beaches-East York): On a point of privilege, Mr Speaker: I hope this is not considered abuse. While I may disagree with the minister, I found the remarks of the member from Windsor extremely sexist and I am offended. I would ask him to withdraw them.

The Speaker: Any of the members can withdraw if they would like.

The member for Parry Sound-Muskoka.

NORTHERN ECONOMY

Mr Norm Miller (Parry Sound-Muskoka): Thank you. I feel like a yo-yo over here, jumping up and down.

My question today is for the Minister of Northern Development and Mines.

Interjections.

Mr Miller: I guess the yo-yos are on the other side.

Last Wednesday—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Again, if you guys want to keep it up, that's fine. I'm going to pick people out starting right now. If you don't want to be here for the day, that's fine. The same for you, member for Parry Sound-Muskoka.

I have to get up just as many times. We've been up three or four times. We're going to ask him to ask the question. A lot of it is the government members. It's your own member asking the question. I'd appreciate it if you would let him do it.

The member for Parry Sound-Muskoka.

Mr Miller: Thank you, Speaker.

Last Wednesday in my riding of Parry Sound-Muskoka, I had the privilege of announcing a \$100,000 investment from the northern Ontario heritage fund to construct an outdoor recreation facility on the Wasauksing First Nation reserve. This new facility will be used for hockey, skating, basketball, roller hockey and other sports throughout the year. The Wasauksing First Nation has about 500 residents, and they will also be able to use the facility to host powwows and other cultural and recreational events.

The residents of my riding were very excited to see that the Mike Harris government is keeping another promise, that of fostering economic development in the north and in First Nations communities.

Minister, could you tell my constituents about some of the other projects that have been announced lately which will foster growth in northern communities in the 21st century?

Hon Dan Newman (Minister of Northern Development and Mines): The member for Parry Sound-Muskoka makes an excellent point: our government is firmly committed to economic development in northern Ontario.

So far during this month alone, the northern Ontario heritage fund has invested more \$4.5 million in northern communities. Some of the projects include more than \$4 million to expand cellular phone service in the Kenora and Greenstone areas, more than \$243,000 to expand the Valley East industrial park in the city of Greater Sudbury, \$102,000 to conduct a tourism study to attract new businesses to the town of Kirkland Lake, \$100,000 for the construction of a new main lodge at Camp Bickell in the Iroquois Falls area. All these announcements further demonstrate the Mike Harris government's commitment to northern Ontario.

Mr Miller: I'd like to thank the Minister of Northern Development and Mines for his answer. As a tourism operator and as the member for Parry Sound-Muskoka, where many of my constituents are involved in the tourism industry, could you please tell the members of the House today how the northern Ontario heritage fund has benefited and strengthened the tourism industry in northern Ontario?

Hon Mr Newman: Again I'd like to thank the member for Parry Sound-Muskoka for his question. Tourism is one of northern Ontario's most important industries. In fact, direct tourism expenditures amounted to \$1.2 billion in 1999. In addition, the northern Ontario tourism sector supported almost 43,000 jobs in 1999.

As a result of the investments in the northern tourism industry in 1996, a further economic gain of more than \$400 million province-wide, an additional 7,600 jobs and an additional \$109 million in tax revenues to the three levels of government have been generated. From 1996 to 2000, the northern Ontario heritage fund has approved 141 projects related to tourism, which have totalled over \$8.5 million, and these projects alone have created 2,380 jobs. This is great news for northern Ontario.

COMPETITIVE ELECTRICITY MARKET

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Energy. Last week, Abitibi-Consolidated announced that they're closing their paper mill in Kenora for the next three months and possibly longer; 333 people lose their jobs for at least the next three months and 147 are out of a job for good. The manager of the mill was very clear. He said that a 14% increase in electricity rates has forced up their costs of production.

Minister, there are over 20 paper mills across this province that are directly responsible for over 15,000 jobs. As you go about your process of increasing electricity rates and then privatizing electricity so that the rates can go even higher, how many paper mills are you prepared to sacrifice and how many thousands of jobs?

Hon Jim Wilson (Minister of Energy, Science and Technology): The decision to pay off Ontario Hydro's debt is one that the honourable member should have taken when he was in office and the Liberals should have taken when they were in office. It's a shame that they didn't do anything during their 10 years in government. As a result, we're faced with the situation that the debt has increased, that the payments coming in from an eight-year freeze in electricity rates in the province are simply not enough to cover the debt repayments, some \$38 billion left behind by previous governments. Secondly, we spent over \$2 billion on Ontario Power Generation over the last six years improving our environmental record, and the Minister of the Environment has announced tough new emission standards which will require us to spend another \$1 billion. That's \$3 billion that we don't have to put toward the debt and therefore we have increased electricity prices slightly across the board for all consumers and all companies and Abitibi. I regret that we had to make that decision, but I think they understand that we have to pay the debt off.

Mr Hampton: The question was, how many thousands of jobs are you going to sacrifice in this industry and in other industries? Your phony story about the debt doesn't wash, because what you're doing is selling the assets to your private corporate friends at a cheap price and you're going to saddle the people of Ontario with the debt. You're giving away good assets and you're forcing up the price in the process.

Minister, there are literally hundreds of other jobs in this community that depend upon those jobs in the paper mill, and so my question is, what are you going to do to ensure that we don't lose thousands of other jobs in this province because of your privatization of electricity, and what are you going to do to help this community, to help them get back on the road? So far all you're doing is putting more obstacles in their place.

Hon Mr Wilson: The honourable member knows that we continue to have very competitive electricity prices in this province. In fact, he has complained so often that because we have such competitive electricity prices we're going to sell all our power to the States, which has higher prices. The honourable member can't suck and blow at the same time.

Abitibi is very much in favour of deregulating the market. I met with company officials in April. Let me tell you what they said the day after our meeting in April. "Ontario business cannot withstand the inefficiencies of a market that is not truly competitive. Abitibi-Consolidated has been diligent in preparing for deregulation and will be ready to fully participate." That's from Pierre Côté of Abitibi-Consolidated.

I know the company management understands that this is a difficult decision for the company, and I have offered the assistance of the government of Ontario in anything else we can do to help the company through these difficult times.

1530

ONTARIO DRUG BENEFIT PROGRAM

Mrs Lyn McLeod (Thunder Bay-Atikokan): In the absence of the Minister of Health, I'll direct my question to the acting Premier. It may be appropriate, since she is of course the former Minister of Health. As such, Minister, you will be aware that there is a new treatment for macular degeneration, a condition which in many patients cannot be treated by current treatment methods. That treatment is Visudyne. The request for approval for funding under the drug formulary for that treatment has been before the Ministry of Health for some time now.

In answer to the requests of literally hundreds of people who are waiting for approval of that to be able to start the treatment—the answer was expected by the end of February. It is still being delayed. It is being considered only as a section 8 request.

Minister, whether in your capacity today as acting Premier or in your capacity as the former Minister of Health, can you tell those hundreds of people who are waiting to know whether they can get treatment that will prevent them from becoming blind when they are going to get that answer?

Hon Elizabeth Witmer (Minister of the Environment): Certainly I share the concerns of the member. You can be assured that I'll certainly take the question under advisement. I hope that the Minister of Health will be able to provide a response to you.

PETITIONS

MUNICIPAL RESTRUCTURING

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

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs;

"Whereas the promise of tax decreases has not been met, based on current assessments;

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times;

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario:

"Immediately rescind this forced amalgamation order and return our local municipal government back to the

local citizens and their democratically elected officials in Victoria county”—

Interjection.

The Speaker (Hon Gary Carr): Order. Will the member take his seat.

We won't have behaviour like that from the associate Minister of Health. It's lucky she left.

Laughter.

The Speaker: And there's no laughing back there either. Coming up and yelling at people like that is a disgrace.

Member for St Catharines, sorry for the interruption.

Mr Bradley: Thank you, Mr Speaker. I'll get to what they ask for in the petition:

“Immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has ordered on all local residents.”

I affix my name to the petition, as I'm in agreement.

EDUCATION TAX CREDIT

Mr Toby Barrett (Haldimand-Norfolk-Brant): I've received hundreds of letters and now petitions asking for choice to attend private schools, a petition signed by people from, for example, RR 1, Jarvis; 2nd Line, Hagersville; 4th Line, Caledonia; and the town of Simcoe.

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or other religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

I fully agree with the people who have signed these petitions and I hereby affix my signature to these petitions.

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This is a petition to the Ontario Legislature. It's dealing with northerners demanding that the Harris government eliminate the health care apartheid which is still being practised in the province of Ontario.

“Whereas the northern Ontario 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”—we consider that health care apartheid;

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

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

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

“Whereas we support the efforts of OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed 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.”

Of course, I'm in agreement so I affix my signature.

EDUCATION TAX CREDIT

Mr Bill Murdoch (Bruce-Grey-Owen Sound): “To the Legislative Assembly of Ontario:

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

SERVICES FOR THE DEVELOPMENTALLY DISABLED

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

“Whereas this government is planning a complete overhaul of the developmental services system, which could result in the closure of the three remaining developmentally handicapped regional centres;

“Whereas suitable quality medical, behavioural, social, emotional and spiritual services are readily available in the three remaining centres; and

“Whereas there is a distinct deficiency of services available in the private sector, including dentists, kinesiologists, psychiatrists, physicians, and emergency services;

“We, the undersigned, petition the Legislative Assembly of Ontario to ask that you recognize that the three remaining centres for developmentally handicapped individuals are providing a community for the residents that live there, and acknowledge that these centres deliver quality care and services by keeping them open and by directing private/public agencies with limited resources and services to access the resources at the centres and to work in partnership with them.”

It's signed by a number of residents from Chatham, Leamington, Coatsworth and Blenheim, and I have affixed my name to it.

EDUCATION TAX CREDIT

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

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

Mr Joseph Spina (Brampton Centre): “To the Legislative Assembly of Ontario:

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are the best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit”—not a voucher—for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

I agree with this and am pleased to affix my signature.

1540

POLICE PROVINCIALE DE L'ONTARIO

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): I have a petition with more than 2,500 names from concerned citizens of the village of Casselman.

« À l'Assemblée législative de l'Ontario :

« Attendu que la sûreté provinciale de l'Ontario doit déménager de Casselman après 35 ans et plus d'existence, à cause du manque d'intérêt des entrepreneurs locaux de leur fournir un nouveau local de 8 000 pieds carrés ;

« Attendu que le manque d'intérêt des entrepreneurs locaux de soumissionner pour fournir un nouveau local à la sûreté provinciale de l'Ontario est la durée du terme de location maximum de cinq ans ;

« Attendu que la population de Casselman et des environs s'objecte au déménagement de la sûreté provinciale de l'Ontario,

« Qu'il soit résolu que l'Assemblée législative demande au premier ministre de l'Ontario, l'honorable Mike Harris, et à son ministre, l'honorable David Turnbull, que de nouvelles soumissions soient ouvertes avec location de bail pour une période minimale de 10 ans, et renouvelable après l'expiration ; et de plus,

« Qu'il soit résolu que l'Assemblée législative demande au premier ministre de l'Ontario, l'honorable Mike Harris, et à son ministre, l'honorable David Turnbull, de s'assurer que si les soumissions ne sont pas

ouvertes à nouveau, les conditions du bail offert pour une durée de cinq ans soient respectées.

« Nous, soussignés, résidents et commerçants du village de Casselman, nous objectons fortement au départ du détachement de la police provinciale de Casselman. »

J'y ajoute ma signature.

EDUCATION TAX CREDIT

Mr Ernie Hardeman (Oxford): I have a petition here concerning the tax credit for independent schools, and it's to the Legislative Assembly of Ontario:

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

It's signed by a great number of my constituents.

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 or their agents.”

I affix my signature to this petition.

EDUCATION TAX CREDIT

Mr R. Gary Stewart (Peterborough): I have a petition that reads:

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

I affix my signature to the petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael Gravelle (Thunder Bay-Superior North): Northern Ontario residents are still outraged by the lack of action related to the northern health travel grant, and I have petitions that continue to come in.

Mr James J. Bradley (St Catharines): They're still outraged.

Mr Gravelle: They're still outraged.

“To the Legislative Assembly of Ontario:

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

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

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

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

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

“Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel

grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in their communities.”

I am strongly supportive of this, of course, and happily sign my name to this petition.

ORDERS OF THE DAY

REMEDIES FOR ORGANIZED CRIME AND OTHER UNLAWFUL ACTIVITIES ACT, 2001

LOI DE 2001 SUR LES RECOURS POUR CRIME ORGANISÉ ET AUTRES ACTIVITÉS ILLÉGALES

Resuming the debate adjourned on May 17, 2001, on the motion for second reading of Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities / Projet de loi 30, Loi prévoyant des recours civils pour crime organisé et autres activités illégales.

Mr Peter Kormos (Niagara Centre): It's finally my turn. It's been a long time coming, but at the same time this is all so much like déjà vu all over again, because it seems like only a short while ago this bill was before this Legislature, albeit with a different bill number. But then the government killed their own bill. I find that peculiar. I suppose I shouldn't. It demonstrates the naïveté that I have, after even this many years here, that there are things that governments could do that still surprise me, that shock me, that leave me pondering, as I scratch my head, saying, “How could this be?” How could the government introduce a bill with such fanfare? All the flags were waving and the trumpets were blowing and there were backdrops and there were spotlights and there were loudspeakers and there were microphones and there was hoopla. There was everything but pompoms.

Mr Garfield Dunlop (Simcoe North): We'll do that next time.

Mr Kormos: Listen, yes. There are more than a few government backbenchers who would be more than pleased to line up to do the pompom routine just to get in good standing. We see the pompoms being shaken and rattled and flayed around from time to time.

Interjection.

Mr Kormos: I do too. Those were the good days, let me tell you. A lot has changed since then, hasn't it, Mr Tilson?

So there was this grand, remarkable, energetic, enthusiastic announcement of this bill in its first incarnation. But it was killed by the government. Heck, we had second reading debate. It went to committee. I was there at committee.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): No, we didn't. It was after first reading of the bill.

Mr Kormos: It didn't even have second reading debate. Thank you very much, Mr Tilson. He's got me rattled now. I'm grasping for words. I'm shaken. Perhaps I should just relinquish my time and sit down. I've just been cut off at the knees by the rapier-like attack of my counterpart here on the front benches, but off to the side, of the Tory caucus.

In any event, we had committee hearings and the government was promising amendments. But then, boop, the bill crashed and burned at the government's own hand. Incredible, you say. And here we go, we've got the bill one more time. This time, though, the press conference was down at police headquarters, and they had the backdrop once again and they had the loudspeakers and they had the movie cameras and the TV cameras. They had the little PC caucus camera person there and all the hangers-on and functionaries with their little tape recorders making sure the minister was recorded so that just in case somebody said the minister said something he didn't say, it was on tape. It was the same bill, the same theme all over again.

1550

I would not suggest—it would be irresponsible to suggest—there is any member of this Legislature or, quite frankly, that there ever has been that I'm aware of, who wouldn't agree that crime has to be tackled, that crime has to be fought head-on. In fact, I'm dismayed, and I know a whole lot of the people are, who read some of the same headlines I did over the last week or 10 days by authorities saying organized crime will never be defeated. Did you read some of those same headlines? “We'll never stifle, we'll never crush, organized crime.” I don't find that particularly heartening.

I think it's an attitude that could be just an attitude. It could be an acknowledgement by policing leaders or, if it were to be uttered by government leaders, an acknowledgement by government that there are never going to be sufficient resources given to the police and to the criminal justice system to indeed take on crime, especially organized crime—very vague in its own right—organized/biker crime. The government has, in the announcement of this bill, both the first time and now for the second time, successfully and not inappropriately talked about organized crime—the mob, I suppose, from time to time, but the mob in all its forms, and, of course, biker crime. The press has made us all aware of the extent to which biker organizations have permeated certainly Quebec and Ontario, and I'm sure the rest of Canada, the United States and beyond North America. And this is what the government tells us is going to tackle organized crime.

As I said, it would be irresponsible to suggest that any member of this Legislature doesn't share a serious level of concern about crime in general, and there isn't a single member of this Legislature who would take any glee in the victimization of people.

More often than not, who are victims of crime? Victims of crime tend to be young people. Victims of crime tend to be old people, senior citizens. You see,

really rich people don't tend to get B and E'd. Their houses don't tend to get broken into, because really rich people have big gates and spotlights and electronic surveillance and those burglar alarms. Sometimes they've got private security guards who patrol their estates.

I'm not sure, but I suspect it's been a long time since John Roth got B and E'd. I suspect it's been a long time since Frank Stronach got B and E'd. The fact is that B and E artists don't break into the houses of John Roth or Frank Stronach. How do I put this? If you were going to B and E a place, John Roth's stereo system has got to be worth a heck of a lot more than the stereo system in some ordinary folks' family home. But rich people have big gates, they've got fences, they've got dogs, they've got private security. They tend not to be victims of break and enters. Really rich people don't have to walk on dark streets from the subway stop to their home. Really rich elderly women tend not to get mugged, because really rich elderly women have the car waiting for them on Yorkville Avenue. They get in the car and get driven up The Bridle Path to where they live and the driver lets them out and everything's fine.

Victims of drugs and drug trafficking—our young people are the perpetual victims of drug traffickers. Young people perhaps whose lives, for reasons beyond their control, quite frankly, because of their academic circumstances, become increasingly desperate, they're the victims of drug trafficking. We're told, and I have no reason to disbelieve this, and in fact all of the evidence indicates, that organized crime and biker gangs, as an integral part of organized crime, are right there, are critical to the large-scale trafficking of drugs and the addiction of more and more young people.

The people who get duped by the con artists, the telephone scams and the door-to-door solicitations, which we're told again are very much the activities of organized crime, the fraud—not the violent crime now, except how can you say it isn't violent to steal some senior citizen's modest savings? The fraud crime, the bunco artists, again they prey on seniors and lonely people, and it's a source of some great despair to think that there are people in law enforcement, people in government who say, "No, we can never win the fight against crime, especially the fight against organized crime." It seems to me to be throwing in the towel or, as I say, it's an acknowledgement that this government is not prepared to, and will not, and nor can we expect it to, devote sufficient resources to fighting crime.

The government says this bill is going to be its tool, its weapon of choice, if you will, for its attack on organized crime. Look, New Democrats here have supported every effort that has come up in this House to attempt to make our streets safer, to attempt to make our criminal justice system work better. Indeed, on the sex offender registry, New Democrats moved amendments to make that law tougher so it would include yet more convicted sex offenders. With its majority power in committee, the government voted down the New Democratic Party amendments that would have made the sex offender

registry tougher and more effective. Who's tough on crime now and who's soft on crime?

Remember the legislation dealing with high-speed chases and the penalties imposed upon people who force the police to pursue them in that very dangerous way? New Democrats moved amendments to make that legislation tougher, and the government voted them down. When it came time to deal with the impounding of vehicles for suspended drivers whose licences were suspended by virtue of the fact they were not just drunks but drunk drivers, New Democrats moved amendments to make the law tougher, but the government voted those amendments down.

I have some real concerns about this government's persistence in describing itself as being tough on crime, of course with the implication that the opposition somehow is soft on crime, when in fact the evidence and the history are very clear, and that is that New Democrats have been there in the forefront to give the courts better tools, more effective tools, to give the police a more meaningful arsenal. Indeed, it's New Democrats who have been standing up in this House over the course of the last six years reminding this government as often as we've been able to that there are fewer police per capita on the street today than there were when the Conservatives got elected. How can you fight crime, how can you bust drug dealers and how can you investigate sophisticated scams and frauds when cops don't have the resources in terms of staffing to do it?

There are police forces in this province, I suspect more than a few of them, and I've talked to some of them, that no longer attend at the location of a break and enter. You understand what I'm saying? You come home from wherever, from vacation or from work, your house has been broken into, your stuff is scattered all over, stuff is stolen, gone—I've got to tell you, you never really can identify everything that's stolen in most break and enters. Long after you've settled with the insurance company, you realize that that wedding ring that you got from your mom, for instance, or your grandmother, that yes, it was in that cupboard, in that drawer, and that's gone, too—long after you settled with the insurance company. Break and enters mangle; they impact on people for literally lifetimes. They're especially horrific for senior citizens, because it makes them fearful to be in their own homes long after the break and enter itself.

1600

You see, we've got police forces, more than a few of them, that don't even send a police constable officer out to a break and enter scene. It's a matter of, "Well, phone in your report; we're not going to really investigate," because they don't have the resources. They've been forced to prioritize. Property offences, car thefts—I've had police officers tell me that car thefts aren't investigated either, that the reports are processed for the sake of information for insurance purposes, but that they're not investigated. And we all know that car thefts are one of the prime activities of organized crime. The containers—at least once a year the insurance industry

publishes what are the hottest cars to be stolen, because these are the ones that are being shipped in shipping containers on freighters to South Africa, to eastern Europe now, which I'm told and have read is a destination, and Lord knows to where else in the world.

We're talking about BMWs, Volkswagen Passats, those sorts of things—big bucks; big money. Yet I'm told by some police forces that they don't investigate car thefts, because they simply don't have the staffing, they don't have the resources. But the government says this bill is going to tackle organized crime. Well, let me tell you this: New Democrats have supported, have proposed and will support and will work to strengthen legislation and policies which give police tools to investigate crimes and to bust, arrest criminals. And we should give courts the resources to make sure that those criminals are properly prosecuted.

But I'll tell you right now, New Democrats aren't going to support this bill, because this bill doesn't achieve anything; this bill doesn't achieve any of those goals.

I was down at the East Mall—you're undressing, Speaker. Well, you are. I'm embarrassed, I just wanted to let you know.

I was down at the East Mall courtroom where Judge Hogg is the administrative judge. Do you know that whole courtroom is being shut down and being farmed out all across Toronto? The courtroom has been a deplorable sight. You're familiar with the courtroom I'm talking about, a provincial courtroom. It's a darned sausage factory. There's nothing about that courtroom and its hallways that could ever inspire any confidence, even on the part of victims who are waiting there to testify or on the part of the criminals whose trials are supposed to be being conducted there; there's nothing about those courtroom facilities that could ever inspire any confidence in the system by any of those participants.

Looking at the shambles that has existed there for so long and again the total lack of leadership on the part of this government when it comes to finding alternative courtrooms for those judges, those crown attorneys, those court staff, and for those trials to be held in—then I'm told of paperwork that's going to be shipped all over here and there and you can bet your boots that there are going to be more than a few charges withdrawn because of the level of disorganization that's going to be inherent in moving cardboard shipping boxes of court files all over Toronto as they scramble to find temporary interim court space. How does that instill any confidence in the administration of justice here in this province, either on the part of the general public or on the part of victims or even on the part of those people who have been arrested and are going to be tried, hopefully, and tried in such a way that we're sure that the guilty ones are going to be convicted and properly sentenced and that the innocent ones are going to be cleared?

Look, this bill purports to be about seizing the proceeds of crime from those people who acquired it

illegally. What's going on here? That legislation already exists. It's part of the Criminal Code of Canada. Across this country, there already is legislation that permits the crown prosecutor to seize from criminals those assets that flow from crime, that are proceeds of crime, and forfeit them to the state. So what's going on here? What's this all about?

And why won't New Democrats support it? We believe in the proposition that the proceeds of crime should not rest or remain in the hands of the criminals. We believe that there should be legislation like the Criminal Code legislation that makes it clear that nobody is going to profit from crime. But we also believe that it should be those people who are guilty of those crimes who in fact have their assets taken, as is provided for in the Criminal Code.

Let me tell you the difference here. Let me tell you what's going on, in a little—what do they call it?—nutshell. The Criminal Code provision for seizing the assets which are proceeds of crime uses the criminal standard for determination of a crime as proof beyond a reasonable doubt. It's a standard that quite frankly works reasonably well, works quite well, works very well and which has been embraced by fair-minded people throughout the world. What the government has put to this Legislature—and I ask members of this assembly to be very, very careful—is a bill which, rather than utilizing that criminal standard of proof beyond a reasonable doubt, the standard by which all of us would expect to be judged, uses the simple standard of a mere balance of probabilities. It's dangerous stuff, scary stuff.

What's a balance of probabilities? That means that you probably—not that you did, but that you probably—which varies anywhere from maybe, to a high likelihood, to probably. Instead of being let's say even 95% sure, it's like being 51% versus 49%. It's the balance of probabilities, and when the balance shifts, bingo. That personal property, that real property, those chattels—I think lawyers call them—those assets, they're gone. This is very scary stuff.

The Attorney General says, "Don't worry, because we're only going to go after real criminals." In other words, we have to trust the Attorney General to decide who is going to become a victim of this proceeds-of-crime bill. It's a matter of, "Trust me. Don't worry." It's like, "Hi, I'm from the government and I'm here to help you," surely one of the world's three greatest lies. You know the world's three greatest lies? "The cheque is in the mail," "Money cheerfully refunded," and "Hi, I'm from the government and I'm here to help you."

I say to you that New Democrats are not going to embrace, never mind support, legislation, a bill like this, that puts at risk law-abiding people, because it's a bill that utilizes that lowest possible standard of proof and because it's a bill that in other respects replicates and duplicates existing legislation.

1610

That leads us to the question of, why isn't the government using the existing legislation? We heard

from police forces, including the Niagara Regional Police Force. Let's make this clear. Police forces and police officers by and large want this legislation. It will make their job easier. Of course it will. So would abolishing the Charter of Rights. That would make the job of the police much easier. Eliminate the requirement that police have to obtain a warrant before they invade your home. That would make their job a whole lot easier. Repeal the sections of the Criminal Code that require a warrant before you can wiretap one of these members' telephones. That will make the job of the police a lot easier. I understand that, and I understand the frustration of police officers: underresourced, understaffed, who see lengthy investigations go all to fluff when you've got crown attorneys who are overworked and courts that are understaffed and judges who don't have enough time on their dockets, and when you see plea bargaining that's rampant.

This government wants to talk to us about going after criminals? Remember what happened a couple of weeks ago in this Legislature here in the province of Ontario, Speaker? A 17-year-old boy, Jeffrey Fleeton, who just graduated from grade 12 in June of last year, was working with his dad's surveying firm down toward Oakville-Burlington way, Milton way, was killed by a truck with an illegal oversized load. This government's Attorney General had one of its agents, as a provincial prosecutor, prepared to withdraw the charge against the trucking company that killed 17-year-old Jeffrey Fleeton, in exchange for a \$2,000 charitable contribution.

How do you like them apples? A \$2,000 charitable contribution and charges are going to be withdrawn. No trial, no guilty plea, no conviction, no record. It was an illegal load that killed a 17-year-old kid, a smart kid, a bright kid, a capable kid—it doesn't matter—an innocent victim knocked down dead by an illegal load, and this government's Attorney General was going to pull the charge in exchange for a \$2,000 charitable contribution—and catch this—that would have resulted in an income tax receipt for the company. The company would have gotten money back.

I don't have very much confidence in this government, and most of Ontario doesn't have a whole lot of confidence in this government when this government talks about taking on crime and fighting for victims. Do you remember the Victims' Bill of Rights? I sure do. I remember two women in particular. I remember Linda Even, a young woman from Welland who, while cowering underneath a blanket, was stabbed again and again and again and yet again by her spouse/partner, who only but for the grace of God didn't die in that pool of blood right then and there—as vicious and bloody an attack as could ever be imagined. The perpetrator was charged, not improperly, with attempt murder. What do you call it? It wasn't an accident. She didn't happen to cut herself while slicing tomatoes. She was stabbed again and again and again as she cowered underneath a blanket.

But no, the crown attorney pulled the attempt murder, plea bargained away the case for a fraction of what it was worth, and Ms Linda Even, who endured that vicious, violent attack, was never consulted. It's this government's Attorney General, it's his crown attorney. Ms Even, armed with the Victims' Bill of Rights, says, "But you don't understand. I clearly had a right. Nothing could ever have been more like attempted murder than what happened to me."

Nothing ever was more like attempted murder than what happened to her, and she relied upon this government's Victims' Bill of Rights. This Victims' Bill of Rights—I remember the press announcements and all the news releases, the fanfare, and the same sort of big talk we heard over at police headquarters just a few weeks ago, accompanying this government's; I remember the Attorney General, one Mr Harnick. I remind you, because he hasn't been one of the most memorable Attorneys General of this province. Mr Harnick and his Victims' Bill of Rights—"Oh, yes, Mike Harris and the Tories are going to get tough. We're going to protect victims." They didn't protect Ms Even, did they?

I remember Karen Vanscoy. I spoke in this House during question period about Ms Even, and I put to the Attorney General that she had been denied her rights under the Victims' Bill of Rights. Jim Bradley and I both spoke to the Attorney General in this House in the same type of question period and put questions to him about Karen Vanscoy.

Let me tell you about Karen Vanscoy: her young daughter, a girl really, shot dead with a gun to the head, a bullet through her brain, by an offender whose charge was plea bargained away. Where I come from, they call that murder—a loaded gun to the head, a teenage girl, pull the trigger, blow her brains out, deprive her of the rest of her life, deprive her mother of a daughter, deprive her sisters of a sibling, steal away the life of a beautiful child, though she wasn't a child. She was murdered. She was slaughtered.

This government, Mike Harris and the Tories, plea bargained that one away. How much time was eventually served, Mr Bradley?

Mr James J. Bradley (St Catharines): Very little.

Mr Kormos: Was it measured in months? I think it was measured in months. This is a government that wants to lecture us about getting tough with offenders. Just this morning we got—who was it? Oh, it was the Minister of Correctional Services, once again, telling us how he's going to get tough with prisoners. He's going to make them engage in individual grooming. Is that after the Martha Stewart classes, reruns of Martha Stewart? We can do some—I don't know what—basket weaving and maybe decorate cakes, and then we'll do grooming. Give me a break. What's he got, a long-term contract with Miss Clairol? I was there this morning. The Minister of Corrections—this is what it's all about—is going to introduce grooming. Give me a break. What a moronic proposition.

The government doesn't want to talk about corrections, it doesn't want to talk about rehabilitation. It's shutting down OCI in Brampton, which has the most effective treatment program for some of the most dangerous offenders in this province, a treatment program so effective that it's being emulated across North America—do you know that?—and the Minister of Corrections is obsessed with the good grooming of prisoners. It's nuts and it's stupid, and it's an offence to victims and to communities. I find it difficult to understand that there could even be a remnant of the population of this province that has any confidence, any trust, any level of belief in this government or any of its cabinet ministers who talk about how they're going to protect victims or get tough on crime.

1620

Once again, the headlines of but a few days ago that organized crime will never be defeated—we didn't hear the Attorney General stand up and say to this House, "Baloney. This government here in the province of Ontario is prepared to give police forces the resources they need to fight organized crime, to fight it to the end and to smash it and crush it." I believe it can be done. Instead of giving police forces the tools and resources to use—the forfeiture of assets provisions of the Criminal Code—this government comes forward with a bill that's going to put innocent people at risk. That, I tell you, is a contradiction of all the things that so many people over the course of so many years have worked so hard to build in our criminal justice and our broader justice system. New Democrats will not be voting for that kind of legislation.

Linda Even and Karen Vanscoy both know they have been betrayed by this government as victims, both of them victims, one directly and the other as the mother of a slaughtered child, a murdered daughter. They went to court to seek some relief, because they felt their rights under the Victims' Bill of Rights had been denied by this government, and Judge Day of the Ontario Court of Justice had no hesitation in agreeing that something had been violated, "But unfortunately," he said, "it wasn't your rights, and the reason is that you don't have any rights," because the Victims' Bill of Rights, written and introduced by Mr Harris's government, doesn't contain any rights—a bill of rights in which there are no rights—and the courts of this province have said so.

If that weren't enough, I recall the debate over second and third readings of the Victims' Bill of Rights. Members of the opposition—people like Marion Boyd, our then member from the London area, in her comments on the bill told this government that the bill had to be fine-tuned if it was going to have any meaningful rights for victims, and the government scoffed at that. They just dismissed that criticism. When Judge Day of the Ontario Court of Justice told Mike Harris and the Conservatives that their bill of rights contained no rights for victims, we were promised there would be the appropriate amendments. We're still waiting. We're waiting, not all too patiently.

This government's sorry, sad record on law and order is not only something about which it can't or shouldn't be proud but something about which the people of this province are becoming acutely aware of and sensitive to as they become victimized, not only by crime and criminals, but as they become victimized by this government itself.

Bill 30 is about organized crime, Speaker, right? I know that if I get off topic, you're going to leash me in. The choke collar is going to tighten around my throat as you yank on the cord, so I'm going to be very careful. But now that we're talking about organized crime, let me make a few other observations. The Senate—if you're going to talk about organized crime, surely you've got to start with the Senate, don't you? Think about it: these are people who aren't elected to their positions, who have the power to interfere and intervene in the law-making activities of elected members of Parliament, who as members of the Senate hold themselves out as honourable, who, for the largest part, are thoroughly ineffective and who consume gross amounts of taxpayers' dollars. They're a remnant, a carry-over. They're part of the old pre-democratic system; they're part of the old pre-electoral system of British Parliaments, when the king—or the queen, I suppose—got to pick their favourite friends to form the House of Lords, hence the Senate here. If the Senate is a crime, I suppose that leaves senators with one label and one label only.

I want to talk to you about something else that I find not only criminal but repugnant, and that is the organized way in which the federal Liberals, the Liberal members of Parliament, are advocating for themselves a salary increase. I'm reading that Liberal members of Parliament are going to give themselves a 30% salary increase, that the base pay is going to be around \$130,000 a year, plus—

Mr John Gerretsen (Kingston and the Islands): That's a crime.

Mr Kormos: That's a crime. For the Liberals to give themselves a 30% salary increase in Ottawa is a crime, and nobody is busting them. Don't forget that the \$130,000 is going to be the base salary, that's the minimum salary, because especially in government benches up in Ottawa, as it is here, there is but a handful of people who don't have a perk above and beyond the base salary.

So it's an obscenity and it's a crime that the Liberals in Ottawa are going to grease it up and slide it through like an oiled pig. I find it incredible that that attack on the taxpayers is taking place in this province and nobody is calling the police. No editorialist is condemning the Liberals in Ottawa. I haven't seen a word in the Toronto Star saying, "Are you guys nuts? Most of you don't earn the money you're being paid now."

I put to you that every MPP in Ontario now shares a riding that is identical to their federal counterparts. I won't make the conclusion myself, but I ask provincial

members to tell me, do they work harder than their federal counterparts?

Mr Dunlop: Yes, absolutely.

Mr Kormos: Are they in their riding more often? Do they have more constituency work than their federal counterpart? Are they out there front and centre? Indeed, are provincial members called upon not only to do provincial constituency work but federal constituency work as well?

Why has nobody blown the whistle on these federal piggies looking for a 30% salary increase to jack their minimum salary up to \$130,000 a year? That's organized crime if there ever was.

If this government was going to seize anybody's assets, seize the assets of porcine legislators like the Liberals in Ottawa who are calling for a 30% increase to their already overly attractive salaries. If they don't like the salaries, let them do real work.

Let's go from the general to the specific. Let's talk about a fellow, I think his name is Tom Wappel, a Liberal member of Parliament who seems to get re-elected with some—I'm talking about crime, Speaker, and I'm talking about organized crime.

You've got a fellow called Tom Wappel. This Mr Wappel, whom I, with great pleasure, have never met, or at least I don't recall ever having met him, is the guy—and I don't know. I suppose if he was going to oppose the 30% salary hike for Liberal MPs up in Ottawa, he'd have been pretty outspoken about it by now; one would have expected him to. I suspect that Mr Wappel is going to vote for his own salary increase, this great Liberal, small-l, big-L, whatever; he's the Liberal from 'ell. He's the guy who writes back to a senior citizen veteran, who's looking for a little bit of help with his veteran's allowance, the snottiest, dismissive letter, saying, "You never voted for me, so why should I help you?" The guy doesn't have enough decency to resign, never mind apologize, and he's going to vote for a 30% salary increase for himself? Tom Wappel is going to join his Liberal brothers and sisters and vote to bring their salaries up to—don't forget, starting at 130 Gs. I don't want to hear that garbage about, "Oh, we have to pay for apartments," because that's all covered in separate expense accounts—plus the pension. The pension—

1630

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): Peter, what about Parrish?

Mr Kormos: I'm getting to her. I've got her here too. Don't worry about it. First, I want to get to the former member, now retired, who upon his retirement was made the ambassador of the environment at \$180,000 a year. Ambassador of the environment to where? I mean, you're ambassador to Cuba, you're ambassador to the United States, you're ambassador to France. He's the ambassador to nowhere, at 180 Gs a year. I'm sure that Mr Parent—

Interjection.

Mr Kormos: Wait a minute. I'm sure Mr Parent is not double-dipping. I'm sure he is not collecting his

\$100,000-a-year MP's pension at the same time as he's being paid that \$180,000 salary. I'm sure Liberal Mr Parent is not collecting that \$100,000-a-year, give or take a couple of bucks, MP's pension. I would like to think that a person of integrity wouldn't double-dip like that, especially when it seems to me there's a teacher's pension tucked in there somewhere too.

Interjection: He's triple-dipping?

Mr Kormos: Single-dip, double-dip, I'm sure he wouldn't. I'm sure when he got the \$180,000 ambassador of the environment job—I suppose what really bothers me is that this is the former Speaker who thinks the Canadian Human Rights Code and laws against racism don't apply to him. This is the former Speaker who is, at this point, merely the object of a charge that he was a racist. His driver made these allegations; they've certainly been considered serious enough to go to the hearing stage. This is the former Liberal member, who retired to get a \$180,000-a-year ambassador of the environment job, who's defending the charge of racism not on the basis of the facts but who's defending the charge of racism by saying, "The Speaker is not subject to the rules of human rights." That is a crime, and for the taxpayers of this country, of this province, to be funding that sort of defence to that type of charge is as organized an attack on taxpayers as could ever be found. I thought Mr Wappel had taken the cake.

I've been following the rather tragic, sad case of a Polish family who—and again, there's going to be a lot of dispute over what ends up being the facts at the end of the day. I have great sympathy for them. You're talking about a Polish couple—I meet so many of these immigrants.

Interjection.

Mr Kormos: I'm talking about organized crime, Speaker. Trust me, I'm talking about organized crime, and I'm talking about this government and all of us perhaps focusing our energies as much at elected criminals as at organized and mobster criminals, because an MP called Carolyn Parrish, a Liberal member of Parliament—she's a member of Parliament. I have met her. I was shocked when I read the newspaper coverage, because although I don't agree with her ideologically, any more than I would agree with the Tories or the Reform-Alliance, she presented herself as a reasonably pleasant person. Mind you, I didn't speak with a thick Polish accent and perhaps that meant something. But I read about a Polish family and their four kids—we all meet these families. It's a crime what happens to people who try to become new Canadians. We all meet these people in our constituency offices, and it's heartbreaking, for me certainly, and I hope for other members, to not be able to do more for families.

Do you understand what these families do to come to Canada? They leave everything. They leave their homes, they leave their jobs, they leave their families, they leave grandmas and granddads, they leave their personal things. This is how they come to Canada: some photo albums and maybe a couple of bits of memorabilia.

Crime, organized crime, and our job should be to fight it, because these people are fleeing organized crime of oppression, racial intolerance, ethnic intolerance and economic oppression.

I didn't meet the Sklarzyk family—I only read about them—but a mom and dad and four kids, two and four years old, 11 and 15. They leave everything behind. That's what happens to immigrants. You've got to understand that. That's how my family got here, that's how a whole lot of families got here. They came looking for help, and they got caught up in a bureaucratic mess. One version of the story is that it was all about an unpaid \$50. But let me tell you, Carolyn Parrish—forgive me because I'm quoting from the newspaper. This is a quote, this isn't my language. I'd have to be awfully angry at somebody and I would have to really dislike the people I was talking to to say what the Liberal MP said to the Sklarzyks as they were with her in her office with their four kids, two, four, 11 and 15 years old. Ms Parrish: "I don't give a shit if you found a high-powered lawyer to get your story in the *Globe and Mail*."

Mr Dunlop: Can he say that?

Mr Kormos: I didn't say it, Speaker. I'm quoting Ms Parrish. If I was wrong to have quoted her, I withdraw the scatological profanity.

If this is only one person versus another, sometimes you've got to give people the benefit of the doubt; of course you do.

Hon Brad Clark (Minister of Transportation): Who heard that?

Mr Kormos: Not only did a friend of the family hear it, but a CBC reporter heard it as well. That's a crime.

I have enjoyed the indulgence of the Speaker, as I have been somewhat liberal in my interpretation of organized crime. It's not to say that this legislation isn't serious stuff.

This government talks a big game when it comes to law and order. Well, tell that to Joanne Stubbins, Robyn Lafleur's mother. I talked about her in the House the other day. This government is one of the two parties—because Robyn Lafleur died in an explosion, was crushed to death by a burning beam in the factory she was working in. This government has carriage of the provincial charges against the company with respect to Ms Lafleur's death.

The accident, the death, the homicide of Ms Lafleur occurred back in November 1999. The charges are still yet to be tried. They didn't even have a date set for trial. You see, this government talks about law and order, protecting victims. This government, which has carriage of half of the charges, isn't protecting the victim here, either the memory of the murdered Robyn Lafleur or the grieving mother, Joanne Stubbins.

1640

See, that's why I tell you I'm pretty distrustful of the Harris Tories when they talk about being on the side of victims, because we haven't seen it yet, have we? We haven't seen it when it comes to the Victims' Bill of Rights. We saw this government abandon victims. We

saw this government mock Linda Even and Karen Vanscoy. They mocked them. The Attorney General of the day, Mr Harnick, was of no comfort to either Linda Even or Karen Vanscoy, when in the case of Ms Even I brought her plea to the Attorney General, to this chamber, and in the case of Ms Vanscoy, both Jim Bradley and I came here on her behalf. Ms Vanscoy, her young daughter murdered, shot through the head. The crown attorney plea bargained the charge of murder down to something that resulted in a sentence of but months. And this government talks about being on the side of victims? This government talks about being on the side of fairness and fighting crime? I say no.

This government has revealed itself to be criminally implicated in attacks on victims as often as not. When this government has a chance to enact tough legislation, when New Democrats move amendments to make legislation better, like their stupid gun bill—you know the toy gun bill? The government said you can't sell them to people under 18, but you can sell them to people over 18, and what they do with them once they get them, nobody cares about. Well, heck, the only reason a person over 18 is going to buy an imitation gun is either to give it to a younger person or to—play with it? Give me a break—use it in the progress of a crime.

New Democrats called upon this government to close the loophole, because toy guns, imitation firearms, are a danger to police and to the public. We've witnessed that danger on more than one occasion when the police have been called upon to respond quickly in a situation that could be one of great crisis. Nope. This government didn't want to be on the side of law and order, didn't want to be on the side of community safety. This government was far more interested in talking a big game and, in the course of merely talking a big game, voted down the NDP amendments that would have made that imitation firearm bill a truly effective one and would have prevented the tragedies that we've witnessed here in this province, right here in the city of Toronto. So New Democrats will not support legislation that puts innocent Ontarians at risk of losing their property.

You've got to understand that the state is a very powerful institution. You've got 11 million Ontarians out there for whom, when the full power of the state is directed at them, focused on them, it can be incredibly daunting, incredibly overwhelming. The state has available to it virtually unlimited resources. We're talking about legislation that, when it talks about determining whether or not a crime has been committed, doesn't even employ the Criminal Code standard, the Criminal Code threshold for determination of whether or not a crime has been committed or proof beyond a reasonable doubt. Should we expect anything less? Should we expect the government to have to prove anything less than proof beyond a reasonable doubt if they're going to accuse you or you or you of a crime for the purpose of seizing your personal property?

I don't know if the government is going to have hearings on this again, because it will hear from the same

people, I suppose, one more time, once again. I'm sure it will hear from Alan Borovoy if this government were to have hearings again, who says that this is an incredibly dangerously low standard, that this is an invitation—and understand, I'm very careful—that opens the door to police statism. We don't have to go outside our provincial boundaries to talk about bad convictions, even with that higher standard of proof, when you have overzealous police and prosecutors who have only one objective, and that's a conviction. Innocent members of the public deserve better than this.

You don't fight crime, you don't fight organized crime, you don't attack criminals, you don't tackle criminals and crime by putting innocent Ontarians at risk. You can say, "They can go to court and prove their case," some \$20,000, \$30,000, \$40,000, \$50,000 later, when the state has virtually unlimited resources and that incredible power at hand. "Don't worry. You can go to court and defend yourself if you're being pursued, persecuted under this legislation."

How many people's lives, how many people's families are going to be destroyed in the course of defending themselves against merely overzealous pursuit by the state as a plaintiff? New Democrats would encourage that this go once again to hearings, would encourage that Bill 30 once again be the subject matter of some very learned commentary by people like Alan Borovoy from the Canadian Civil Liberties Association. And New Democrats would call upon members of this Legislature who care about freedom from what could be an overzealous or, yes, even oppressive state to oppose this legislation as thoroughly as New Democrats propose to.

The Deputy Speaker (Mr Michael A. Brown): Questions and comments?

Mr Tilson: I'd like to respond to the member's remarks with respect to this bill. He spent some of his time, of course, reviewing the top news stories of the week. They were interesting. But to give him his due, he did raise some criticisms of the bill. The main one, as I understand it, is the legal issue between the balance-of-probabilities and the beyond-a-reasonable-doubt tests, which most lawyers understand.

The balance-of-probabilities test is used in civil actions, which is what this legislation is all about. It deals with property, which is exactly what the civil test is doing. The beyond-a-reasonable-doubt test is a criminal test which is dealt with in Criminal Code charges, with which this legislation does not deal. So it would be most inappropriate for the provincial Legislature to use the beyond-a-reasonable-doubt test, because it doesn't have the jurisdiction to use that test.

I know that Mr Borovoy, whom I believe you cited, commented on that. Even if we wanted to use that test, I don't believe we could do it because of the jurisdiction—

Mr Gerretsen: Yes, you could.

Mr Tilson: No, we could not use it, because it's a test of the Criminal Code.

With respect to this legislation, he also talked about not having enough resources. I'd like to refer to Chief

Fantino when he came to the committee hearings on February 20. He basically said the way the legislation was created allowed the police to do other things. It gave them more time, more resources to do other things.

1650

Mr Mario Sergio (York West): Just a few comments on the presentation by the member from Niagara Centre. I have to tell you that people in Ontario looking at this piece of legislation are saying this is not going to do anything to give us more peace of mind, if you will. I'm especially worried for our general public. We are not talking about big crime and stuff like that. It is the safety of our seniors, of women, of those travelling in the early morning or late at night and stuff like that.

The police statistics released in Toronto this month—actually, it's not even over yet—show that manpower support in Toronto is way down from previous years. We can't have it both ways, and I have to tell the government side this: we can't say we want more protection for our general public to fight big criminal offenders and stuff like that if we don't provide the necessary funds for that.

We have today some 465 fewer policemen on our force in Metro than a year ago. That tells you something. If we really want to make a dent in the criminal cases, if we want to have more security in our homes, in our neighbourhoods, in our plazas, in our businesses and what have you, then I think the government must come to the realization and say, "We have to put some money, we have to increase our forces, we have to give our forces the necessary tools to do their job." I think that's where this bill fails.

Mr Gilles Bisson (Timmins-James Bay): I want to say to the member from Niagara Centre that as always, when it comes to these particular issues, he's very good at pointing out the doublespeak of the government. The Tories like to make everybody believe they're doing an excellent job when it comes to the issue of law and order and that they're really on the side of law and order stuff.

Applause.

Mr Bisson: But you know, reality is not the case. I know you agree with me. I hear the applause in agreement with my comments about how facetious that is, because when you look at most of what these guys have done—mostly guys, because those are the Tories—basically a lot of the stuff they've done doesn't have any teeth to it.

I remember that this government came in with great fanfare, as the member for Niagara Centre raised, on the issue of a Victim's Bill of Rights and said, "We need to have this bill of rights. Without it, the world's going to come to an end." But when you as a citizen who has been aggrieved by crime tried to bring those rights to court, Judge Day said, "This bill is not worth the piece of paper it's written on, because there's nothing in here for it to have any kind of teeth."

At the end of the day, there was no Victims' Bill of Rights. What there was, was a press opportunity for the then Solicitor General and Attorney General, the Premier

and the government members to get up and say, "Look how tough we are."

Then they say, "We're the friends of the cops." The Tories like to put cops under their arms and say, "We're your friends." But I would say they're pretty weak friends. When you look at the number of cops who are out in the community today, compared to 1995 before these guys came to office, there are fewer cops per capita today than there were in 1995. This government speaks a good line. They're good at the press ops. Man, they go running to get into the media when it comes to saying all the wonderful things they do. But when you look at it, the reality is that it's an emperor with no clothing.

At the end of the day, what these Tories have done again by way of this bill is try to speak to the politics of an issue and haven't dealt with the practicality, and there's no—

The Deputy Speaker: Thank you. The member for Simcoe North.

Mr Dunlop: It's pleasure to rise to make a few comments on Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities.

It's always interesting to hear—I have to agree with the member from Timmins-James Bay—the member from Niagara Centre's comments. He brought out a lot of points this afternoon. One particular point he brought out was that the police forces across our province agreed with this bill. I think we saw that originally in the Bill 155 hearings earlier in the winter. Certainly we had responses from a number of police associations and the Metro Toronto Police Services Board very supportive of this bill.

I want to just give an example of how this particular bill could be used: car theft right here in Ontario. The record for car theft makes no distinction between an auto theft ring and an occasional joy rider. The annual estimated loss associated with motor vehicle theft has been estimated at \$1 billion, \$600 million of which is directly related to replacement and repair of stolen vehicles. In 1998, more than 165,000 vehicles were stolen in Canada; 27% were never recovered.

In the end, these costs were directly on your insurance rates. The people we represent, the people in our constituencies, pay for this, and this bill addresses that. I appreciate Mr Kormos's comments, but I will be supporting this bill 100% and I thank the Attorney General for bringing it forward.

The Deputy Speaker: Response, the member for Niagara Centre.

Mr Kormos: What I was trying to tell you is that in most police forces they don't investigate car thefts any more—you know what I mean?—because there aren't enough staff, there aren't enough resources for our police department. So if you can't investigate the car theft and you never find out who stole the car, how are you ever going to find out, then, who's got the proceeds from the crime to go after it? Police forces aren't investigating car thefts. I'm not saying universally and across the board, but you phone in—get your car stolen, OK? You'll find

out what happens. You phone it in. The clerk says, "Give us the information, we'll do a car theft report and we'll give you the number of the report so you can send it to your insurance company."

Cops don't have the resources in most jurisdictions to investigate increasing numbers of crimes. I said break and enter is one area of crime where cops aren't out—they don't even respond. Sure, if you phone and somebody's there with a gun, of course the cops are going to do their best to get there as quickly as they can, but increasingly we're seeing police frustrated because their response times are reduced more. Down in places like Niagara, we've got big, huge areas that are being patrolled by one and two cars at a time. The police can't get there, even if you call them and tell them there's somebody there with a gun. That's the problem and that's the reality.

The fact is that you give police tools, you give them the resources, and they'll use the Criminal Code proceeds-of-crime forfeiture provisions, like Niagara Regional Police have demonstrated can be used, as have other police forces. They will ensure that only those who are guilty of crimes are the people who have proceeds taken from them, and you genuinely eliminate the risk of innocent people being the subject matter of a merely overzealous or indeed malicious prosecution under this bill.

The Deputy Speaker: Further debate?

Mr Wayne Wettlaufer (Kitchener Centre): It gives me a great deal of pleasure to stand here and debate Bill 30. Before I get started, I want to address the comments of some of our critics who say that the police don't investigate automobile thefts any more because they don't have the resources, they don't have the numbers of police officers.

I don't know where these critics were in the 1980s and the very early 1990s when the Liberals and the NDP were in power in this province. I was in an insurance brokerage and had a lot of clients who would call in with automobile claims in the late 1980s and the early 1990s, when the Liberals and the NDP were in power. I can remember people in our office often saying, "Well, your car is not going to be found because right now, if it was stolen longer than a few hours ago, it's on its way to wherever, overseas." That had nothing to do with the numbers of police, although they said at that time that their resources were stretched as well; it had to do with the severely large number of vehicles that were being stolen and shipped overseas.

But we're talking about Bill 30 and we're saying, why does Ontario need this legislation? I'll tell you. In Britain, that civilized country, 70% of unlawful activity is what they call acquisitive, designed to make illicit profits. Of course, my colleague the member from Simcoe North—I was going to say Coldwater, but Simcoe North—has already commented on the fact that the two types of victims are those primarily in certain neighbourhoods, often seniors, and of course the second

type is people like ourselves who have to pay through ever-higher insurance rates.

We're trying to redress a wrong. This bill, if passed, will allow the courts to freeze, seize and forfeit to the crown the proceeds of unlawful activity. Unlawful activity exists for only one reason, and that's to make illicit profits.

1700

It will also allow the province to take to court two or more people who conspire to engage in activities that harm the public. We have defined in this legislation what a conspiracy is. A conspiracy exists under the proposal where "two or more persons conspire to engage in unlawful activity," where one or more of them "knew or ought to have known that the unlawful activity would be likely to result in injury to the public" and thirdly, injury to the public has resulted or is likely to result from the unlawful activity. I think this is a very important part of the legislation, to ensure that we define exactly what we are discussing.

The third and very important part of this bill will allow victims of unlawful activities that lead to forfeitures to claim compensation for their loss, and it will be done by claiming it against the forfeited proceeds. That's fair. The people in my riding don't really care—and I don't think that my riding is any different than the rest of Ontario—about the legal arguments. They don't care about a position that a lawyer on that side takes versus a lawyer on this side, or a lawyer down there. In fact, if I do say so, many of the citizens of this province—and I say this with all due respect to the lawyers in this place—view lawyers as contributors to the unlawful activity that is taking place throughout this province, because many of the average citizens feel that lawyers go to too great an extent to defend the criminal.

Mr Gerretsen: The problem is, he's right.

Mr Wettlaufer: I'm not saying what I believe, I say to the member from Kingston; I'm telling you this is the view of the vast majority of the people of this province, and it's time that we address some of these issues.

The legislation will focus on property—the proceeds, the assets of crime—not the individuals. That's left up to criminal law. The civil actions under this legislation are totally different from criminal legislation. However, we will continue to monitor criminal activity and we are going to enforce the law.

We recognize that we are going to be breaking a little bit of ground in this country. While similar measures have been introduced throughout the world, most notably in the United States, Australia, Ireland and South Africa, we haven't had anything like this elsewhere in Canada. The funny thing is, the biggest critics of this legislation that I have heard are defence criminal lawyers who are themselves on retainers most of the time. They are the same people who opposed the legislation in those other countries. But in those countries that have passed legislation similar to this, those authorities in those countries have successfully used civil law to seize the

proceeds of unlawful activities and hit the corrupt organizations where it hurts—in the wallets.

The key, of course, is that it protects victims from further victimization. But during the public hearings on this bill's predecessor, Bill 155—the public hearings were held in February—I can remember some of the positions taken by some of the experts that came before the committee: people like Robert Nigro, Office of the Nassau County District Attorney in New York; Mr Vaughn Collins of the Ontario Provincial Police; Mr Don Perron of the Ontario Provincial Police; Mr Gary Nicholls and Mr Gary Beaulieu of the Niagara Provincial Police; Paul Zoubeck of the State of New Jersey Department of Law And Public Safety; Lawrence D'Orazio, US Department of Justice, Drug Enforcement Administration; and Tom Fuentes of the FBI. In addition, we had Julian Fantino of the Toronto Police Services Board. He's the chief of police for the city of Toronto.

All of these people supported this legislation. I wonder if I could just quote for a minute from a number of these people. For instance, Robert Nigro of the Office of the Nassau County District Attorney's Office in New York, and what he said about this type of legislation: "We term it the excellent second punch in a one-two combination against criminals. It takes the money out of the criminal equation and it's an effective economic disincentive. It also leads to an erosion of a criminal enterprise from within. For example, it removes the seed money.... That money, if it's taken in forfeiture, is not available for those other things. It's not used for loan sharking; it's not used for drugs or the seed money for another enterprise."

That is something we have to look at, that for every illicit enterprise, every unlawful activity which generates illicit profit for the unlawful group, that money is used for other unlawful activities. We have, of course, a rise in this province of small youth gangs. I'm not going to say for one minute that they are directly related to unlawful activities. Some of them may be; some of them may not be. Nevertheless, I do question, as do many people in this province, whether or not they are directly related.

Robert Nigro also said, and again, this is all in Hansard: "We've noticed that certain illegal businesses have been driven out of Nassau county.... They prefer to be outside our county," and isn't that what we want in Ontario? The people in my riding of Kitchener Centre, and most of the people of Ontario, want these illicit activities right out of the province, because they want to live in a little bit more peace, a little more harmony, a little more security.

I had to comment as well on an example that Robert Nigro used. He said, "A pawnshop where an individual may have been swapping diamonds for zircons, we took the entire store. In one location they were selling forged autographs of sports figures; we took the entire store. Those businesses are gone. They will think twice before setting up again in Nassau county. They are small examples but it is, in our small area, an effective way of doing it." I say again, that's what the people of Ontario want. They don't care about the legal arguments that the

Liberal Party opposite wants to pose, that you can't do this or you can't do that because think of this legality. They are expecting us to produce a bill that will pass in court, that will pass any challenges, but they want this legislation.

1710

There were other examples. Paul Zoubek, of the State of New Jersey Department of Law and Public Safety, said—

Interjections.

Mr Wettlaufer: Isn't this interesting, Speaker? The members opposite are criticizing these experts in the field of law and order. They're heckling me because I'm quoting from people who appeared. They are experts in the field of law and order who appeared before our committee. They're ridiculing them. You guys are more expert than what these people are? Hardly.

Mr Zoubek said, "Civil forfeiture is a means by which we can take the profit out of all types of indictable crime.... Through civil forfeiture, the ability to take away the proceeds and instrumentalities of crime, we can attack them where it hurts."

Then Lawrence D'Orazio, from the US Department of Justice, Drug Enforcement Administration, said, "Not only are the profits of crime taken away from the criminals, but asset forfeiture also dismantles the physical and financial infrastructure essential to the continuing vitality of criminal organizations. Lastly, asset forfeiture provides the means to help victims...."

Interjections.

Mr Wettlaufer: Speaker, they're ridiculing me again across the way. Law and order is not a Liberal issue. I want you to know that. They don't like this issue because they are looked upon by the people of Ontario as being weak on crime, and so they should be.

They have said they want me to quote from a Canadian expert, and this one is the expert: Julian Fantino, chief of the Toronto Police Service. They want to hear what he has to say. Well, he said—and I'm going to paraphrase a little bit because I'm not going to get into the entire quotation—that it's a well-established fact that unlawful activity is profit-motivated and that if you take the profit out of crime generally you have, in effect, cut the head off the dragon's body. "In Ontario," he says, "we have in the law enforcement community the people, we have the talent, we have the will, and we certainly have the desire to fulfill our public safety mandate" but "someone must give us the tools to, in effect, do our job."

Julian Fantino supports this bill. He supports this bill as giving him the tools to do the job that the police in Toronto need. The police in Toronto need it, the police in Ontario need it. None of the police oppose this legislation. So before you ridicule me, I say to the members of the Liberal caucus there, before you ridicule anybody else on this side for bringing forth this legislation, note that when you ridicule us you're also ridiculing the police authorities in this province. So those are some of the experts.

As I said before, similar measures have been introduced in the United States, Australia, Ireland and South Africa, and have been recognized as being effective. Our legislation will achieve the objectives that we have stated. That's verified by the statements of the experts. We are saying that no action can be taken without authorization by a court. We've made changes to Bill 155 with this legislation. We've worked with the privacy commissioner, Ann Cavoukian, in establishing legislation which would not be privacy-invasive. As long as there has been common law, property disputes have been adjudicated. That's what we're talking about here: adjudicated settlements.

"On a balance of probabilities": OK, the Liberal lawyers are going to say, "Oh, the balance of probabilities isn't the way to go." In a criminal case, you're right, it's not the way to go. But this is a civil case, and under civil law that's allowed. That's the way it's done. The court will protect the interests of people who legitimately own property or a share of property that has an unlawful origin. You complained about that before, so we made changes. The innocent party who has acquired property that had an unlawful origin, who acquired this through no knowledge, through no possibility that he could have had any knowledge of its origin, is protected.

If the bill is passed, investigators will have access to the information they need, while protecting the privacy of individuals. That's guaranteed. The province would have to prove in court that any information is necessary and relevant to the case. Health information? I know the members opposite have concerns about that. So that is what the changes will do. They will ensure that the onus is on the province to prove that information should be used.

As I said before, this type of legislation has been used successfully in other jurisdictions in many other countries. The previous Attorney General, now the finance minister, travelled to Delaware, Washington, New Jersey, the UK and South Africa. On August 2 and 3 of last year, our government hosted a summit here in Ontario: Taking the Profit out of Crime. There were over 200 attendees and speakers from Canada, the US, the UK, Ireland and South Africa—

The Deputy Speaker: Thank you. Questions and comments?

Mrs Lyn McLeod (Thunder Bay-Atikokan): I'm happy to participate very briefly in this debate. I particularly wanted to note the fact that this bill, which is now Bill 30, is certainly more neutral than its parent, Bill 155. It has been neutralized in a very significant way and I think we need to recognize that fact. You may remember that Bill 155 went hand in hand with health privacy legislation that was introduced at the same time and set up a situation in which the Attorney General could get access to personal health information records. It was very clear that was in the health privacy legislation because it said that once the government got its Bill 155

passed the Attorney General would have that access to personal health information.

The public was in an uproar about this. The health ministry recognized they had a problem. They took that part out of their bill. The Attorney General said, "It's fine now. We can protect the privacy of personal health information." We said, "No, you can't. It's still in Bill 155. You're still going to get access to personal health records." The Attorney General of the day, in the last session, under Bill 155, said, "No, no, you've got it wrong." We said, "We don't think so. What protections are you going to provide for our personal health information?" We were glad to see that when Bill 30 was tabled they had indeed withdrawn the clauses that would have given the Attorney General access to personal health information.

I hope the fact that this Attorney General has seen that it was necessary to provide better protection for personal health information records, that the Ministry of Health or whoever is going to bring forward health privacy legislation at some point in the future will have recognized how absolutely essential it is to protect that most personal health information.

This bill is better than its parent bill. I would still go back to the arguments that were made by our critic for the Attorney General, Mr Bryant, when he basically said that the bill as it stands now, while it may be good in intent, is going to be virtually ineffective.

Mr Bisson: I'm always just tickled pink when I hear the government members stand up in the House and try to talk about how they're the government of law and order. It makes me think of Tarzan standing on top of a tree, but the reality is that it turns out that the tree is not very high and Tarzan doesn't have a very big chest. The reality is that all the law-and-order issues this government has brought forward quite frankly have either been told by the courts that they have no teeth to the legislation or they fall far short of the mark when it comes to giving any kind of rights to victims or whatever the issue might be.

1720

For example, we know that today per capita we have fewer police officers than we had in 1995, but yet the government tries to say, "We're the law-and-order guys. We're the guys who are going to make our communities safe, because only the Conservatives believe in those principles." But when you look at the action, it's quite the opposite. There are fewer police officers now per capita than there were in 1995. If you were truly the law-and-order people that you say you are, I would think you would make sure the police officers would have the tools they need to do their job and that, number two, at the very least there would be more police officers per capita today than there would have been in 1995. So that's the first point.

The second point I thought was a very interesting comment. The member says he doesn't care about what the bill has to say in the technicalities of it because, after all, what matters? I have a premonition here: that this

bill, when it goes before the courts, is going to be found to have a lot of problems when it comes to its constitutionality, because what you're saying you're going to do in this bill is based on—and get this—not if a person has been charged; you're going to have the right to be able to take somebody's assets—because you can do that now, if they've been convicted under the Criminal Code—on probability. Boy, I'm going to be really interested to see how the superior courts are going to deal with that issue when it comes through the courts.

The Deputy Speaker: Questions, comments?

Mr Tilson: I'd like to comment on the remarks made by the member for Kitchener Centre. Contrary to what has just been said by the last speaker, I think the member for Kitchener Centre did talk in very basic terms, because many of the presentations that are made here in this place on this issue have been legal-type issues. I think it is a matter of how we're going to deal with these types of individuals who are doing things to us.

I think if you read section 1, and I'm going to take the time to read section 1 of the bill, it does show the intent of the bill, which is "to provide civil remedies that will assist in compensating persons who suffer pecuniary or non-pecuniary losses as a result of unlawful activities." In other words, we're trying to help the victims who have been taken advantage of by these groups of people. Secondly, "preventing persons who engage in unlawful activities and others from keeping property that was acquired as a result of unlawful activities." Why should these people be allowed to keep these properties after getting them illegally as a result of crime? Thirdly, "preventing property from being used to engage in certain unlawful activities; and"—fourthly—"preventing injury to the public that may result from conspiracies to engage in unlawful activities."

The other issue that the member has referred to and which has been commented on in this place is the issue of privacy. Certainly, the Attorney General came to the committee hearings on the very first day and indicated that section was going to be amended. That was accepted by all members of the committee. In fact, Dr Ann Cavoukian, who is the privacy commissioner—and the Attorney General read the letter in the House indicating that she was satisfied that with the changes that had been put to this bill—

The Deputy Speaker: Thank you. Questions, comments?

Mr Dave Levac (Brant): To the member for Kitchener Centre, I just want the people to recognize that he's doing what he's supposed to do. That's his job. He's supposed to malign the federal government, he's supposed to malign the members of opposition, he's supposed to tell everybody in the province of Ontario that they have the right legislation and that they're all in favour of crime and punishment and we're not. That's his job.

So I want to make sure I point that out very clearly to everybody. He has done a pretty good job of it; he does a pretty good job of that. I compliment the member for his

ability to try to say, "This is exactly what I'm supposed to do, and I'm going to do it."

But he doesn't say to the people of Ontario that this government has not funded Project P to the fullest that it should be in order to help us stop organized crime. There are 14 members in Project P for the entire province of Ontario. The OPP have only got 14 dedicated members to stop pornography in the whole province of Ontario—14 members. They can hardly have time to turn their computers on to catch these organized criminals who are involved in prostitution, unlike my colleague from Sudbury, who wants to make specific legislation to make the proceeds of pornography illegal.

The other thing is Toronto officers: there are approximately 490 fewer police officers on the street since 1995. Per capita, as the member from the NDP was pointing out, it's since 1992 that we have fewer cops on the street in the entire province.

Jurisdictions the member speaks of: in a lot of the jurisdictions this member refers to, this is the legislation that is after conviction. I want to make that perfectly clear to the member: after conviction.

As far as changing the bill from its ill-conceived Bill 155 is concerned, the member for Thunder Bay-Atikokan provided us with the obvious reasons why it had to be done, but there are other reasons why this had to be done. The people spoke to them, and as far as the experts are concerned, I want to make it perfectly clear, Julian Fantino was also against the privatization of jails. Do you want to have him back up on that one?

The Deputy Speaker: Response?

Mr Wettlaufer: I would like to thank the members from Thunder Bay-Atikokan, Timmins-James Bay, Dufferin-Peel-Wellington-Grey and Brant for taking part in the debate.

The member for Thunder Bay-Atikokan talked about the Liberal critic, Michael Bryant. During the hearings, I found that when he spoke the brightest light he ever shone was when he got into a debate with Peter Kormos, the member for Niagara Centre, on whether or not they were referring to section 430 or section 462 or subsection 462(3) of the Criminal Code. Other than that, I didn't find anything that he said meant a doggone thing.

The member for Timmins-James Bay just wasn't listening, again, to what I said. I didn't say that I didn't care what the technicalities were in this bill. I said that the people of the province are saying this. I was interpreting what they are feeling.

I don't know what Tarzan in the trees has to do with this legislation.

The member for Brant wasn't listening. He said that I maligned the federal government. I didn't mention the federal government one time in my entire speech; not once in 20 minutes.

Interjections.

Mr Wettlaufer: Now they're heckling again. They're saying that I was thinking it. Sure, I probably was thinking it, but I didn't say it. Since when can you read minds?

You talked about pornography, prostitution and money laundering. The police tell us that these are offshoots from the profit gains from unlawful activity. These are offshoots, and that's why they want us to address the illicit activity, the profit gained from the illicit activity, which leads to—

The Deputy Speaker: Thank you. Further debate?

Mr Ernie Parsons (Prince Edward-Hastings): I will be sharing my time with the member for Kingston and the Islands.

Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities: once again the department of cute titles has been very effective at this. If George Orwell were still alive, I think he would have a role with this government to write the titles. An act that infers this will remedy all of the problems that are created by organized crime is publicity, but not reality.

I can think of the other titles this government has put forward in the acts that have been passed. This government passed a Safe Schools Act that infers the act itself would make schools safe. They then proceeded to remove the funding that provided people in the hallways and in the office. Schools across this province lost secretaries and custodians, individuals who would assist in making the schools safe.

This government passed the Safe Streets Act to address the horrendous problem of squeegee people. I had almost forgotten about it until on my way to the Legislature today I stopped at an intersection watching the squeegee people at work on the street, but I was relieved that this act in fact got rid of it.

Are we, as Liberals, opposed to the concept of taking the proceeds of crime from criminals? Of course not, absolutely of course not. I have had people in my office who have had a car stolen and were not insured for theft. I've seen the very real obstacle it presented to them of not being able to go to work, not being able to replace the car. I myself have had a car broken into. It's a traumatic event to lose your personal possessions out of it. I've had people who have had their homes broken into, who have been distraught talking to me about priceless possessions that have gone, and someone is going to make a few dollars off selling them.

Certainly we are opposed to organized crime. I've had people on ODSP in talking to me about their inability to pay rent and pay the heating bill and buy—oh, I'm sorry, that example was about actions of this organized government rather than organized crime. I'll get back to organized crime.

1730

With organized crime, we need to think about what this bill says. This bill provides two different standards: a standard for criminal activity, which is not within the mandate of this province, and a standard for taking possession through a civil court. Each and every citizen in Ontario should be concerned about the implications of the government seizing assets from individuals who have not been proven guilty of any action.

There is a parallel I would use. A large number of small businesses are coming in to talk to me because this government goes in and does an evaluation of the financial activities of our small businesses. At the end of the audit, they will produce a bill at times if they believe the bookkeeping has not been done in a manner that conforms to the Retail Sales Tax Act. But the process they use for that is, "You pay us the money and then we will consider an appeal." I believe there is a parallel there, that this government will take away the money from the business before they in fact have determined whether they owe it or not, and if the firm doesn't pay the money, they will move in and start seizing the assets without the owners having had the opportunity to make a case on why in fact they were correct and the retail sales tax interpretation was incorrect on the part of the government.

If we follow that parallel, we can see that we have a government here that's prepared to take the assets of individuals who have not been found guilty of anything. How often do they have to be right in their seizures? Are we satisfied with 80% being correct, 90% correct? Are we prepared to victimize just 10% of the people by seizing assets? I suggest we need as close to 100% as we can achieve. I believe it is a fundamental right of every Ontarian to have a trial if accused of something so that it can be determined whether in fact they are guilty and whether they should forfeit.

We hear a lot of discussion about this government's law-and-order agenda. We have had introduced in this Legislature, by the member for Brant, Bill 27, An Act to protect the families of police officers and others involved in the criminal justice system. If we want to take and crack down on organized crime, we have to ensure our police officers can do it with security for themselves and their families. This government won't pass this bill.

We see in eastern Ontario this government forcing our police officers to use a radio-dispatch system that is 25 years old. It was 20 years ago that the first PC was produced by IBM, yet they're using for our police officers 25-year-old equipment. This government has a stronger commitment to golf courses than it does to the safety of our police officers.

We have seen amalgamations take place across Ontario without any forethought as to the role of the OPP. If you want to truly understand something, try to change it. This government has changed the makeup of Ontario and created a great deal of uncertainty not just for the OPP but for all police officers as to the status of their jobs, what the amalgamations will do. There's been no consideration or care given to our police officers themselves. We have in fact, as has been mentioned by other speakers, fewer police officers per capita in Ontario now than we had when this government took office. Is that getting tough on crime? No, that's getting tough on getting more tax cuts for the well-to-do. We haven't seen a commitment.

Last year, this Legislature passed a bill for car branding so that automobiles that are stolen can be dealt

with. I spoke to a police officer last week who said there are still no regulations. Although there has been the rhetoric and a press release that this bill has passed, there are still no regulations for it to take effect.

For victims, we don't see anything other than rhetoric. I'm sure everyone in this House knows of someone who's been a victim of a crime, who then incurs additional costs to travel to a trial, to pay for parking, to pay for meals, to be present to see justice done. For many victims of crime—and I would suggest even for someone who's had their house broken into and items stolen while they were not there—it is traumatic. I would suggest counselling is a very necessary service to be provided to victims, but it's not there.

We hear all the talk about getting tough, and I wish we'd hear a little talk about prevention. This government is so proud that they can operate a privatized jail for only \$80 per day per inmate. That's the focus. Yet, on the other hand, for elementary school students we see them spending about \$19 a day. We see them continually scavenging money out of the school system where there's an opportunity to make a young person successful and not fall into the criminal justice system.

What we're seeing is a continual erosion of Ontarians' rights. We hear the rhetoric about getting tough on criminals, but there is no substance to it. This entire action itself sounds good, but I don't think any reasonable judge would want to seize items until there's been proof of a conviction for that individual. I don't think anybody in Ontario would want to see a neighbour's assets stolen without proof.

What we're seeing is the government again giving itself centralization of power in proceeding with bills, even when they know they may not have a strong legal basis but because they sell well with the title. We know, and I believe they know because they have lawyers also who tell them, that in effect this government is venturing into the area of criminal law, an area in which they have no business; it's a federal matter. Also, the Charter of Rights and Freedoms is in all likelihood being violated by the government's decision to take and proceed and seize assets. A very premise of our society has been "innocent until proven guilty."

We have seen examples of this in the States. We have had members quote to us American sources, and yet all of us have watched some documentaries on TV that have shown some horrible examples where some US police forces have chosen to target people based on a specific race, a particular background, and pull them over and seize assets in the states where they have a similar law that allows them to seize assets without conviction. I would suggest that the United States is not the example we want to follow on how to tackle lawlessness. They are probably an example of how crime is increasing and getting worse. This is Ontario and I believe we have a heritage in Ontario of protecting individual rights.

It has been said by other members on this side, and perhaps said better, that surely we should require a conviction, surely we should require proof that the

individual in fact has benefited from a crime, before we seize assets from that individual. To proceed on the basis that we suspect or we think or there's probable cause is fundamentally wrong. If this bill passes, it opens the door to a wide range of, "We don't need a conviction to seize the assets."

Mr Gerretsen: I am very pleased to join this debate. Let me first of all say that this government is very good at optics. It likes to give the impression out there that it's really fighting crime and it's strong against crime. We saw it with the so-called squeegee bill, which affected very few people in the province of Ontario and really didn't deal with the criminal situation in this province at all, and this is exactly the same thing here with respect to this bill.

It's interesting to note, and this has been mentioned, that there are already provisions in the Criminal Code available right now that the province could use in order to seize assets that were obtained through crime.

Mr Frank Mazzilli (London-Fanshawe): Show me the provisions. Tell me where to find them.

Mr Gerretsen: Show you the provisions? You're sitting right next to a former Solicitor General and he knows quite well—

The Deputy Speaker: Order. The member for London-Fanshawe is not in his seat. Heckling is out of order and he'll be out of here if he continues.

The member for Kingston and the Islands.

Mr Gerretsen: Thank you very much, Speaker.

Professor Margaret Beare of Osgoode Hall Law School stated that Ontario currently is the province that tends to use the existing power of seizure that's available under the Criminal Code less than any other province. So the question is, why do we need this in the first place when the government, the Attorney General, doesn't use the powers that are available under the existing Criminal Code? That's a very simple question, and I would like somebody to answer that in the two-minute sessions that follow this speech.

The other issue is that this government has set aside only \$4 million in its entire budget of some \$60 billion to fight organized crime. We all know from the facts contained in the budgets we get annually that there are fewer police officers in this province right now, patrolling our streets in our villages and our cities, than was the case five or six years ago. Here in Toronto alone there are some 450 fewer officers than there were even a few years ago.

1740

Interjection: You should care, Frank.

Mr Gerretsen: I think all members should care about that. Do you need any other proof? I've got the budget for this year right here. What's happened to the Attorney General's budget? It's gone up from \$971 million to \$979 million, an increase of \$8 million, something like 0.8%, when we all know inflation increased by at least 2% or 3% just in this year alone. This is the government that wants to fight crime. In effect, it's making less

resources available to fight crime than was the case even last year or the year before.

That is the issue we're dealing with: there's less money in the budget, less resources available—human resources—and people out there want to make sure our streets in our cities and towns and villages are safe. We owe that to one another, and we in this party are committed to fight that fight. We want to make sure that people have an inherent right to be safe in their communities. Whereas this government has talked a good line about doing that, when you look at the actual resources it makes available to its own force, the Ontario Provincial Police, or to the various municipalities, you will see that actually less resources have been made available than was the case before.

Let's take a look at some of the other initiatives this government has come up with. Remember their Victims' Bill of Rights, which was supposed to do wonders for victims of crime, and how they were going to be protected? I will just quote to you from a recent report that was contained in the public accounts of Ontario. Listen to this.

Interjection: That's your report.

Mr Gerretsen: That's your report, under your watch. The public accounts office "found that 59% of victims were not being notified about bail hearings in their case." That means that three out of five people who were supposed to benefit from the Victims' Bill of Rights aren't even notified about bail hearings that are taking place in the cases in which the people who had perpetrated the crimes on them were involved. Sixty-six percent of victims—two out of three victims—had absolutely "no input in plea negotiations," none whatsoever. Remember, the Victims' Bill of Rights was supposed to deal with that and was supposed to make victims more a part of the judicial system. Well, two out of three victims have absolutely no say over that.

Forty-nine percent of victims—one of every two victims—"were not advised of the probation or parole conditions imposed on the perpetrator; 53% of victims received no assistance in preparing a victim impact statement." More than one of every two individuals who were victimized did not have any input, no help whatsoever, from the crown's office in helping them make their victim impact statements to the courts. What I'm saying by all that is simply that this government likes to talk very tough about fighting crime by setting up the Victims' Bill of Rights and by setting up the office for victims of crime, and, in effect, two of every three people who have anything to do with the office really don't get any help at all, absolutely no help at all.

This is the government that likes to talk about fighting crime, and yet there are fewer policemen on the street right now than was the case five or six years ago. This is the government that likes to talk about fighting crime, and yet it is spending only marginally more money in the Attorney General's department and budget this year than last year.

I was absolutely fascinated with the comments that were made by the member from Kitchener Centre. He basically said, "We don't care about the legalities of the situation; we just want to implement this law." I dare say that anyone in this chamber knows you had better have a law that stands on its own two legs and can be defended from a Charter of Rights viewpoint, because it's going to be challenged at some point in time. What is the point of passing a law that can be attacked so readily? For a member of the government to say, in effect, "I don't care if it can be attacked or not, it really doesn't matter; I just want to make sure the law is there," is simply a totally outrageous statement to make.

We on this side believe the people of Ontario have a right to feel safe in their communities. We are committed to that. It's one of the basic rights people have, in the same way they have a right to housing, a right to a livelihood, a right to food for themselves and for their families. The other issue that comes very close to that is that they want the right, and they have the right, to feel safe in their communities. This bill doesn't do it.

What we need in this province is a government that believes in action, such as the action that has been suggested by my colleague here in Bill 24. His bill, An Act to amend the Municipal Act with respect to adult entertainment parlours, makes it very clear that if you want to set up an adult entertainment parlour, you need to be licensed for that. It doesn't matter whether it suits a particular zoning regulation or what have you; you need to be licensed for it. That's really what's necessary.

You may recall that earlier he had another bill dealing with child prostitution. What did this government do about it? Nothing for years and years until they finally were shamed into passing it. Those are the kinds of actions people are looking for. They are not interested in feel-good statements, setting up feel-good offices and then not resourcing those offices and not resourcing what needs to be done for people to feel safe on the street. They want real action, and the real action is to deal with the individual problems of crime that we have in our communities, to work with the local police, to work with the local law enforcement agencies and find methods as to how those problems can be resolved, and then make absolutely sure the solutions to those problems are properly resourced.

Where this government has failed the people of Ontario is in not resourcing what needs to be done to make sure our streets are safe for you and me and our children and our parents. That's what the people of this province are looking for, and this bill fails totally in that respect.

The Deputy Speaker: Questions and comments?

Mr Bisson: This gives us an opportunity to repeat what was said earlier in this debate—and it was mentioned by both the members from the Liberal caucus as they spoke—that the government really likes to talk a good word, a good line, a good PR opportunity whenever they get a chance, about their record when it comes to law and order. But the reality is, and the member was

quite right, that when you really look at what's going on and what's happened on law-and-order issues since 1995, the government has put out lots of press releases, and they've even introduced some legislation that had really nifty titles, like the Victims' Bill of Rights, but when you looked at those pieces of legislation and how they stood up in the courts, they weren't even worth the piece of paper they were written on.

Judge Day, in his decision, when he looked at the Victims' Bill of Rights when a person who was trying to assert the rights supposedly given to them by way of this Legislature through the Conservatives' Victims' Bill of Rights, said the bill is not worth the piece of paper it was written on. There were no teeth in it; no new rights were given.

Then you take a look at the squeegee law that the government put out, supposedly to get those bad old squeegee kids off the streets. I really thought that was interesting, because of all the things that scare me—I think if I saw you in a dark corner I'd be more scared than I would be of a squeegee kid, but that's another story. I just say the squeegee kids at least were trying to exercise their right as free citizens in this country of being what are called entrepreneurs. I would think the Conservatives, on the question of the squeegee kids, would have been trying to find some way to encourage them to exercise their rights as entrepreneurs. But again, the government decided they were going to try to quash those rights rather than really deal with the issue of a Victims' Bill of Rights.

I just say the government speaks a really good line, but at the end of the day it comes down to the same: lots of talk, lots of press opportunity, but very little in the way of new rights given to Ontarians.

1750

Mr Mazzilli: It's certainly a privilege to speak in support of this bill. The member from Kingston and the Islands talked about remedies in the Criminal Code for seizing proceeds of crime, which of course you need a full legal office to do. In provincial jurisdiction there are civil remedies and that's what this is about. It's to extend those services. Most municipal police forces couldn't even undertake to go after proceeds of crime as defined under the Criminal Code, because you need probably 50 lawyers on staff to go after any of those proceeds. You should know that before you go talking about what is really there.

Something I do want to talk about—because the Liberals clearly, no matter what you're talking about, give different impressions when they say one thing in the House and they go out and tell some stakeholders something else—is a bill that presently is being debated in this House, and it's a bill that amends the Public Service Act. The NDP have been clear: they support all provincial employees being under OPSEU. The civilian members of the OPP are asking to leave OPSEU and join the OPPA, and the NDP oppose that. What we get from the Liberals is they say, "We're going to oppose it for some reason, we're not sure what," but then they go and

talk to the OPPA and say, "You know what, but we support you on it."

I'm not going to let them get away with it on that, because I spoke to Brian Adkin, the president of the Ontario Provincial Police Association, I told him what the Liberals are up to, and he said he's going to flush you out on this, and he wants to know the truth. Do you support civilian members leaving OPSEU and joining the OPPA? Do you or don't you? And do you support religious schools and tax credits, those things? Come clean and give us your position on all of those issues.

Mr Rick Bartolucci (Sudbury): I want to thank the members from Price Edward-Hastings and Kingston and the Islands for articulating what's weak in the legislation and what the Liberals stand for. We Ontario Liberals want to get tough on organized crime. We want to provide law enforcement officers with tough effective and legal tools to fight organized crime.

With regard to Bill 30, let me quote what one expert says, author Yves Lavigne, who is the foremost civilian expert on the Hells Angels. He was asked by the Ottawa Citizen on January 14, 2001, what he thought of this bill. He said Bill 30 is a joke, and during his TVO appearance, in response to the question, "What is the likely effect of this legislation on biker gangs?" Mr Lavigne said, "None." Now, that's weak legislation; that's not strong legislation. You want to know what strong legislation is? Strong legislation is Bill 27, which was introduced by our member, Dave Levac from Brant, An Act to protect the families of police officers and others involved in the criminal justice system. This will ensure that organized crime believers are punished.

If you want tough legislation, you go and see Dalton McGuinty. He believes in an Ontario that is protected by police officers and police officers are given the tools. You might want to talk to Michael Bryant—you constantly use his ideas—or you might want to use some of the ideas that I've introduced in the House: Bill 22, Bill 23 and Bill 24.

We tell you that we want to get tough on criminals. We have tough legislation and want you to adopt it. We want an Ontario that's safe, not one that is full of rhetoric, but one that is full of action.

Hon Mr Tsubouchi: I heard with interest the members for Timmins-James Bay and Kingston and the Islands speak about this particular bill. It's interesting how they threw out different statements in terms of policing. I might point out that the biggest drop we ever had in policing in the province occurred under the Peterson Liberals. In one year they lost more than 2,000 police officers. That's the biggest drop. The second-biggest drop was under the government of Bob Rae, and it took us years to recover from that.

I might say that the member for Kingston and the Islands mentioned the number of \$4 million in the Attorney General's budget, but that's in addition to all the other initiatives we have; certainly CISO, which is funded under the Solicitor General's office—that's the Criminal Intelligence Service Ontario—which is really

the chiefs of police in Ontario working basically to fight organized crime. I might point out we have a lot of police leaders throughout this province, besides the OPP, who work with CISO. The current chair is Alex McCauley from Sudbury, a great police chief; Julian Fantino; Ken Robertson from Hamilton. You've got Noel Catney from Peel, Bob Middaugh from York region and Larry Gravill from Kitchener. These are all great police leaders who work together. But this organization is funded by this provincial government.

Secondly, the Ontario Provincial Police do have a budget to fight organized crime, in addition to this money that's going to the Attorney General's office. I believe the police initiative is a very important one. What the Attorney General is attempting to do is give extra tools. An expert over there said this is not a good thing to do, but I might say that we've heard from experts from across common law countries, from South Africa, from England, from Ireland, from the United States, all of whom have some sort of RICO laws to help them in the fight against organized crime and all of whom greatly support what the Ontario government is trying to do.

The Deputy Speaker: Response?

Mr Gerretsen: I would like to thank all the members who spoke, particularly the Chair of Management Board. I feel privileged that he would respond to my speech. But I'm sure that he, in his previous role as Solicitor General, is familiar with the organized crime impact study that was done by the federal government some three years or so ago. I'm sure he will agree with me that the amounts are absolutely staggering as to what the profits of organized crime are in Canada. In the area of drugs, it's somewhere between \$1.4 billion to \$4 billion per year. In the area of—let's see here—environmental crime, it's in the millions and millions of dollars. In the area of highly profitable counterfeit products, it's over \$1 billion per year. In the money-laundering area, it's somewhere between \$5 billion to \$17 billion a year.

The reason I'm saying that is that organized crime is a major problem in this province. But \$4 million extra, sir, that your government is spending to fight this isn't going to make any difference at all. It's a smidgen. We're talking here about a multi-billion dollar industry. If you were really serious about fighting crime, you would substantially increase the budgets of your policing organizations here in Ontario, both at the local level and at the provincial level, so that we could really have an impact on fighting crime in this province.

You know it as well as I do: the will has to be there, and it has to be more than just simply political rhetoric. We all know that this government is great with the political rhetoric about fighting crime; in reality, they're just not doing it.

The Deputy Speaker: It being in the general vicinity of 6 o'clock, this House stands adjourned until 6:45 of the clock.

The House adjourned at 1759.

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