



ISSN 1180-2987

**Legislative Assembly
of Ontario**
Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 4 October 2001

Jeudi 4 octobre 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 4 October 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 4 octobre 2001

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

HOME CARE

The Deputy Speaker (Mr Michael A. Brown): Orders of the day.

Clerk at the Table (Ms Lisa Freedman): Ballot item number 21, private members' notice of motion number 14, Mrs Papatello.

Mr Doug Galt (Northumberland): On a point of order, Mr Speaker: I'm very concerned about the motion that's before the House this morning. I have three points of evidence that I believe it's unfair.

The Deputy Speaker: Order. There is no motion before the House this morning.

Mr Galt: The resolution has just been—

The Deputy Speaker: It hasn't been moved.

The member for Windsor West.

Mrs Sandra Papatello (Windsor West): The following is my resolution.

That this House:

Recognize that the Mike Harris government promised to institute "patient-based budgeting" for health care services back in the 1995 Common Sense Revolution;

Recognize that community care access centres across the province are reporting a funding shortfall of \$175 million due to a funding rollback by the Mike Harris government;

Recognize that due to this lack of funding, community care access centres have cut back on home care services affecting many sick and elderly Ontarians;

Recognize that cutbacks to home care services are forcing patients to stay in hospital longer;

Recognize that cutbacks to home care services are forcing patients to seek more expensive care in hospitals or long-term care facilities;

Move immediately to lift the Mike Harris home care funding rollback in order to allow community care access centres to provide services based on patient need.

Mr Galt: On a point of order, Mr Speaker: My apologies for rising earlier. I understood that once it was tabled, the motion was before the House.

There are three points of evidence of concern that I have here that I'd like to point out to you. It's a concern

of fairness and following the rules of the House. It has been laid out very clearly.

I draw your attention first to the current rules of order, page 4, section 2, the last definition under "substantive motion." It indicates that this includes resolutions, such as is before the House, and motions, and the last sentence states, "Such motions require notice and must be submitted to the Speaker in writing when moved, before being put to the House for debate. No motion shall be prefaced by recitals or preambles."

My observation of this particular resolution or motion is that there are five very distinct preambles ahead of the motion.

The other point I would like to bring to your attention is a letter that was distributed and possibly read by the Speaker at the time. It is dated April 19, 1999. It was from the Honourable Chris Stockwell, who was the Speaker at that time.

I won't read it all to you, but I'll share it with you if you so like.

In the fourth paragraph it states, "Standing order 48(d)"—which at that time refers to this section 2 in the present standing orders with the movement of different sections—"makes it very clear that no motion should contain preambles, but should simply be a concise statement of resolve that the House can easily debate and decide upon. Standing orders 14 and 45(d) also make it clear that the Speaker has the discretion to decline to put a motion he considers out of order. I am of the view that many of the resolutions that have been placed on the Orders and Notices paper in this Parliament have clearly violated the standing orders, and it is my intention to intervene and discontinue what has become an indifferently habitual practice of this House. I would note that Speakers in many other jurisdictions have faced this problem and have resolved it similarly."

Concerned with this resolution, I too submitted one yesterday—this is my third point of evidence here—and the table rejected it when I first took it to them. I then went back to my desk and worked on it during the afternoon and resubmitted it a minute before 5 yesterday. Basically it's been rewritten in the same style as the present resolution before the House and I'm told it's out of order.

So I'm pleading to the House for fairness. It has nothing to do with the motion or the content. I understand the concern there, but this is about fairness and you can't have it both ways. It should be consistent. I have brought different resolutions to the table over the years and each

time I'm told about this preamble. To me, that is what this point of order I'm bringing forward to you is about. I will respect your decision. I look forward to your response on this point of order.

Mr Peter Kormos (Niagara Centre): To that point of order, Mr Speaker: Every thinking person in this House knows what a preamble is, and to put it colloquially, it's "Whereas, whereas, whereas, therefore be it resolved." There is no preamble to this bill. It says, "Be it resolved that." I submit to you that this member's submission to you has no value whatsoever.

The Deputy Speaker: The member for Northumberland has raised some significant issues here. I'd like to take this into consideration. We'll recess for five minutes.

The House recessed from 1007 To 1015.

The Deputy Speaker: I want to thank the member for Northumberland for bringing this to the Speaker's attention.

I will start by saying that while it's possible that this motion is open to question as to its conformity with standing order 2, it has nevertheless remained on the Orders and Notices paper for some time without scrutiny, and I believe it would be improper to remove it in its entirety, denying the member for Windsor West her opportunity to bring forward an item for discussion this morning.

At the same time, the member would know the requirement for notice was waived. The member for Windsor West could have moved absolutely anything this morning that would have been found to be in order—it could have been on an entirely different matter—given the fact that notice was waived.

Considering the fact that the member's true resolution lies in the last paragraph of her motion, I'm going to consider this motion this morning. In the meantime, I am going to consider the matter raised by the member for Northumberland with respect to motions that are prefaced by recitals and preambles, and report back to the House.

I would also like to draw the attention of the member for Windsor West to standing order 2, to remind all members of the direction given by Mr Speaker Stockwell in November 1999 with respect to motions and to tell members it is the intention of the Speaker to enforce those rules in the future.

Mr Kormos: On a point of order, Mr Speaker: In view of what you said, and in view of the fact that you purport to report back to the House, and in view of the fact that the point of order by the member was made somewhat to the surprise of most people here, that there weren't opportunities for the respective opposition parties to fully reply, may I submit to you that the opposition parties, and perhaps the government as well, ought to have an opportunity to make further submissions on this specific matter before the Speaker considers it. That would be fair. In view of the fact that the Speaker's decision may have significant impact on all of us for years to come, I submit that it would only be fair—I would accept a time for those submissions to be made—

that we have an opportunity to prepare submissions and put them to you before you make the decision that you indicate you will.

Mr Dwight Duncan (Windsor-St Clair): I concur in what my colleague has said. The other point I want to bring to your attention—you referenced it—is that we have been operating under the presumption that the table will advise us. In fact, just yesterday the table advised us that a resolution of one of our members was out of order because of the preamble question.

In terms of how it's defined, we assume that when something is published repeatedly in Orders and Notices it will be acceptable to the Chair. That's been our presumption. If that is going to change, we would like the opportunity to have input to how those rules will be defined.

Again, just yesterday one of our members attempted to table a resolution and we were advised by the table that it would be out of order. In this case, it was tabled, accepted and published. I see the very next resolution by the member himself has a number of preamble points. I presume that was reviewed with respect to the standing orders that are applicable in these case.

If the Chair is looking at those issues, we too would like the opportunity to participate, so there's understanding among all parties and all members of the House about how those rules work.

Mr Galt: Speaker, I want to rise to thank you for your consideration. I don't have any further comment on it. I just brought it to the floor. I'm pleased it's being looked at, and I'm pleased that you as Speaker will be reporting back maybe a better definition or re-looking at this particular activity. That's really what I was looking for, that we have some consistent rules that everybody can play by.

The Deputy Speaker: I want to thank all members for their suggestions on this matter. I believe it to be a significant and serious matter.

I will accept written arguments on the interpretation of the standing order and advise members to submit those to the Speaker in a timely way.

The member for Windsor West has up to 10 minutes to make her presentation.

1020

Mrs Pupatello: I'm very pleased for the opportunity today. I want to talk about home care. I want to talk about home care in every community across the province, and what's happened to home care and home care programs since 1995.

What used to be in Ontario almost an elder care program, a supplemental program that governments, almost as a social service, used to provide to people in their homes—vacuuming services, house cleaning, meal preparation—has today turned into a virtual hospital, with the lion's share of home care services being provided across the province now in the form of nursing services. The lion's share of services are now being provided through nursing services specifically, and the lion's share of clients are those who have just been discharged from

hospital. That's a very different home care program today than what we started back in the 1980s.

Because of that significant change, the funding must follow what the demand of the service is. What happened in 1995 after Mike Harris became Premier was that he cut health services across the board. The first thing that was cut significantly, with a huge impact immediately on our community, were hospitals. Hospitals across Ontario lost operating dollars. The member from Kitchener knows full well St Mary's hospital was on the chopping block. He attempted to defy his own government up until about the last minute. The members from London certainly know what's happening today to their hospital operating budgets. We are now watching University hospital gutting some 15 programs. Why? Because of operating costs not being available.

Here we are today in the face of many, many cutbacks across health services and more and more demand being placed on the home care industry. The people who work in the home care industry know how the face of their services have had to change, even since community care access centres began in 1997. In my own community, it replicated almost every other CCAC across Ontario. Very willing volunteers who came to the floor as directors had no idea what was going to land in their lap when they had to govern services that became, not some kind of nice little social package we were helping the elderly with, but in fact significant life-saving services, the lion's share being nursing services, with the lion's share of clients now being hospital discharges.

A virtual hospital is what they're running: hospitals that go seek the clients in their homes. Duncan Sinclair—"the master," so called by the government—headed up the Health Services Restructuring Commission. What he said when he made reports right across Ontario was that this government is mandated to fund those community services before institutional services were cut. We held him to his word.

Let me tell you what he's saying today. He just said that this week about home care services because the crisis is so apparent, even to him. Duncan Sinclair says, "There is no question that those people right now who need home care aren't getting it. They face individual crises."

Thank you, Dr Sinclair, for not being around to hold their feet to the fire to make them implement what they knew they had to do. Instead, while we called on the Health Services Restructuring Commission to have some kind of pull on the government to have to invest, the government has in fact not kept up with the demand.

Let me go on now to what we see is happening right across Ontario. The member from Waterloo-Wellington, Mr Arnott, this week in the House said, "Some patients are receiving less care. Some aren't receiving the care they need because they are on a waiting list. With the budget for home care frozen across the province, more patients will need hospital or long-term-care beds, the very expensive and sometimes unavailable options that home care was designed to replace."

I can tell you that when these programs of home care were started in the 1980s, it was not designed to replace

those services. But when this government created CCACs, you designed them to replace them, and you do not have those services in place now that those hospital services no longer exist.

This is what Joe Tascona, MPP for Barrie-Simcoe-Bradford, wrote to the Minister of Health: "I have heard from my constituents about their concerns for sufficient funding to provide the level of care those persons need outside the hospital setting. I believe the ministry must immediately address the funding level." This from a Conservative backbencher.

This is what Mr Beaubien, the MPP for Lambton, said in a letter to the Minister of Health: "I don't care how we do it. We must make sure our sick and elderly get the kind of care that they need, and Minister, if we are not prepared to do that, I want you to tell me how I should respond to Ms Irwin and others like her who find themselves in the very unenviable position of trying to provide care when their loved ones are terminally ill." That's what's happening in Lambton.

This is Michelle, who comes from Stratford. She works in the home care field. This was part of her e-mail: "Many seniors and disabled people lose their light housekeeping services because of budget cutbacks. Low-income seniors and disabled do not have the money to hire a housekeeper. How will these people get their housework done?"

Just this week I was travelling on Meals on Wheels with the VON in my own community and opened the door to seniors. One senior woman said that this is how she gets her housework done in her home. There's no way that this woman could stay in her home without that kind of assistance. We wonder where this woman would go if we didn't have those services to provide.

I ask all of those involved with CCACs, their board of directors who have been forced to implement policies without any assistance or guidelines from the government of Ontario that created them, no standards—depending on where you live, if you're in Wawa or Windsor or Ottawa or Oshawa your service level is different. That's wrong.

When the CCACs were created in 1997, we called immediately for standards in this industry. We said you must determine what is in that basket of care that will be provided in Ontario. The government has neglected to do it.

Those CCACs should have been developed, and before the horse got out of the barn, you should have determined what they were supposed to provide. Instead, this government, like in most cases of government policy, has allowed the local volunteers to take the hit. In most communities, those volunteers have actually been advocates for the patients in their community—not in every CCAC. In some, they've had tremendous growing pains like in my own in Windsor, where those board members had to learn to be advocates for patients.

Now we see across the board, just this year, the deficits mounting because the demands that the hospital sector placed on CCACs, and they can't cope.

Let's look at what those levels are.

In North York, the community care access centre serves 9,500 clients a day. They will be reducing that number by 1,000, and I ask you, where will those 1,000 people go and who will care for them?

In Hamilton, with a waiting list of 650 people: forced to cut from its \$53-million budget.

In Manitoulin-Sudbury: forced to cut almost \$1 million from its budget.

The York: \$12 million.

Some MPPs have dared to suggest it's all mismanagement. The Premier himself stood up in June and said that it's a shoddy ploy by the CCACs just to extract more money. I say, how dare the government, who placed the burden fully on local community care access centres to provide while the demand skyrocketed for this service. The funding levels barely kept track.

Even in yesterday's estimates committee with the Minister of Health, where we demanded answers for what these local community care access centres are to do with their deficits, what do they do with patients they can't serve, the minister glibly announced from his books how much more money they were given year after year without acknowledging that they've wholly changed the mandate of what this program was and that they are responsible for funding it. In its own documents, in its own business plans, the Ministry of Health was to be providing this care.

In particular, the members that I've written to—in particular the communities, not just in Windsor, which faces a \$2.8-million shortfall, where my board is forced to determine who gets service and who doesn't—I encourage the local MPPs to meet the people who do without the service. Like we heard from Lisa Medwid in Essex, who, under enormous, tremendous difficult circumstances in dealing with a sick husband, of all things will lose the minimum home care hours that she got—a story that would make anyone cry.

I ask you MPPs across the way to turn to your own communities and ask, "What is it that you need in your community?" I ask that of those in Leeds-Grenville who signed the petition, and those in Northumberland. I ask those in London and I ask those in York. I expect that those people today will support my resolution.

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: During the member's presentation, the member for Ottawa West-Nepean referred to the members on this side of the House as a bunch of frauds. We know that is unparliamentary language and I ask him to withdraw that.

1030

The Deputy Speaker: The Speaker can only rule on what the Speaker actually hears. I did not hear that. If in fact it was said, the member has any opportunity he wants to take to withdraw.

Further debate.

Ms Shelley Martel (Nickel Belt): I'm pleased to participate in the debate today. I want to say at the outset that I think the government has made absolutely the

wrong decision to cut health care services, because that is what it is. It's not just a freezing of home care; it is a cut. Many of the CCACs received additional funding last year in order to cover their deficits, and that is not the amount of money they have received this year in order to operate.

I think the government is wrong for four reasons. First of all, the government's decision flies in the face of a report that was done by this same government about CCACs which clearly says the government should be investing in, not cutting, homecare services. Second, the government does this at a time when it has more than enough money to fund home care needs but prefers to give \$2 billion worth of tax cuts to its corporate friends instead. Third, this decision will cost the health care system more in the long run, and I cannot understand why the government cannot see that. Finally, the decision is wrong because each of us in our own communities, if we were being honest and forthright, knows full well that this has tremendous negative impacts upon seniors, the disabled and those who are being discharged from hospital. That will cause long-term health care problems for the province as well.

Let me deal with the local situation first. In our community, the Manitoulin-Sudbury CCAC has a deficit this year of \$1.8 million. That was announced very publicly at a press conference that was held by the chair and the executive director of the CCAC on May 23. During the course of that press conference, the executive director and the chair made it clear that \$1.6 million of that \$1.8-million deficit came exclusively from higher prices for services which the CCAC purchases from other local agencies. This is a deficit, more than three quarters of which the CCAC has no control over because it comes from the purchases of services from other agencies and much of it is related to wage increases in those other agencies. But they were very clear to say that they had no choice, in the face of this deficit and the government's resolve not to fund the deficit, but to cut services.

Our CCAC has developed a 17-point plan which has dramatic impacts upon the clients it currently serves, and the clients it should be serving and cannot. The chair of the board at that time made it very clear that they had been told by legal counsel that they had no choice but to cut because they could not personally assume liability because of the government's Bill 46, that it would be wrong for the board to run a deficit because they would be personally liable, and no volunteer board in this province should have to face that. And indeed they should not.

So the untenable situation that our CCAC has been placed in is that they now have a plan to cut \$1 million worth of services, and that plan includes, among others, these reductions:

(1) A waiting period of one month for any new clients submitted for homemaking services.

(2) Further major reductions in the amount of homemaking service provided, including to people who need personal care.

(3) Elimination of in-home support service and home-making to people for whom other programs exist in the

community, notwithstanding the limited resources those other programs may have to provide service.

(4) Elimination of in-home professional services, nursing, physiotherapy, occupational therapy, social work, nutritional counselling and speech therapy for people who are able, with little risk, to travel to receive services at clinics or in hospitals.

(5) Deep cuts in the amount of medical supplies provided, including the complete elimination of certain supplies.

(6) Reductions in medical equipment rentals.

(7) Development and implementation of new guidelines to assist us in determining how much service and what kinds of service we provide to our clients. In fact, they were meeting this week with the hospital to talk about discharge and to say very clearly that the CCAC cannot accept patients coming out, that the hospitals will have to hold those people longer in expensive hospital beds because the CCAC does not have the resources to deal with all the needs of those being discharged at this time.

The chair of the board was very clear in placing the blame where it should be placed: at the feet of this government. The chair of the board talked about three things during the course of that press conference. First, he made reference to the budget of this particular CCAC, and he said very clearly that in the past three years, while 43 CCACs have received total increases of \$272 million, the portion received by the Manitoulin-Sudbury CCAC during that time was \$487,000, less than one fifth of one per cent of all the increases to all of the CCACs. It is no wonder that this CCAC is facing a budget problem. They have received less than one fifth of one per cent of those increases over the last three years.

The second problem the CCAC has faced, and I raised this in the health estimates this week, is that this CCAC was promised equity funding from this government beginning last year, in 2000-01, and for the next five years. The minister for seniors, Cam Jackson, made that specific commitment to our CCAC on August 27, 1998, wherein he said, "Starting in 2000-01 and each of the next five years the Manitoulin-Sudbury CCAC will receive additional funding based on our equity formula." Our CCAC has never received that equity funding, not in 2000 and not this year, and probably won't receive it over the next three years if the government's policy is to limit the funding that goes to CCACs.

The minister in estimates said he didn't think that was true, but I have on many occasions confirmed that with our executive director and with our chair. So the Ministry of Health has undertaken to check their numbers again. But it is very clear from the local level that they have not received the equity funding they were promised, so that gives them a double problem in terms of their budget.

Third, the consequences are these tremendous cuts. As I said earlier, the chair of the CCAC laid the blame exactly where it should be laid: at the feet of the government. He said the following, "Though we deeply regret having to implement these service changes, our

deficit reduction plan is necessary due to the government's imminent policy concerning deficits and inadequate funding for home care. In the face of such policies, our agency has no choice but to implement further service reductions which we know will have a profound impact on our clients and the communities we serve. Further, these changes will have a significant impact on other health and social service agencies and may actually pit agencies one against another."

We hope it won't do that, but we are fearful that that indeed may well be the case.

The city of Sudbury in response to the concerns in our community has also most recently passed a resolution, dated September 14, 2001, where they call upon this government to recognize the funding issue for home care in Ontario because of the implications for an aging population, and also call on the government to review its position regarding or concerning the funding of home care. I congratulate the council from the city of Sudbury for having done that.

Just in terms of one particular client—we've all had many who have contacted our office, but let me raise this particular concern: a woman by the name of Madeleine Bouillon, who is 51, who has been confined to a wheelchair since she was injured in a basketball game when she was 18. Madeleine, to her credit, in the last month has organized two demonstrations in front of the provincial government office in Sudbury to protest the cuts and to try and raise public awareness and to encourage other families and other clients to lobby this government for change. She used to receive eight hours of home care. She has had that reduced and she is very concerned that she will not be able to continue to care for herself and end up in a nursing home, where she does not want to be. Madeleine Bouillon is one of thousands of CCAC clients right across this province who are being affected in similarly negative ways.

1040

Two points that I want to go back to: first, that this decision by the government flies in the face of a report that this government itself commissioned to look at CCACs. In December the ministry received a consultant's study completed by PricewaterhouseCoopers. The minister finally decided to release the result of that study in June of this year. I suspect that part of the reason for the delay was because the consultants themselves, in reviewing the operations of CCACs, made it very clear that more money was required to fund this system, that there were enormous waits for important home care services, that there was a lack of staff to deal with these services because the funding in this sector is less than in the hospital sector. The recommendation they made, point number 4, page 145, was that the ministry should continue to move forward with its commitment to invest in CCACs, as indicated in the ministry's 2000-01 business plan, and ensure consistent funding approaches across the province. The ministry's business plan called for an increase in funding of CCACs across the province—not a freeze, and certainly not a cut. So while the

minister tries to rely on this report by PricewaterhouseCoopers to try and justify his cuts to home care, the fact of the matter is that the recommendation that was made by the consultants after an independent review of CCACs was that this government should fund them more to meet the problems with respect to waiting lists, to meet the problems with respect to staff. So this government has made a decision which is completely contrary to, which flies in the face of, an important recommendation that had been made by the consultants, which was to increase funding to CCACs.

The government also makes this decision at a time when it is clear the government can afford to respond to the consultants' recommendations; indeed, to the recommendations in its own business plan, which was to increase funding to the home care sector. The fact of the matter is that we know that in the May 2001 budget this government announced over \$2 billion for its corporate friends, and most recently in this Legislature the government has made a decision to accelerate tax cuts to the corporate sector, hoping to stimulate the economy, which of course that will not do because so many companies are losing jobs, so they're not going to get a benefit from the tax cuts. But the government clearly has the money to make a difference in home care. The problem is that the government does not consider home care a priority. The priority for this government appears to be giving tax cuts to already wealthy companies in Ontario to make them even more wealthy. The government makes that choice directly at the expense of seniors, of the disabled and of those being discharged from Ontario hospitals. I want to make that point clear. The government's priority is for tax cuts to its wealthy corporate friends. It does not consider the disabled, seniors or those being discharged from hospitals who need essential home care services to be a priority. That is clear in the decision this government has made to not just freeze funding for home care in the province but indeed to cut, and to do so in the face of evidence from an independent third body that more money, not less, is absolutely essential to ensure that home care can be provided to those who need it in the province.

My final point is this: I cannot understand why the government cannot see that the cuts they are making to home care now will cost the health care system more. It will cost the health care system more. When Madeleine Bouillon, who is able to live independently now because she has home care, can no longer do that because her home care is cut and she has to go into a nursing home, that costs the Ontario health care system more. When other clients, like Madeleine Bouillon, cannot get the nursing services they need at home, then they will have to see their family doctor or they will have to go to the emergency ward for health care, and that costs the health care system more, and not just in the long run; in the very near short run. This government should be funding home care because it costs less for the health care system in the short and long run and because it allows Ontarians to continue to live in dignity in their own homes, as I am convinced the majority want to do.

So I say to the government, as I wrap up, you have made a wrong decision. Many of you, like I, are being lobbied by our constituents, and constituents in your own ridings, who are feeling the impacts. You know that this decision has had a dramatic impact on seniors and the disabled and those being discharged from hospital. I urge you to reverse your decision and fund home care adequately in the province of Ontario.

Mr Bart Maves (Niagara Falls): It's a pleasure for me to rise and join the debate on the resolution before the House. I will say to the members opposite that it's a little difficult for us to sit across and listen to their lectures about the way the system is being reformed and where the money in the health care system is going. We've increased funding from \$17.4 billion to over \$24 billion this year, and that's in a five-year period. Those are dramatic increases in health care spending. We've gone from 38% of the budget to now 45% of the budget on health care spending. CCACs, home care in the province of Ontario, have been no exception to that. They've received dramatic increases in funding in the years we've been in office—over 78%. My own in Niagara has had a 120% increase. The York CCAC has had nearly a 300% increase in that time period.

We know, we understand and we've been directing the system toward more in-home community care because it's cheaper than having people in hospitals, it's cheaper than having people in long-term care facilities and it's better for those people. It was in that light that we began to spend a lot more money, year after year, in community care access centres and home care. However, it is our responsibility as a government—not the members' opposite, as can be seen every day by the amount of money they continue to ask for in every aspect of government spending—it is up to us to make sure that taxpayers' dollars, when we decide to spend them in certain areas, are spent appropriately. It's up to us to ensure accountability.

That's why, after many, many years of increases, we've asked the CCACs to have a year where we hold back their budgets and they look at their own operations. Do we do that on a whim, on a fancy? No, we don't, because we know there have been some operational problems within the CCACs across the province for many years now. Minister Jackson found that out when he went to work with many CCACs. All of our individual members have talked to their CCACs and found that out.

We also commissioned PricewaterhouseCoopers to do a review of the Ontario CCACs. Members opposite have pointed to this report. Among its 41 recommendations, there is a focus on a sweeping reform to management, accountability, service delivery, education and training.

We didn't stop there. We noticed there was a problem in the Hamilton CCAC. Clients told us so. Actual case managers working in the CCAC came to their member and said there were problems. So we went and did an operational review. That review was a lot less friendly, a lot less neutral than was the PricewaterhouseCoopers review. It absolutely condemned the way the Hamilton

CCAC was being handled. In fact, I remember the member from Hamilton, Mr Agostino, demanding at the time that we do something about the Hamilton CCAC. We did an operational review. Then, after the operational review, he complained that we weren't taking any action. The minister put in someone to take over the CCAC. He had the temerity to stand up in the House and complain that the minister was deciding to do something about the Hamilton CCAC.

So you see, it is up to this government to not continually just throw money at things. It is up to this government to make sure these systems run accountably. Why? Because we want all of the money we are spending, a 78% increase over the past five years on CCACs, to go to the clients. Over 16% is spent on case management; a lot more is spent on administration. We want that money to go directly to the clients. We're concerned, PricewaterhouseCoopers is concerned and the Hamilton operational review is concerned that that money is not getting down to the clients.

Is the answer to throw money at it? Well, we've been doing that. The member opposite talked about Duncan Sinclair. What did he say in the Kingston Whig-Standard on October 2? He said that what we don't need is a "greenback poultice," or an infusion of money. Why? Because that "will only create more problems." We happen to agree with Mr Sinclair's comments that we need to fix the system. We agree with PricewaterhouseCoopers that we need to fix the system. We agree with clients. We agree with people delivering services. We agree with members of boards who have asked us to act.

You can't just continue to throw money and money and money at problems. Sometimes you've got to step back, find out where the systemic problems are and fix them. That's what this government intends to do. I applaud some of the members opposite for understanding that the money that's being thrown into the system is not getting to front-line care. That is this government's primary objective and that's what we intend to do.

1050

Mr Dalton McGuinty (Leader of the Opposition):

Without reservation, I offer my wholehearted support for the resolution put forward by my colleague, my deputy leader, Sandra Papatello, whom I must commend here and now in the most public way possible for all the work that she's been doing on behalf of community care access centres and our families who rely on them to such a great extent.

We've had many comments made, but I think it's very important for us to distill this to its essence: what are we talking about here? We're talking about our fundamental responsibility that we owe together to our parents and grandparents as they get on in years and need some help so they might live as independent a life as possible in their homes. That's fundamentally what we're talking about here. This is not purely a financial issue. I would argue that there's a moral issue connected with this. It is what we owe our parents and our grandparents, those people who have struggled through their lives, raised

their families, paid their taxes, played by all the rules and did the best they could, and now they look to us to assume our responsibility to make sure we are helping them as they get on in their years. That's fundamentally what we're talking about here.

The other aspect of all of this to keep in mind is that if people don't understand that we should be helping our parents and our grandparents by adequately funding and supporting home care in Ontario, we should understand that it's in our self-interest to do that, because if we adequately fund and support home care, we reduce pressures on our hospitals. If we're not properly funding home care, then an elderly gentleman or woman in their 70s, for example, who is not receiving the care they need could develop complications and could show up at the emergency ward. That is an expensive proposition. They may need to be admitted to the hospital. That is an expensive proposition.

So from a taxpayer perspective and from a broader societal perspective, the right thing to do is to adequately fund and support home care. Sadly, this government refuses to do that. They tell us they've been able to find \$2.2 billion for additional corporate tax cuts, but they cannot find the additional funding necessary to adequately and properly support home care.

This government tells us that what inspires them, what motivates them, is they want our province to be competitive. Let me tell you, I want our province to be competitive too. But when I think of our province being competitive, I don't only mean competitive by way of taxes. I want the best education, I want the best protection for our air and our water and I want the best health care, including adequate support for home care so that we are properly carrying out the collective responsibility we owe to our parents and grandparents as they get on in their years. That, fundamentally, is what this resolution is all about and that, fundamentally, is why we in our caucus support this so strongly.

Mr Frank Klees (Oak Ridges): I'm pleased to rise to participate in the debate on this important issue. I thank the member opposite for bringing it forward, quite frankly. I don't believe that this is a partisan discussion. I also don't believe the Leader of the Opposition or the Liberal Party have a lock on the moral high ground in terms of our obligation to our elders, to the seniors—and it's not just seniors who benefit from community care access centres, it's many young people; it's families who have need for respite support. We do have an obligation to fund the CCACs adequately and to ensure that people who need service have it.

I want to say very clearly that I do not believe that the system is working well. I have a lot of evidence to that effect within my riding, within the York Region CCAC.

I don't know if it's a matter of funding, but if in fact we're not funding it sufficiently, I want to ensure that we get to the bottom of it. I want to ensure that we fund it to the level it deserves to be funded at. But I also have evidence—and this comes to me from clients of CCACs, it comes to me from workers within the system, who are

telling me that they believe much can be done in terms of restructuring the organization, in terms of how service is delivered, that would improve significantly the service that can be delivered.

I have urged the Minister of Health and through this debate implored the minister to get on with the job of doing what has to be done to find out what is wrong with this system. I want to play a positive role, as I'm sure all members in the House want to do.

I want to share with you correspondence from a senior in my riding, which I think goes to the heart of some of the problems:

"I am a senior citizen who moved to Markham in February of 2000. I thought you might be interested in my experience with CCAC.

"My husband was diagnosed as being terminally ill in April of 2000 and was in palliative care at Markham-Stouffville hospital. When I brought my husband home, the social worker at the hospital promptly connected us with CCAC and arranged home care for us in this new community....

"Arrangements were made for delivery of a hospital bed and other necessary equipment, as required, and this was accomplished with only minor miscommunication. Unfortunately, the remainder of the home care service was a bureaucratic nightmare. The nurse who came to set up the service used up the entire hour with paperwork and hardly looked at my husband. The home care help who came also used up the entire time in filling up paperwork and during the week that I had the home care, no one actually helped my husband shower or gave him any meal....

"During that week, I requested one two-hour visit (rather than the one hour per day allocated) as I had an urgent doctor's appointment and when I returned home from there I discovered to my horror that two workers had been mistakenly assigned for this home care period" for one hour each, at the same time—"and that they both left before I returned. I found the door unlocked, and my husband (who was on morphine) had been left alone, completely helpless, in the apartment. My feeling is that there was a genuine interest in assisting me, but that the red tape and bungling actually nullified the benefit of this service."

I share this with the House because I believe it's a two-pronged problem. I believe we have a basic structural problem in terms of how this service is being managed; there may well be a funding problem. Our responsibility, I submit, is to get to the heart of it, do whatever restructuring has to be done. If we have to replace staff, if we have to replace boards, if we have to replace executive directors, let's do it. Let's eliminate the inefficiency, the duplication, and if we have to increase funding, let's do that as well.

Mr David Caplan (Don Valley East): First of all, I'd like to say thank you to the member from Windsor for bringing this resolution, because this is not a partisan resolution. This is something that all members of this House should be supporting. I will be supporting it on

behalf of the people of Don Valley East. I am very pleased to be here to be able to participate in this debate.

I want to talk specifically about the way that the current government funding formula affects my constituents in the area called North York. We're serviced by the North York Community Care Access Centre. North York has a very unique demographic. It's one of the most unique in the province of Ontario, and we are punished by the way that the government organizes its funding. There are definite inequities in the funding formula that punish areas like North York, especially that have a high number of seniors and frail elderly versus other clients.

1100

I say to the member for Ottawa West-Nepean that it is incredibly disrespectful to the people in North York that you don't think that they're worthy of support. In North York, we have the largest number of people over 65 and the largest number of people over the age of 70. We are 20 years ahead of provincial trends anywhere in the province of Ontario—20 years ahead. But the funding formula does not compensate for this inequitable situation, and the government is unwilling to provide reflective funding and more money to make up for this unique demographic situation. Instead, what the Harris government has said is that seniors will have to wait, the frail elderly will have to wait or they can dig deep into their own pockets to provide the kind of home care and the kind of support that they need to live within our wonderful community of Don Valley East. That's wrong; that's simply wrong.

Mr Thomas Cook is a constituent of mine. He has received home care services since 1978. He had seven-day-a-week home care. Mr Cook, on a trial basis, had his home care reduced. Then, when it was proven that four hours per week was not adequate to help Mr Cook in his home, unfortunately there's no money, so he cannot get any more than four hours per week. What a terrible situation for Mr Cook.

Or for Mr Ray Harvie. Mr Harvie had been receiving home care services for over 10 years. He went into the hospital for some tests and had to have an extended stay; he was there for over two weeks. He got out and when he got back they said, "Two weeks? I'm sorry, you're past the threshold. You have to reapply." Someone who's received those services for 10 years has been cut off.

I'd also like to thank the Gertzos family for their efforts in circulating the petition. I hope that all government members, all members of this Legislature, especially those from North York, will hear the voices of constituents from Don Valley East today and support this resolution.

Mr Galt: I appreciate the opportunity to say a few words on this particular resolution. It's certainly one that I similarly have concerns with. But the opposition motion really doesn't state some of the facts that should be out there about home care. Actually, what's been spent there has moved from \$681 million from some six, seven years ago, 1994-95, to approximately \$1.17 billion today. That's greater than a 70% increase. I think that's a pretty significant increase.

There's no question our government believes in seamless health care delivery and views home care as a critical component of such a system. It seems like we're alone with that, our party, our government. It's too bad the opposition didn't see it in a similar sort of way and that the federal government wouldn't see it in a similar way. We wish that the members' fellow Liberals in the federal government had the same view, rather than rejecting all the pleas for financial assistance that would aid in the transformation of our health care system from institution-based to home- and community-based.

I think it's a bit ironic. When we move people out of the hospital to home care, the federal government doesn't have to pay anything, because they don't support one red cent for home care. They just step out of that. We're really saving them their measly 14 cents on the health care dollar as we move them out of the hospital and the OHIP system into their homes. That's where they should be and it's time that the federal government stepped up to the plate and was part of this. They talk a lot about it, they get good press because they talk about it, but they haven't provided one single red cent toward helping with home care.

The CCACs, I think it should be recognized, are a young organization, so really it's understandable that some of them have growing pains. Certainly I've met with the two that represent my riding and I have concerns. I think they're genuine, excellent people, working hard. Our government has reaffirmed its commitment to home care by appointing the associate minister of health and long-term care to review those elements which have led, for some of those community care access centres, into fiscal and management difficulties.

Although most CCACs are balancing their demands for services within the current funding allocation, some are not. The government—I don't think there's any question; I've watched it personally—will work with these stakeholders in the health care sector to implement necessary cost containment measures to allow them to manage within their budget. That's certainly happening in my area.

At the same time, we'll ensure that the CCACs meet the service needs of their clients through good case management practices and by ensuring funding is allocated to client care services rather than excess administration.

The resolution of the member for Windsor West accomplishes none of these important objectives. Rather than offering thoughtful solutions that would help CCACs solve their problems, we get the usual Liberal rhetoric. I could support a positive resolution on access to community services, but certainly I cannot support the resolution as it's presently written before this House.

I don't think there's any question that our government recognizes a concern that's being expressed by the CCACs. It's one of the major concerns that come into my office currently. I thought the member for Oak Ridges put it very well when he asked, is it in fact a funding issue, or is it something else? We need to look into that. I think there's an equitable funding issue. I certainly hear

that from the CCACs in my area. If the member from Windsor West would spend some of her efforts in lobbying—she's lobbied all the CCACs. If she'd just put that effort into talking to Allan Rock, maybe it would get a little more worthwhile and a little more helpful to those who need this home care. If she'd write him some letters, if she'd talk to him—I'm sure they're on a first-name basis—just maybe a little bit of funding might trickle from the federal government. Now that they've balanced the budget because of the economic boom that Ontario created for them, they can then use some of their surplus to help these people who were referred to.

I thought the Leader of the Opposition did very well talking about the fundamentals, about what we owe our parents and grandparents. The federal government also owes our parents and our grandparents. But of course they're not stepping up to the plate, and all we get from the Liberals and the NDP is the ongoing irresponsible talk about spend, tax and borrow. We went through 10 years of spend, tax and borrow. That's their legacy.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I would like to thank my colleague the member for Windsor West for bringing this item to the floor of the Legislature. It is a topic that there should be a lot more debate on in the Legislature so that the members of the government can truly understand the crisis there is in community health in the province of Ontario.

I was appalled earlier this morning at the tactics of the member for Northumberland, who tried to arrest the debate on this very important issue. In my community, the issues around services provided by CCACs are very important and they're very much in the news. There is a CCAC in my riding that has been forced by this government to make a very painful decision. As a result of this government's inflexibility in terms of support for the CCAC, they were required to put an ad in the local paper and actually indicated that for a period of six weeks they will not be accepting new clients. The Kingston, Frontenac, Lennox and Addington CCAC have found themselves in this most untenable situation. Administrators in local hospitals clearly indicate that this announcement will result in delays for surgeries, it will block admissions, and it will lengthen hospital stays.

It was reported in the Kingston Whig-Standard that as of noon Tuesday of this week, in 33 of the hospitals, 452 beds were occupied by patients who would normally be discharged to the CCACs. Admission to home care is currently restricted to a small minority of patients. Members of the government are mumbling and saying it's nonsense. It's reality. It's in my riding today. That's part of the problem: the government refuses to accept that this is the crisis that exists in the province.

Thank you very much for the opportunity to talk about my riding.

1110

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I want to thank the member for Windsor West for her leadership on this issue. I also want to

acknowledge the presence of my daughter Whitney and her friend Laura, who are here this morning.

I just want to go on the record as saying that when my dad was sick about a year ago, as members may recall, he got wonderful care from the CCAC professionals in spite of the disparities between hospital nurses' wages and CCAC wages.

I want to just echo that we're clearly in a crisis. Times are changing. The baby boomers are growing up and they are very much concerned about providing adequate health care for their parents. The question we need to ask today is, does this government in fact have the inclination, the wisdom and indeed the courage to tackle this issue? As a relatively new member of this assembly, I'd like to think that they're prepared to work with us to stop the blame game, to stop pointing fingers and to start pointing direction on this critical issue, an issue that's affecting many of our citizens. The frail elderly and the sick are losing their health care because of this chronic government underfunding.

I happen to have the good fortune to represent part of Halton, one of the areas that's growing very quickly in terms of senior population. In the face of increased demand, what happened? The budget was frozen. They're now \$6 million short. They cut home care hours by 13,000; 4,000 fewer hours for visiting nurses; 4,000 fewer hours for home care.

I want to tell you about Tom, whose wife Sarah has Alzheimer's and is at home. She has lost her night care. Tom has to sleep fully clothed in front of his apartment door to make sure Sarah doesn't wander.

I want to talk about Margaret, a 79-year-old woman in my riding living alone with a bad heart and severe arthritis. She needs this care, and she's very fearful that she isn't going to get it and she's going to end up in a nursing home.

I'm going to stop there because I know some of my colleagues want to speak, but at some point very soon I'll speak to the federal-provincial issue as well.

Mr Michael Gravelle (Thunder Bay-Superior North): It's vital that all members of the House support this resolution. I'm very glad to have a brief opportunity to say a few words myself about the realities in the Thunder Bay district community care access centre.

There has been a 36% increase in caseload since 1997. Last year the government provided funding of \$21.1 million; this year it's down to \$17 million. This is unbelievable. Quite simply, we need patient-based funding. We have to have it. The fact is, waiting lists have increased dramatically. Waiting times for services have increased dramatically. For example, we now have a situation where, when before there were four weeks to wait for homemaking service, it's now six months.

There are many problems that are very specific to northwestern Ontario. They are related to geography, a reality that has never been addressed by this government; the lack of available staff, again not addressed by the government; also the lack of alternative supportive housing and other services that has resulted in higher

demands. Of course we know about the shorter hospital stays.

The fact is, we desperately need patient-based funding for community care access centres in northwestern Ontario. We need it all across the province. There's no question that we need to have this.

I would love to have a longer opportunity to give you some of the sad stories. People are desperate. People are being treated very unfairly, and I truly beg all members of the House to support this resolution by my colleague from Windsor West.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I want to rise to support my colleague's resolution because I, like every member of this Legislature, have heard over the last number of months about the problems and the pressures that are out there in this particular system. I agree with the member from Oak Ridges and others that the problems are many. There may very well be issues in administration, but make no mistake about, in my view, the core issue. The core issue is that which was raised by my friend from Windsor in her opening remarks, that in the last very few years, a dramatic change has occurred in the patient load of a CCAC; namely, a vastly increased number of acute patients who previously would have been looked after in an institutional setting.

I know from speaking to my community care access people that the single biggest problem they've got is that today a very large percentage of the overall budget is being dedicated to people who have got serious and complex health issues and who have been discharged at a very early point from hospital. That is the single most pressing issue, and we've got to recognize that.

Like my friend from Thunder Bay, I represent a rural area, and I'm going to cite just one example. I've got a constituent living in the Madawaska area of south Nipissing. This gentleman is in his 80s. He lives alone, he's legally blind and he's a diabetic. He makes virtually no demand on the public services of this province. All he was getting was four hours a week, and now he's being reduced to two. He's 50 kilometres from the nearest service centre. He's 80 years of age, legally blind, diabetic, has no car and has to pay 22 or 25 bucks out of his own pocket to go anywhere. His four hours a week are now two hours a week, and there are no alternate programs for him. He's not living in Ottawa or Pembroke or Markham or Windsor; he's in the most rural part of midnorthern Ontario. And we're saying to him, "We'll pay hundreds of thousands of dollars in severances to hospitals' CAOs, but we haven't got enough money to look after you at home."

The Deputy Speaker: The member for Windsor West has two minutes.

Mrs Papatello: I've appreciated the debate today from all sides of the House. I marvel at individuals who refuse to see the reality of what is happening at home on the streets in their own ridings. I am committed to bringing the truth to this House, and I expect the same from my colleagues across the floor. While you may like to see

change and improvement, you need to deal with the reality of the services that are required in your community, and you owe it to your community to support this resolution today.

Let me tell you that changing the health system is not like changing a car assembly line. You can't shut the plant down during July to change the assembly line over. You have to fund it while you change it. Everyone acknowledged that you were changing the system. But you've refused to stabilize the system while you change it, and there are people who are hurting because of what this government has done.

We've got a big problem right across the board. We have deficits across CCACs today. Can you imagine that Conservative MPPs have the gall to blame administration for the monsters they created in 1997: Kitchener-Waterloo, a \$12.7-million deficit, and Niagara, a \$9.4-million deficit, and their local MPPs had the gall to stand up and accuse the administration of mismanagement, taking the lead from the Premier of Ontario in a very unstatesmanlike manner, blaming other people for things they have created in terms of problems.

What is the demand on our home care system today, and who is responsible to meet that demand? It is the government of Ontario. That is our job here, when we meet people like those my colleagues have described, who, but for the support of the Ontario government, need help to stay in their homes and be healthy. We owe it to the people of Ontario. We owe it to them by starting with this resolution and supporting it here and sending a message to the Premier: we're not prepared to leave our sick, our elderly and our frail without the help they deserve.

HEALTH PROTECTION
AND PROMOTION
AMENDMENT ACT, 2001
LOI DE 2001 MODIFIANT LA LOI
SUR LA PROTECTION ET LA PROMOTION
DE LA SANTÉ

Mr Dunlop moved second reading of the following bill:

Bill 105, An Act to amend the Health Protection and Promotion Act to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons / *Projet de loi 105, Loi modifiant la Loi sur la protection et la promotion de la santé pour exiger le prélèvement d'échantillons de sang afin de protéger les victimes d'actes criminels, les travailleurs des services d'urgence, les bons samaritains et d'autres personnes.*

The Deputy Speaker (Mr Michael A. Brown): You have up to 10 minutes for your presentation.

Mr Garfield Dunlop (Simcoe North): This morning I'll be spending 10 minutes and the other time will be shared with the member for Niagara Falls, the member for London-Fanshawe and the member for Northumberland.

If passed and proclaimed, this bill would allow the local medical officer of health to order the taking of a blood sample from someone who accidentally or deliberately exposes a front-line emergency service worker, good Samaritan or victim of crime to his or her bodily fluids. The blood would be tested for diseases on the Ministry of Health's communicable disease list.

The test is to provide medical personnel dealing with the emergency service worker, victims of crime or a good Samaritan with the best possible information to make a recommendation for treatment. The bill states that the blood sample cannot be used for criminal prosecution and cannot be used for an invasion of privacy.

An autopsy was performed, and it was determined that—oh, sorry, Mr Speaker, I've got confused here. I'll just throw my notes away.

1120

Earlier this year, back on June 28, I presented a resolution in the House. It talked about the government requiring that medical information be provided to people who have come in contact with someone with an infectious disease. I talked to a number of people throughout the province. As we looked forward to doing a private member's bill this fall, because my time had been allocated to that time, I had the opportunity to go out and consult with the public.

We held consultation meetings here at Queen's Park and in Sudbury, Ottawa, Niagara Falls and London. We sent out press releases and talked to people in all those different communities about this issue. The people who provided the most information were actually the emergency services workers. We talked to a lot of these individuals, who in fact are here today. I can't exactly remember the names of them all, but certainly we have Mr Bruce Miller, from the Police Association of Ontario; Natalie and Hubert Hiltz, a husband-and-wife team, both constables from the Peel regional police force; Paul Bailey; and Jim Lee of the Toronto Professional Fire Fighters' Association. Basically we talked to individuals from across our province.

I want to tell you, Mr Speaker, that we heard a number of cases that I don't think the public is very well informed on. People don't understand—I don't think the average person understands—the types of incidents these individuals face on a day-to-day basis. In some cases it's even sabotage. I talked to one individual, a police officer in Niagara region, and he talked about a bank teller being held up with a needle—these types of problems. In all cases, the individuals were concerned about contracting an infectious disease.

The intent of this bill is to allow a blood sample to be taken after an individual feels he's come in contact with an infectious disease and to ask the local medical officer of health for a ruling on that. With that, we expect we can find out immediately, or in a very short time, the type of disease they may have come into contact with.

May I just have a second, Mr Speaker?

The Deputy Speaker: If it is helpful, we can put this time at the end of your remarks rather than at the first.

Mr Dunlop: I think I'm fine now. Thank you very much. It has happened to me once before that my notes got mixed up.

I want to go back to the consultations. I had the opportunity to meet with Constable Natalie Hiltz, who I mentioned is here in the members gallery today. In 1996, Constable Hiltz arrested a known drug user for prostitution. During the arrest, the person being arrested turned around and actually bit Constable Hiltz. The bite pierced the skin and blood came out of the broken skin. Constable Hiltz went to the emergency room, where she asked if she could find out if the assailant in fact had any medical problems. The doctors told Constable Hiltz that they didn't know and couldn't tell her without the assailant's consent. The assailant refused to give consent.

With no information, the only option she had was to take what is known as the AIDS cocktail. The cocktail is a combination of drugs that cause numerous short-term side effects and unknown long-term effects. The side effects include nausea, hair loss, stomach problems and sometimes blindness. Some of the side effects lasted longer than others. As Constable Hiltz describes, the cocktail basically turns your insides out.

Many emergency services workers have told me they are grateful to have the cocktail available, but would rather not take it if it can be avoided at all. Ms Hiltz also talked about the serious emotional damage the possible infection did to her in not being able to be with her fiancé, her family, her friends and her colleagues.

I wish I could say that more stories like this are rare and uncommon, but they are not. I wish I could say that the many protocols and procedures that are in place would be enough to prevent this, but they are not. I wish I could say the brave men and women in our emergency services will not get infected, but I cannot say that. We need to do something to help these people and I feel this bill is a very important step.

As I said, I started this process with a resolution last year in June. I want to read that resolution over again. It was presented here on the floor:

"Be it resolved that the government of Ontario investigate ways to allow emergency workers, good Samaritans and victims of crime who might have been infected with a deadly disease to have the right to access a person's medical information to determine whether they are at risk of being infected."

The more I consulted, the more I realized that the information and the medical records could not help those people who needed help the most, so we changed the bill to look at the idea of blood samples since they can be much more conclusive. I understand the issues and challenges this bill could pose. I understand there are constitutional problems that may be faced in this bill, especially the charter section regarding life, liberty and security of persons and the section on unreasonable search and seizure.

I have asked for some opinions on it from Charter of Rights experts and they have informed me, "Based on a preliminary review of the proposed bill, it indicates it has

been structured to avoid unreasonable or unfettered powers to order the provision of blood samples. Applicants must fall into prescribed categories and there must be a reasonable belief in the circumstances that the applicant has been exposed to a prescribed communicable disease. There are also legitimate public service interests to be served in assisting victims of crime or those who are performing certain services in ascertaining whether they have been exposed to a communicable disease. Such information could assist in treatment decisions as well as reduce the significant emotional stress inevitable in such circumstances."

There are other issues with this bill that I am hoping can be worked out within a committee of some type.

In closing, I'd like to ask everyone to support this bill here today. I think this bill would be an important step in helping to protect those who protect us. In particular, when I think of what we've just come through in the terrorist attacks in New York City, it has drawn a lot more attention to just how much our emergency workers do for our communities across our country. We're very proud of the work they do and I think this is an opportunity to help them perform that work a little more easily.

I would really like to have it passed here today at second reading and sent to a committee so we can once again go out and talk to the public, talk to people who may have some opposition to this bill. I think it will be an opportunity to provide information to our caucuses, to the government. I would like to see this bill become law some time within the next six or eight months if at all possible.

I look forward to other people debating this bill this morning and listening to their comments. Mr Speaker, I appreciate the fact you've allowed me this time and I'm sorry about the disturbance with my notes. I had them mixed up a little bit.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I appreciate the concern that lies behind the presentation of this bill. It's in light of that concern and in agreement with the concern that we will be supporting the bill that's before the House this morning. I trust the member for Simcoe North will have the support of not only the members present in the House but of the government to be able to move this bill forward to committee so that it can have some refinements. The basic principle of the bill and the concern expressed in the bill is one we want to see pursued.

The concern that's expressed in this bill, the concern that this bill addresses, is one that was so clearly expressed to us in committee hearings on the privacy bill by the Ontario Police Association. We certainly recognized at that time, in their presentation, that their members are very often vulnerable to the transmission of life-threatening diseases in the course of doing their duty, whether that's assisting victims or protecting the public. We heard the very compelling testimony from Constable Isobel Anderson about the kind of anguish an officer goes through. Isobel Anderson told of having been, in the

course of searching a suspect, inadvertently stabbed with a needle and the kind of anguish she went through before determining that in fact she had not contracted a life-threatening disease.

1130

One of the statements that I think expressed the feelings behind the need for this bill most clearly was that of Mr Bruce Miller, who is with us today and who said, "We are here today to stress the need for emergency workers, victims of crime and good Samaritans to be able to access an individual's health records if there's a risk someone might have been infected."

I quote from the OPA presentation but I know the firefighters have also made representations on this issue and share the concern, as do other emergency workers. I want to state very clearly our agreement that our emergency services workers and those who serve in good Samaritan roles have a right to reasonable steps being taken to protect their own health and safety.

I want to recognize that this is one of the difficult issues we have in determining what is reasonable. As the police association said in their own presentation, it's a question of finding the right balance between the protection of the health of our emergency workers or good Samaritans and protecting the basic rights to privacy of every individual. So there is a need to determine what's a reasonable limitation on the right of an individual to privacy in order to give reasonable protection to another.

I want to say to the member for Simcoe North that I very much appreciate the effort he has made to find that balance, to move from the original resolution and the original debate that took place at committee, which focused on access to medical health records. The member for Simcoe North has moved that debate to what I think strikes a reasonable balance, not to provide access to health records, which would cause some concerns because of the sheer breadth of what was being proposed, but to provide a reasonable measure by which the medical officer of health can be petitioned to have a mandatory blood test carried out. I think that serves the protective role that's needed at the same time as it answers a lot of concerns about access to health records. So I want to commend the member for Simcoe North for having made such an attempt to find this reasonable balance.

I appreciate the fact that in this bill it makes it clear there is no broad access to individual health records. I do want to express a concern that people who have access, then, to the results of the blood test that is done are not, under current legislation, bound by any kind of confidentiality about the sharing of that information with anyone else. This is obviously a concern in the light of the absence of any privacy legislation in the province of Ontario, so I think it will be necessary, if this bill is to go forward to become law, that in a separate forum from any broadly based privacy legislation there be some provision ensuring the confidentiality of that information on the part of the recipient of the information. I trust that this bill will proceed to committee and that this will be one of the provisions that can be included in the bill.

I want to recognize the safeguard that has been built into the bill by the member for Simcoe North, that the blood test not only must be ordered by a medical officer of health but that the medical officer of health must believe there are reasonable grounds to believe there could have been some transmission of disease.

I want to raise one small further concern, perhaps not such a small further concern, but one which can certainly be addressed through the committee process, and that's the fact that the medical officers of health of the province were not aware they were going to play such a critical role and haven't been consulted on that role. I appreciate that's always a limitation with a private member's bill. I trust that that can be addressed at committee. The medical officer of health I've spoken to has a concern that the information from the blood test would not come back as well to the medical officer of health who ordered the test. I think that's something that needs to be built into the bill.

Just very quickly and finally, I want to express a broader concern, even as we support this bill today, that the government has not brought forward the privacy legislation that we believe is needed in the province to deal with health issues. While we have immense concerns about the privacy bill that was tabled with this House last spring, we were concerned that the government would simply withdraw from presenting any kind of privacy legislation. At this point in time, that seems to be the position they've taken. I hope the broader issues of health privacy will now be addressed.

Mr Frank Mazzilli (London-Fanshawe): I want to start by commending the member for Simcoe North for introducing this legislation. Not only did he introduce legislation—in the vast majority of times, what we see with private members' bills is that they do not become law because they're poorly thought out, and often the time is not taken to consult those stakeholders or to consult with some legal opinions as far the constitutional arguments that may arise. The member from Simcoe North avoided that problem by first coming up with the resolution and then consulting with the Police Association of Ontario, the Ontario Provincial Police Association, the Ontario Professional Firefighters' Association, paramedics across this province and, of course, people that had been affected as good Samaritans. I compliment him on that.

That was a long and onerous task. He certainly, as you heard, travelled to London, Niagara Falls, Sudbury, Ottawa and Queen's Park. As a result of that—let me just read the explanatory note—he's come up with the Health Protection and Promotion Amendment Act, 2001.

This bill, if it becomes law, "amends the Health Protection and Promotion Act to allow a medical officer of health to make an order requiring the taking of a blood sample from a person if the officer is of the opinion, on reasonable grounds, that the applicant for the order has come into contact with a bodily substance of the person as a result of being a victim of crime, providing emergency health care services or emergency first aid or per-

forming a function prescribed by regulation. The order will require a legally qualified medical practitioner or another qualified person to take the blood sample and to deliver it to an analyst. It will also require the analyst to analyse the sample and to make reasonable attempts to deliver a copy of the results of the analysis to the person from whom the sample was taken and to the person who obtained the order.”

Certainly, from what we’ve heard today, already the privacy concerns are starting to come into play. Usually privacy issues have to do with people in an area of responsibility, where they work in a workplace and they receive information as a result of their employment. To share that information is confidential. Most workplaces have that.

What we’re talking about here is not only emergency workers but good Samaritans. I, through many contacts, have run into people who, on their way home, have been flagged down and performed CPR. These are young mothers, and they have often come into contact with someone with a communicable disease. Here you have a citizen willing to help and who was happy to help, and all of a sudden that happiness turns to fear. Referring to the privacy issues that we heard the member across talk about, if they have received information that there is a positive test, can that good Samaritan not share that with his or her partner? Can that good Samaritan not share that with another family member?

I would certainly oppose that. That’s the difficulty with privacy beyond the workplace. I would urge that, when it comes to committee, it be thought out fully.

This is a very reasonable piece of legislation in that the member from Simcoe North has not taken it into criminal parameters. The results of the test are simply to have the emergency worker or good Samaritan know if they’ve come into contact with anything, and to allow them to use that information to seek any medical treatment that they require, while avoiding some of the cases that you’ve heard of of people having to take treatment that they could have been prevented from taking had they had that information available to them in the first place. I think that is certainly more than reasonable.

The one thing that I do have some concerns with is that the medical officer of health will have to be trained in taking information similar to a justice of the peace on granting these orders. I suspect maintaining continuity across the province might have its challenges, as it does with justices of the peace and judges under some similar circumstances. So I would strongly urge that medical officers of health be issued a package explaining the outline of the legislation, once passed, and how to issue those orders.

This piece of legislation is long overdue. I commend the member for Simcoe North for taking the initiative and I hope it’s passed as soon as is reasonable.

1140

Mrs Sandra Pupatello (Windsor West): I’m very pleased to speak today to speak to Bill 105, the Health Protection and Promotion Amendment Act, and to tell the

member from Simcoe North that I too, along with many colleagues in the House, will be supporting the bill, and to let that MPP know that where I come from, that means that you too will have to support my resolution. That’s just how it works here in this House, especially coming from the region of Simcoe as he does, with the tremendous community care access centre issues that exist in the Simcoe region, as expressed by his colleague, MPP Joe Tascona. I do fully support, and expect his support of my resolution.

This is a very important piece that this member has worked on in terms of privacy issues, in terms of health protection and, in particular, those who work in EMS, in the emergency medical field, whether we’re speaking of our police officers of Ontario, our firefighters, our ambulance workers, all of the people in the field, including good Samaritans, people who stop on the road to help a car accident victim etc.

I don’t think many of us in this House understood the impact of what it meant to have people who help people have protection until we were debating the privacy legislation, a health bill, and we met the police officer from Ottawa who came to us at committee and told her story about how she was accosted by someone she was arresting. He bit her. She then could not determine whether she was HIV-positive or not, because she clearly was put in that position of being what would be considered at risk for having contracted it. The system doesn’t allow someone who’s working on our behalf to protect us from people who we need protection from—we couldn’t make sure that she was going to know whether she had been infected or not, and it was a very compelling story about what life is like when you think you might be. It was very compelling to hear how her life was forever changed: marital issues, family issues, work issues.

We sat back and listened to that story and realized the full weight of what we need to do to protect people who are working for us out there, again, whether they’re police officers or firefighters who go into a fire and never know the victim when they arrive to pull them from a burning house. Yet we expect them to be there. They can’t refuse this work. We need to protect them. So the bill is very important.

We know that the member from Simcoe North took the time to speak to people and, since then, made changes. I only wish that the government would often take consultation in that manner and then actually address it and make changes to the bill.

We had significant issues with the first draft around access to medical records. Not only was it inappropriate in terms of a breach of privacy but it didn’t help the issue. If passed, it would have allowed access to medical records that probably would not have had the information you needed in order to access information about communicable diseases.

We do still have issues, and they were brought to the attention of the member as he was even drafting this last draft. Hospitals have to be mandated as well to keep the

kind of supplies on hand to respond so that there are cocktails available in a timely fashion if people then are deemed to have contracted the disease. That is not mandated today.

The medical officers or health, or their designate, have to be on call 24 hours a day. It's not a 9-to-5 position, and typically these incidents will be outside of the 9-to-5 hours of the day. Will they be available to make the determination of, "Yes, we need to take a blood sample"? Those who receive the blood sample information—whether disease or no disease exists in the blood sample—must be deemed a custodian. What we need is a health bill on the table, to be debated and passed, so that being a custodian of such critical medical information is then protected from the general public, and we have to ensure that that happens.

I agree with the member who's presenting this bill and says that this bill needs to go to committee. I too encourage the House to pass this second reading and send it to committee so that we can iron out those details, so we can go forward and protect the people whose job it is to protect us.

Mr Doug Galt (Northumberland): It's certainly a pleasure for me to be able to respond to this bill of my good friend, Bill 105. Just before I get too far into the bill, I'd like to compliment the member for Windsor West on her response in support of this bill, particularly after the rather heated discussion we had earlier on her resolution. I think that's the sign of an excellent parliamentarian who can look objectively at the issue at hand immediately following the other.

Interjection.

Mr Galt: I'm paying compliments, and it's in order. But I also pay a compliment to my good friend who has brought forward this bill. I think it's excellent the way he worked it through. He first came out with a resolution back in June, tabled that, an excellent four-line resolution, all to the point. I don't think we need to read it; it's in the order paper. He really packaged it extremely well. He had an issue, he had concern, and he has gone out and worked on it.

Also, my compliments to him for going to all of these different cities. I don't know if it's a first, but it's one of the first to travel the province to hear the concerns. He travelled to London, Niagara Falls, Sudbury and Ottawa, really all points. I suppose some might say he should have gone to Thunder Bay as well, but I think those four points are probably a big step over what most other people do. Again, compliments to him for that.

I agree with some of the comments made that it should go to hearings after second reading. Certainly I'll be supporting it on the second reading debate. I'm like some of the others. There may be, and I think maybe the member himself mentioned, some constitutional problems in this particular bill. It is very difficult for a backbencher to put together a complex bill, and I think he has done extremely well in putting together this bill. It is several pages. There are some complexities in it, particularly when it touches on areas like our Constitution and when

it touches on areas of freedom of information and rights to privacy.

His concern really is for those who are hired as a group, our police, our firefighters, our paramedics, who, yes, lay down their lives—that's part of the job, you might say—yes, they go out and do some tremendous work for us. He also refers in his bill to the Samaritans who stop by the roadside or wherever there's a disaster or accident or somebody needing assistance. Those people don't always have gloves at hand. The professionals out there whom I just mentioned are supposed to wear gloves, but there are many instances where that's not possible. They need more protection on occasion than just their hands. Splashes do occur.

The other point that I think is of particular interest is victims of crime. They didn't volunteer, they're not being paid; they're a victim of crime. I think he pointed out that currently a rape victim cannot find out if the rapist has hepatitis, HIV or AIDS. Here's a person who innocently was attacked—I gather innocently was attacked; that's my interpretation—and ends up possibly impregnated with some virus like hepatitis or AIDS or whatever. I think in those circumstances it's not asking too much that a sample be taken to at least identify whether there's an infectious disease they might contract.

There is this balance of rights of individuals. The member for Thunder Bay-Atikokan expressed that quite well. I have some concerns there as well, but sometimes we have to give up our rights to have freedom for the majority. To have that kind of freedom, we have to have rules, and those rules must be followed. I think of something as simplistic as the fact that I can't drive up the left-hand side of a road, whether it's a two-lane or a four-lane; that's illegal. That gives the freedom to everyone to be safe on their proper side of the road. I wouldn't want to go to the left anyway; I prefer staying to the right. But it's that kind of freedom that's created by a rule that says you must be on the right-hand side of the road.

I remember a very intense debate about 25 years ago over seat belt legislation. "They're infringing on my rights" to have to wear a seat belt. Well, maybe a little bit, but look at what it saves everyone in medical costs, and it also tremendously protects those who wear them. There was a great debate not too long after that about breathalyzers. "Oh, they're taking away my rights. They're taking my breath. I have to give up evidence against myself." It touched on the Constitution, but for the benefit of all, it was the right thing to do.

That's how I see this piece of legislation. It's for the privilege and for the rights of those who are in those occupations; it's for the good Samaritan and particularly for the victims of crime who may end up contracting some of these rather deadly diseases, through no fault of their own. I, for one, can support this, particularly when I hear the member from London-Fanshawe, a previous police officer, enthusiastically supporting it. He has been out in the field and really understands what's going on there.

Thank you very much, to the member from Simcoe North—I believe that’s the right riding—for bringing this forward. I think it’s an excellent piece of legislation. It also goes along with anything like a Good Samaritan Act that would protect a volunteer who is helping.

Again, thank you very much, Mr Speaker. I’ll be enthusiastically supporting this bill.

1150

Mr Dave Levac (Brant): I want to rise today in support—I’ll state it right out front—of Bill 105, the Health Protection and Promotion Amendment Act.

I want to spend a couple of minutes of my time to explain to the general public out there that clearly this bill was not introduced to allow people to do the great things that they do already.

I want to compliment the members of the police service, the firefighters, the ambulance attendants, the paramedics and the good Samaritans out there. What people want to know and understand clearly is that they did these good things before this bill was enacted. They did these good things because that was the right thing to do. So to those people, the people who share their lives with us, keeping us safe, we extend to you our gratitude and our thanks for the hard work that you do day in and day out and the lives that you save, and the fact that you put your lives on the line is something we have to continually repeat day after day. It’s exceptionally imperative for us to say it today because of September 11. People put their lives on the line; it was more evident on September 11 than ever before.

The people here in Ontario recognize and know that there is a kindred spirit between all of those workers here in the province of Ontario and those in the United States. There is a special bond. They understand that they put their lives on the line every day. Their families understand that they put their lives on the line every day. We want to say over and over and over again, thank you for the job you do, and thank you and God bless you for the things you do for the people of Ontario. So, thank you very much for that before we get started on this bill.

Importantly about the bill, I do want to point out to the member from Simcoe North that I congratulate him on the process he used to make sure that we weren’t passing legislation that was going to get defeated because of a loophole or because of things that weren’t thought all the way through. So my congratulations to the member for his diligence in making sure that we had legislation that was acceptable and actually supportable. I commend him for doing a good job.

We’re not always on the same side of the fence, as he well knows, but in the cases where we are, we say so, and I think he deserves that credit.

There are a few things I want to point out that I think need to be reconciled in committee, which I hope it does get to. WSIB does not recognize the side effects that are caused from medications, such as what is called an HIV cocktail. So we need to make sure that that’s brought up, to understand that we had better start taking a look at other ministries that are affected by this legislation.

What happens in the event of a medical officer not being available as fast as possible? These things happen 24 hours a day. Have we got in place legislation or pieces inside this legislation that may say “or deputized persons”?

Hospitals, as mentioned by the member from Windsor, need to be prepared for this legislation inasmuch as having these cocktails available. There will be, whether we admit it or not, funding issues that have to be taken care of to implement this properly.

The member from London-Fanshawe raised a concern about confidentiality. He missed the point. His thinking was too linear. What the comment on confidentiality was talking about very specifically was making sure that the information gleaned was not made accessible to everyone else. That’s all that means. It wasn’t that we’re not going to let somebody who has been exposed to a danger tell their spouse, that they weren’t allowed to say anything. That’s not the point.

Finally, I look forward to talking in the committee about this, and I will leave some time for the member for Kingston and the Islands.

Mr David Christopherson (Hamilton West): I appreciate the opportunity to join in the debate on this bill. I was thinking earlier, as we started the discussion, about an article that was written by a columnist in the Hamilton Spectator many years ago when I was a younger alderman in the city of Hamilton. The columnist was Tammy Paiken-Nolan and the article was about the fact that easy decisions in terms of right and wrong don’t normally find their way in front of elected representatives as a rule. The easy ones take care of themselves. Our job, what we’re elected to do, is to deal with the tough ones.

The toughest issues that come before us, quite frankly, are not necessarily the economic ones and are not necessarily the headlines of the day. They come down to the very fundamentals that we’re debating here this morning, and that is one set of rights as a human being, as a Canadian, as an Ontarian, versus another set of equally important rights. That’s what we have today. If anyone thinks that the issue of unreasonable search and seizure is not important, then if you’re at home watching this, think about the fact that it’s only that right that exists right now in law that prevents agents of your government from knocking down, bursting through, your front door right now and doing as they please in your home. It’s because of our constitutional rights and our rights on unreasonable search and seizure that that won’t happen.

If anybody thinks that’s not too important in terms of the personal rights, there’s a member of the current government cabinet who had to be brought kicking and screaming to bring in his member’s disclosure form, where we all go to the Integrity Commissioner and lay out our financial souls, because he believed it was an unfair intrusion into his right to privacy. It wasn’t even a debate; it was the law. But he felt so strongly about his right to privacy that he really had to be dragged kicking and screaming to fill in those forms and make a presentation to the Integrity Commissioner.

I raise those because I think it's incredibly important that we not see this as a simple issue of right and wrong. Perhaps, given my personal background as a former justice minister in Ontario and a former elected labour leader, I can see both sides of this so clearly, in my mind at least. I think about the police officer, correctional officer, paramedic, firefighter, all those involved in emergency response, and the situations they face day after day. Should they encounter a circumstance as described by friends earlier here in this place, I think about them going home that night and looking at their kids and saying, "Am I bringing evil into my home? Am I bringing harm to my children?" and at night, when they are with their partner, "Am I bringing harm to my partner?" as you think about the intimate aspect of one's relationship.

Yet people are innocent in this province until they are proven guilty. It's not unusual for our justice system to make mistakes, and that's why it's often dangerous for us to get caught up in headlines or in seeing things as too black and white. If you question whether or not that can happen and whether that's important to the average person, think about Mrs Milgaard, a mother who for years fought for her son's life because she believed he was innocent. Ultimately, it was proven that he was.

1200

I raise that because I want to bring in the issue of capital punishment, only to the extent that one of the things we don't want to do is leave the impression that all will be well if we pass this law. As humans, we have that desire that we'll do one quick thing, a quick fix, and we'll solve everything and then we can stop worrying about it and go on with our lives because it's taken care of. Capital punishment is like that, in my opinion, to the extent that there are those who think capital punishment is a deterrent, and yet there's not one study that I'm aware of which makes that conclusion. If it had that deterrent effect, I would be one of those who would switch and change my balance of thinking and I'd be on side with it, but it doesn't, and for whole host of other reasons I don't support that.

But in this particular case, we're being asked to consider a law that violates not somebody's home. This is not just bursting down your front door. This is not just asking one of our cabinet ministers to show the Integrity Commissioner what their personal financial dealings are. This is somebody bursting through your door, grabbing hold of you, holding you down and taking away your blood. In a free society, I can't think of anything that would suggest that's trivial.

On balance—and our caucus really wrestled with this one for the very issues I've outlined here—our caucus has decided that we will support this going to committee because, again, on balance, one has to make decisions around whose rights survive and who has to give up some rights. We're pleased that the member chose to go the route of the medical officer of health. I was really worried at first that it was going to stay within the criminal justice system. The problem with that is, again

speaking from my background as a former chair of the regional health and social services committee in Hamilton, I know very clearly that the incubation period, for instance, of HIV is six months. Just because you do a test today and it's negative does not mean that the person you've tested doesn't have HIV. That false sense of security that I raised around the issue of capital punishment is very much front and centre here, so I'm pleased that rather than leaving it to a criminal process, it goes to the medical officer of health for the first determination.

Obviously, all of this law, whether it's going to be deemed to be good law or bad law, will be determined around the issue of "reasonable grounds." Based on that kind of language, we are comfortable moving this bill from our debate today into committee, because what really matters is, what will the law or the regulations say is reasonable grounds? "I don't like the way someone looks" is not reasonable grounds, and if that sounds a little far-fetched in this time that we're in, think about it.

By the same token, if there is enough evidence that clearly an innocent emergency service worker could be at risk, then we have an obligation as legislators, as those who decide these kinds of rules in our society, to ensure that the rights of that vulnerable worker are protected. Really, the only way we can determine that is to get into committee and start looking at the issue of reasonable grounds.

I do want to bring into this—and I note that the Solicitor General is in the room. I understand he's not going to speak, but I would ask him to nod if my time has gone by in terms of the policy as I understand it.

Certainly a number of years ago the policy of universal precautions was the policy that we held to. I noticed the Minister of Correctional Services was here earlier. What that says is, rather than trying to determine who might have a communicable disease and then we take precautions, that all emergency response workers are to treat every circumstance as if they may be exposed, and therefore they are to take universal precautions.

It does make sense, because we're talking about situations that are obvious here. What about situations that aren't obvious? We do not know, nor should we, that there aren't members of this Legislature here today who have HIV. There are numerous ways we as individual human beings can come into contact in a way with other human beings that could cause a transmission of a disease, unbeknownst.

Again, this issue of wanting to ensure that we aren't telling the public, "By passing this, everything will be fine"—there are still many circumstances, when we've got deadly diseases like AIDS out there, where we need to be taking precautions, not just as emergency service workers but also as individuals, as parents and as partners of people we love.

Taking universal precautions makes a whole lot of sense, and it has nothing to do with pointing a finger and saying, "You look like someone who has a disease I should be worried about." It speaks to the reality of the

science of disease. To that end, it would be nice if we put as much passion in this place into talking about the root causes of crime—why are there increases in some crimes? What are the real reasons for that?—and also the whole idea of eliminating AIDS and other communicable diseases. Ultimately, that's the only real solution: wipe it out. Then we don't have to worry about this, your rights versus my rights. Governments have that obligation too.

In concluding, I want to say to all members of the House that on a personal level I've enjoyed the debate. I'm prepared to admit to some trepidation coming in this morning and looking at the nature of it, remembering some debates we've had around some issues. I'm pleased to be a part of this particular debate, regardless of how we all feel. I have a hunch, listening this morning, that whether you're a Tory, a New Democrat or a Liberal, on this kind of issue, on one of rights versus rights, we may not really be that far apart.

If that's the case, then sending this to committee, bringing in the experts, bringing in the advocates from all walks of life—all those who are affected—makes the most sense, in the opinion of our caucus.

Therefore, we would enjoy participating and would do so diligently in such committee hearings. In order to facilitate those discussions, we're prepared to lend our vote today to pass this bill and send it off to committee for those very deliberations.

Mr Bart Maves (Niagara Falls): I appreciate the opportunity to speak to the member for Simcoe North's bill. I want to congratulate him for his initiative. I want to congratulate him for the process through which he's come up with this bill. As some members have talked about already, the bill has taken some different forms over a period of time. It's now in a form where, if a victim of crime or an emergency services worker with just cause would feel the need to find out if someone they came in contact with, whether through a rescue or as a victim of crime, if they thought there was a need to find out something about the person's medical history—quite frankly, whether or not they had a communicable disease. I commend some of the members opposite for recognizing the dilemma that people from those three associations and other similar workers who are not members of those associations face on a day-to-day basis, and indeed that some people who are victims of crime face.

1210

Some of the members opposite said that you shouldn't trivialize the taking of blood from somebody, and I would say clearly to those members that I think the member for Simcoe North is not trivializing this at all. He has a process spelled out using the medical officers of health to determine whether or not it's appropriate to obtain blood from someone. That medical officer of health would be responsible for determining if circumstances indeed required or made it advisable to get such a blood sample from somebody. So I don't think the member trivializes it.

The member has said that he'd like the bill, if approved today, to go to a committee for further hearings

where perhaps that process could be fleshed out and some meat added to the bones, although I hope not so much meat that it becomes too difficult and with too much red tape to actually obtain a sample once the bill passes.

Similarly, I think the obligations of the analysts of the bill, section 9 of the bill, need to have a second look. People need to know the analysts of that blood sample need to clearly know what their responsibilities and obligations are with regard to that sample and privacy.

I support the bill. I commend the member. I hope all of the members in the Legislature support it. I look forward to working with the member to improve the bill and see, ultimately, to its passage and implementation.

Mr John Gerretsen (Kingston and the Islands): It has already been stated earlier that we on this side of the House will be supporting this resolution. It's quite obvious that we should do everything we can in order to protect especially those emergency workers we have working for us on a day-to-day basis in fire departments and at police stations within emergency situations etc, and anything we can do to protect their health, the better it is for all of us.

By the same token, since this member obviously is concerned about health care concerns, I would implore him and the other members of his caucus to support the resolution of our member Ms Papatello as well to make sure that the CCACs are properly funded so that the vulnerable in our society who need nursing home care can get the adequate services that this government currently denies them. So support that resolution as well.

Mr Dunlop: I'd like to thank everyone who made comments here this morning: the member for London-Fanshawe; my colleagues from Windsor West and Thunder Bay-Atikokan; Dr Galt from Northumberland; the member for Brant, the justice critic; the member for Hamilton West; the member for Niagara Falls; and the member from Kingston. I appreciate the fact that there seems to be support here this morning for this particular piece of legislation.

Earlier I had an opportunity to make a few comments, and I didn't get an opportunity to actually address the people who were here today who have given us so much support on this bill. I will just read their names again and ask them probably to stand, if they don't mind: first of all, Bruce Miller from the Police Association of Ontario; Natalie Hiltz and her husband, who are both constables, from the Peel police services; Paul Bailey, the chair of the Peel Regional Police; Sean O'Connor, chair of the Peel police association; and we have Jimmy Lee of the Toronto firefighters' association—they're in the top gallery up there—Patrick Kerr of the Ontario firefighters' association; and Mark Ferguson from the Ontario Paramedic Association.

I just want to say what a pleasure it is to work with these gentlemen. As I said earlier, they're the people who put their lives on the line and they represent the people who put their lives on the line every day of the year for the province of Ontario and for the folks we all represent.

I'll be asking for this particular bill to go to the justice and social policy committee. I hope that we can get a lot of good, valuable input from the citizens across our province as we look toward passage of this bill in the future.

The Deputy Speaker: This completes the time for debate on ballot item number 22.

HOME CARE

The Deputy Speaker (Mr Michael A. Brown): We will now deal with ballot item 21. Mrs Pupatello has moved private member's notice of motion number 14. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members, following dealing with ballot item number 22.

HEALTH PROTECTION AND PROMOTION AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI SUR LA PROTECTION ET LA PROMOTION DE LA SANTÉ

The Deputy Speaker (Mr Michael A. Brown): Mr Dunlop has moved second reading of Bill 105. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will divide on this also.

Call in the members for a division on ballot item number 21.

The division bells rang from 1216 to 1221.

HOME CARE

The Deputy Speaker (Mr Michael A. Brown): All those in favour will stand and remain standing until recognized by the Clerk.

Ayes

Agostino, Dominic	Crozier, Bruce	Martel, Shelley
Bartolucci, Rick	Di Cocco, Caroline	McGuinty, Dalton
Bisson, Gilles	Dombrowsky, Leona	McLeod, Lyn
Bountrogianni, Marie	Duncan, Dwight	McMeekin, Ted
Boyer, Claudette	Gerretsen, John	Peters, Steve
Bradley, James J.	Gravelle, Michael	Phillips, Gerry
Bryant, Michael	Kennedy, Gerard	Pupatello, Sandra
Caplan, David	Kormos, Peter	Ramsay, David
Christopherson, David	Kwinter, Monte	Ruprecht, Tony
Colle, Mike	Lalonde, Jean-Marc	Sergio, Mario
Conway, Sean G.	Levac, David	Smitherman, George
Cordiano, Joseph	Marchese, Rosario	Sorbara, Greg

The Deputy Speaker: All those opposed will please stand and remain standing until they are recognized by the Clerk.

Nays

Arnott, Ted	Hodgson, Chris	Snobelen, John
Baird, John R.	Jackson, Cameron	Spina, Joseph
Barrett, Toby	Johns, Helen	Sterling, Norman W.
Beaubien, Marcel	Johnson, Bert	Stewart, R. Gary
Chudleigh, Ted	Klees, Frank	Stockwell, Chris
Clement, Tony	Marland, Margaret	Tascona, Joseph N.
Coburn, Brian	Maves, Bart	Tilson, David
DeFaria, Carl	Mazzilli, Frank	Tsubouchi, David H.
Dunlop, Garfield	Miller, Norm	Turnbull, David
Ecker, Janet	Molinari, Tina R.	Wettlaufer, Wayne
Elliott, Brenda	Munro, Julia	Wilson, Jim
Galt, Doug	Mushinski, Marilyn	Witmer, Elizabeth
Gilchrist, Steve	Newman, Dan	Wood, Bob
Gill, Raminder	Runciman, Robert W.	Young, David
Guzzo, Garry J.	Sampson, Rob	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 36; the nays are 44.

The Deputy Speaker: I declare the motion lost.

HEALTH PROTECTION AND PROMOTION AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI SUR LA PROTECTION ET LA PROMOTION DE LA SANTÉ

The Deputy Speaker (Mr Michael A. Brown): We will now open the doors for 30 seconds, and then we will have a vote on ballot item number 22.

Mr Dunlop has moved second reading of Bill 105. All those in favour will rise and remain standing until they are recognized by the Clerk.

Ayes

Agostino, Dominic	Elliott, Brenda	Molinari, Tina R.
Arnott, Ted	Galt, Doug	Munro, Julia
Baird, John R.	Gerretsen, John	Mushinski, Marilyn
Barrett, Toby	Gilchrist, Steve	Newman, Dan
Bartolucci, Rick	Gill, Raminder	Peters, Steve
Beaubien, Marcel	Gravelle, Michael	Phillips, Gerry
Bisson, Gilles	Guzzo, Garry J.	Pupatello, Sandra
Bountrogianni, Marie	Hodgson, Chris	Ramsay, David
Boyer, Claudette	Jackson, Cameron	Runciman, Robert W.
Bradley, James J.	Johns, Helen	Ruprecht, Tony
Bryant, Michael	Johnson, Bert	Sampson, Rob
Caplan, David	Kennedy, Gerard	Sergio, Mario
Christopherson, David	Klees, Frank	Smitherman, George
Chudleigh, Ted	Kormos, Peter	Sorbara, Greg
Clement, Tony	Kwinter, Monte	Spina, Joseph
Coburn, Brian	Lalonde, Jean-Marc	Stewart, R. Gary
Colle, Mike	Levac, David	Stockwell, Chris
Conway, Sean G.	Marchese, Rosario	Tascona, Joseph N.
Cordiano, Joseph	Marland, Margaret	Tilson, David
Crozier, Bruce	Martel, Shelley	Tsubouchi, David H.
DeFaria, Carl	Maves, Bart	Turnbull, David
Di Cocco, Caroline	Mazzilli, Frank	Wettlaufer, Wayne
Dombrowsky, Leona	McGuinty, Dalton	Wilson, Jim
Duncan, Dwight	McLeod, Lyn	Witmer, Elizabeth
Dunlop, Garfield	McMeekin, Ted	Wood, Bob
Ecker, Janet	Miller, Norm	Young, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 78; the nays are zero.

The Deputy Speaker: I declare the motion passed.

Pursuant to standing order 96, this bill will be referred to committee of the whole House.

Mr Garfield Dunlop (Simcoe North): Mr Speaker, could I have the bill referred to the justice and social policy committee?

The Deputy Speaker: Mr Dunlop has requested that the bill be referred to the standing committee on justice and social policy. Agreed? Agreed.

All matters relating to private members' public business now being complete, this House stands adjourned until 1:30 of the clock.

The House recessed from 1228 to 1330.

THANKSGIVING

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: As we all know, this is Thanksgiving weekend and I know you and all the members of the House, along with the public servants who serve this chamber, will be giving thanks for the enormous bounty of gifts we have in the province of Ontario. This weekend I will be giving thanks for a beautiful gift. She's an 84-year-old senior. Her name is Mary. She's my mother. She's celebrating her birthday today. Happy birthday, mom.

The Speaker (Hon Gary Carr): I thank the member. We join in the sentiments about Thanksgiving to all of the staff who work here and to all the people in this province, and also to Mrs Bartolucci, who I know watches each day. Happy birthday to you from all of the members here in the chamber.

MEMBERS' STATEMENTS

ANIMAL PROTECTION

Mr Mike Colle (Eglinton-Lawrence): Buon compleanno, Mrs Bartolucci.

I rise to speak about a deplorable practice in this province, and that is the practice of puppy mill operations. Puppy mills are breeding operations where dogs and other companion animals are abused and bred in unsanitary, inhumane conditions. The health and welfare of these poor companion animals are disregarded for profit and greed.

This practice was brought to light recently by the abominable discovery of a notorious inhumane breeder operating in Vaughan and Fenelon Falls. This puppy mill operator has been operating with impunity for over 35 years in this province. Unfortunately, pet mills can be found all over Ontario. The SPCA estimates there are over 400 of them operating as we speak today.

There is a large gap in provincial legislation, and penalties for inhumane animal breeders are basically non-existent. However, the Ontario government can do more. Right now, anybody in this province can claim to be a breeder or operate a kennel without any regulation.

I have introduced a bill to ban puppy mills and get tough on these bandits. These poor animals cannot defend themselves or speak for themselves. On behalf of the animals that are abused and the owners who want to protect them and want good animal treatment, we should pass tough legislation in this province to put these damn bandits out of business.

EYE CENTRE

Mr John O'Toole (Durham): I rise in the House today to speak with respect to the opening of the eye centre at Lakeridge Health Bowmanville. Last Thursday, September 27, the hospital officially opened its new state-of-the-art surgical suite for cataract surgery. Most of us recall that cataract used to be treated with a two-and-a-half-hour operation and a hospital stay of up to 10 days. Today, modern surgical techniques require only 15 to 30 minutes under local anaesthetic.

Lakeridge Health estimates that 5,000 intraocular lens procedures will be performed at Bowmanville hospital during the 2001-02 fiscal year.

I'd like to recognize Judy Spring, chair of the Lakeridge Health board of trustees, Brian Lemon, chief executive officer of Lakeridge Health Corp, and Chris Kooy, chief operating officer for Lakeridge Health Bowmanville. They were the hosts of the official opening of the eye centre. I'd also like to pay tribute to the talented surgeons and their staff who have made Lakeridge Health Bowmanville a critical regional centre for eye care.

This facility not only serves the people who live in Durham, but also receives referrals from neighbouring communities. At last week's opening, Dr Athey Ro, an ophthalmologist, discussed what the eye centre means for the physicians, staff and, most importantly, patients. There was also a cheque presentation to the centre by Victor Fiume, community manager of Wilmot Creek. The president of memorial hospital foundation, John Loreto, accepted the donation. The foundation is to be commended for its dedicated fundraising efforts on behalf of Lakeridge Health and the eye centre.

This is just one more clear example of the good things that are happening at Lakeridge Health Bowmanville specifically and in Durham generally. I am pleased to say that this is good news to be shared, not just in my riding but for all the people of the province of Ontario.

RENT REGULATION

Mr Michael Bryant (St Paul's): I've been going from apartment building lobby to apartment building lobby across the riding of St Paul's and I want to report to this House how the tenant destruction act has visited rent hikes upon the people of St Paul's like this province has never seen in more than 25 years.

One in four tenants in this province are spending more than 50% of their gross annual income on their rent. Some 60,000 apartments in Toronto are getting a huge

rent hike called above the guideline rent increase. The average TO rent is just under a thousand dollars.

Here are some examples: 99 Marlee, 9%; 39 Raglan, 9% rent hike; 194 Vaughan Road, 8% rent hike; 110, 111 and 120 Raglan, more than 7% rent hike; 2 Clarendon Avenue, nearly 7% rent hike; 420 Eglinton Avenue East, 10% rent hike in one year; 377 Riddell, 10%; 45 Balliol, more than 10%.

It's time for the government to repeal the tenant destruction act. It's not building more housing; it's creating unconscionable and impossible conditions, particularly for those on fixed incomes, particularly for new Canadians, particularly for seniors. It's time to restore rent control across the board in this province again—no ifs, ands or buts.

CONSTITUENCY OFFICE

Mr Michael Prue (Beaches-East York): I rise to first of all thank the good people of Beaches-East York for the confidence they have shown in me, not only in the past 13 years but especially in sending me to such an august chamber.

I am proud to announce that the new constituency office will be up and operating on Tuesday of next week. We will be open for business at 2171 Danforth Avenue, telephone number 416-690-1032. The Web site will be operational by then too. I would invite all the people of Beaches-East York who have been awaiting the opening of the office with their constituency problems to come forward next Tuesday and we'll deal with them as best we can.

AL BUSH

Mrs Julia Munro (York North): Next week is Fire Prevention Week. Today, I am pleased to pay tribute to Georgina Fire Chief Al Bush, who retired a few weeks ago.

Al Bush was born in a little hamlet near Marlbank, close to Tweed, in southeastern Ontario. He signed up as a volunteer firefighter in 1956. At the end of the year, the volunteers and the chief evenly split what they were paid for the year—the grand total of \$800, about \$40 apiece. He spent the next seven years as a volunteer firefighter before he settled in Georgina with his wife, Ruby; son, Randy; and daughter, Karen. Al bought the butcher business in town and signed up as the part-time fire chief.

His son, 18-year-old Randy also signed up as a volunteer firefighter. The fire station was located across from the post office in Keswick. Many volunteers were literally steps away, including Al and Randy in the butcher store, Gib Paul at the post office, Roy Doran next door and Bert Rye across the road.

Al Bush has been witness to enormous changes over the years: improvements in firefighting techniques, equipment and the beginning of full-time professional firefighters.

In 1980, Bush was hired as the part-time chief. That was the extent of the firefighting contingent in the town. Today that has grown to 21, including volunteers.

Al Bush, thank you for your compassion, generosity and commitment to a profession whose great personal risks are better understood today than they were three weeks ago. Enjoy your retirement, Al. You deserve it.

DOCTOR SHORTAGE

Mr Michael Gravelle (Thunder Bay-Superior North): This past Tuesday I attended an important event in Thunder Bay focusing directly on the doctor shortage crisis in our community. Sponsored by Thunder Bay Television and broadcast live across their viewing area, the evening featured a panel of medical professionals, leaders in the medical education field and municipal representatives who have been working feverishly to attract more physicians and other key medical professionals to our community.

1340

Certainly, the need is great. Over 25% of Thunder Bay residents are without a family physician and our lack of key specialists is somewhat overwhelming. However, despite the challenges we face in a province that has over 100 underserved communities competing for a limited number of physicians, there emerged that evening a clear sense that with the support of the Ontario government, Thunder Bay can become an increasingly attractive location for doctors to locate permanently.

First and foremost, the province must provide the needed financial support toward the construction of our new hospital. This new regional centre will be a magnet for doctors looking to work in a state-of-the-art facility.

Secondly, the province must understand that the northern and rural medical school must be an equally shared campus between Lakehead and Laurentian universities. We know that if medical students are educated in our community, they are far more likely to stay there.

The government must also support in more than words the role that nurse practitioners can play in alleviating this crisis. Funding must be available to fill all the positions for which we apply.

The taxpayers and citizens of Thunder Bay have contributed more than their share in supporting these efforts. What we need from the government today is a commitment that our efforts to solve this crisis will not be thwarted by a lack of support from the province.

ERNIE COOMBS

Ms Marilyn Mushinski (Scarborough Centre): I rise in this House today to honour the memory of a great man. On Tuesday, September 18, Ernie Coombs, known to generations of children as our loveable friend Mr Dressup, passed away at Toronto Western Hospital following complications from a stroke.

Ernie Coombs was 73 years old. He is survived by his three children, Christopher, Barry, and Catherine Minott, and six grandchildren.

I had the honour of attending his memorial service on Friday, September 21. There was an outpouring of emotion for this quiet, gentle and sensitive man who delighted both children and adults alike for many years with his television show. Mr Coombs was a fixture on CBC TV for more than 30 years and over 4,000 shows as the kindly man with the puppet sidekicks who kept children entertained with make-believe and simple crafts. My own children were Butternutters, graduates of the Butternut Nursery School operated by his late wife, Lynn, and based on the principles that he lived by: love, caring and respect.

Ernie Coombs was named to the Order of Canada in 1996, only a few years after becoming a Canadian citizen. Prime Minister Jean Chrétien called him "an icon, to be remembered for generations to come."

Goodbye, my friend. You will be missed.

WATER QUALITY

Mr Michael A. Brown (Algoma-Manitoulin): I want to direct my statement to the Minister of Northern Development and Mines and the Minister of the Environment, as I raise again in this House the plight of many communities in the constituency of Algoma-Manitoulin

The town of Bruce Mines is still boiling its water, and has been since May or June of last year. For more than a year, this government has chosen to ignore the people of Bruce Mines. The Mike Harris government has downloaded to the town of Bruce Mines the municipal water system that belonged to the province until it was downloaded, and has not provided them with resources.

Small communities across the entire constituency need millions of dollars to upgrade their systems to meet the provincial standard. It is unacceptable that the communities in my constituency not be entitled to the same quality of water as everyone else in this province. Just last week, the town of Gore Bay had a boil-water order slapped on it. It's unacceptable.

Assignack Reeve Hugh Moggy says, "We received a letter from the province saying they would pick up half of...our engineer's report. That is not enough. If they decide to fund the capital at 50%, then we are dead in the water because we are looking at at least \$6 million."

It's unacceptable. People from White River through to Gore Bay and other places need the funding now.

ORILLIA SOLDIERS' MEMORIAL HOSPITAL

Mr Garfield Dunlop (Simcoe North): I want to take this opportunity to thank everyone who supported my private member's bill this morning.

On Friday, September 21, I had the opportunity of participating in a wonderful event in the city of Orillia. The event, titled The Beginning, was the actual begin-

ning of the redevelopment and expansion of one of the most efficient and staff-dedicated hospitals in our province, the Orillia Soldiers' Memorial Hospital.

For almost 20 years the staff, administration, board, auxiliary and the community have planned to see this facility redeveloped. In June 2000, Minister of Health and Long-Term Care Elizabeth Witmer provided funding approval, and this July, Minister Clement gave the board of directors the functional program approval.

The actual fundraising campaign is chaired by former Simcoe North MP, the Honourable Doug Lewis.

At The Beginning, it was exciting to see board chair Karen Wilford operate a huge backhoe, along with 80-year-old Morris Shelswell, owner of the long-established firm Morris Shelswell Excavating. Morris and Karen, with one swipe, began the demolition of an old house to make way for the new parking lot. This project is long-awaited and good news for the city of Orillia and district.

I congratulate all the partners, including the city, the county, the province, the board, the hospital auxiliary and all the people responsible for the fundraising. It's long awaited, and it's a wonderful project for our community. We're very proud to see the beginning of this project.

INTRODUCTION OF BILLS

WORLD TEACHERS' DAY ACT, 2001

LOI DE 2001 SUR LA JOURNÉE MONDIALE DES ENSEIGNANTS

Mr Marchese moved first reading of the following bill:
Bill 106, An Act to proclaim World Teachers' Day in Ontario / Projet de loi 106, Loi proclamant la Journée mondiale des enseignants en Ontario.

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

The member for a short statement?

Mr Rosario Marchese (Trinity-Spadina): The purpose of World Teachers' Day is to recognize the work and the role of teachers. I asked this minister last year, and we're asking her again today, to proclaim October 5, 2001, World Teachers' Day in Ontario.

Several of the federations have asked—David, are you OK?

Mr David Christopherson (Hamilton West): Yes, but we're trying to determine if it's "world" or "rural."

Mr Marchese: You didn't hear it well. The minister knows it's "world." Sorry, Speaker.

A number of federations have written to you, making that request. As I say, I made that request to you last year, and I hope you will consider it this year. It's obviously a way of commemorating the commitments teachers make every day to building the future of Ontario.

"The theme is timely, as school boards across Ontario are finding it difficult to attract and keep enough qualified teachers," says the Ontario Teachers' Federa-

tion. "It's an opportunity to enhance the profession in the eyes of all Ontarians."

I ask you to proclaim October 5, 2001, as World Teachers' Day.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Janet Ecker (Minister of Education, Government House Leader): I seek unanimous consent to put forward a motion regarding private members' public business.

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

Hon Mrs Ecker: I move that, notwithstanding standing order 96(d), the following changes be made to the ballot list for private members' public business: Mr McGuinty and Mr Gravelle exchange places in order of precedence, such that Mr McGuinty assumes ballot item number 27 and Mr Gravelle assumes ballot item number 26.

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

Hon Janet Ecker: I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker: Is there unanimous consent? Agreed? Agreed.

Hon Mrs Ecker: I move that, notwithstanding standing order 96(g), the requirement for notice be waived with respect to ballot item 26, now standing in the name of Mr Gravelle.

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

1350

FIREFIGHTERS' MEMORIAL DAY AND FIRE PREVENTION WEEK

Hon David Turnbull (Solicitor General): Mr Speaker, I believe we have unanimous consent that each party will be able to speak for approximately five minutes on Firefighters' Memorial Day and national Fire Prevention Week.

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

Hon Mr Turnbull: I certainly appreciate the opportunity to tell the House about two important events that are taking place in the province next week. The first is Firefighters' Memorial Day and the second is Fire Prevention Week.

Before I make my remarks, I would like to acknowledge some special guests that we have from the firefighting community who are in the gallery today: Doug Crawford, Ontario's deputy fire marshal, Krystyna Paterson, the manager of fire safety standards for the Ontario fire marshal's office; Milt Wilson, the president of the Ontario Association of Fire Chiefs; Patrick Kerr, a

Toronto firefighter and vice-president of district 1 of the Ontario Professional Fire Fighters Association, which is known as the OPFFA; Jim Richards, the president of the Firefighters Association of Ontario and a volunteer firefighter for Clearview, station 4; Bill Burns from the Firefighters Association of Ontario, board member and a volunteer firefighter in Paris, Ontario; and Brian Willems who is a volunteer with the Norfolk district.

This Sunday we will mark the first provincial Firefighters' Memorial Day in Ontario. The first Sunday in October has been designated to remember and honour those firefighters who have given their lives in the line of duty. This weekend I'm going to attend a special memorial service at the Ontario Fire College in Gravenhurst. Other communities will be holding their own ceremonies. Fire services in Ontario lost two of their own this year. I'm talking about Captain Pat Carey of Toronto, who served as a firefighter for over 28 years, and Captain Dennis Redman, a 22-year veteran of St Thomas, both dedicated firefighters. We know that firefighters lay their lives on the line every time they respond to a call. No one can dispute that they are indeed heroes.

Since 1980, 27 Ontario firefighters have died in the line of duty. As we remember our own heroes, we are also thinking about the hundreds of firefighters and other emergency service personnel who died in New York last month. I want to again express Ontario's deepest sympathies to our American brothers and sisters. The dedication and bravery of firefighters was exemplified in a story one witness told reporters. The young man described how, as thousands of people were fleeing down the emergency stairs of the World Trade Center, firefighters and other emergency workers were racing up the stairs. As we now know, hundreds of those heroes never came out again.

Firefighters everywhere put themselves in harm's way for the rest of us. Tragically, sometimes they pay the ultimate price to protect our safety. We are indeed privileged here in Ontario to have highly trained and professional men and women safeguarding our communities. They're so good at what they do that sometimes we lose sight of the vital role they play. Firefighters' Memorial Day will serve as an annual reminder of everything we owe to these brave men and women. I'm sure everybody in the House will join with me in saying a heartfelt and sincere thank you for the efforts of Ontario firefighters.

I want to talk about another important matter, and that is the ways we can protect our families and help our firefighters in their jobs. I'm talking about preventing fires before they start.

This year Fire Prevention Week takes place from October 7 to 13. It's a time to remind everyone of the importance of fire safety. Since 1997 the number of fire fatalities in Ontario has decreased. In 1997 the number of fatalities was 155 compared with 102 in 2000. Although Ontario continues to show a downward trend in fire fatalities, there is much more work to be done. Last year 53 people died tragically in house fires in Ontario. Many

of those fires were preventable. The Harris government and the office of the Ontario fire marshal are committed to reducing and even eliminating fire deaths and injuries.

The theme of the this year's Fire Prevention Week is Cover the Bases and Strike Out Fire. We're using a baseball metaphor to encourage people to cover the three major bases in their homes. The kitchen is first base, heating equipment is second base and electrical fire is third base. These are known to be the three leading causes of home fires. Home plate is dedicated to home evacuation planning and testing of smoke alarms.

In Ontario more than 25% of all home fires start in the kitchen and cooking fires are the leading cause of home fires and injuries. But there are some simple things we can do to increase fire safety in our homes. For example, we know that smoke alarms are still the most effective early warning devices available today. We should make sure that fire alarms in our homes are in good working order.

It's important that everyone in a home knows what to do and where to do if the alarm sounds. Home evacuation plans that are regularly practised help safeguard the lives of our families, our friends and our pets.

I encourage everyone to explore the Web site on the Ontario fire marshal's office for more information on fire prevention. The Web site is www.gov.on.ca/ofm. The Web site offers a fire safety check list to help eliminate hazards in the home, Fire Prevention Week lesson plans for teachers and an on-line game for children to raise awareness about fire prevention.

I'd also like to urge the public to contact their local fire service for more information on fire prevention. Although we observe Fire Prevention Week at this time of year, preventing fires can be practised year round. Remember, safety counts.

On a personal note, I want say that my uncle was an officer in the London fire brigade in London, England, throughout the Blitz. I remember many stories he told me about the tragic situations and the heroics of firemen, and that impressed me from an early age.

I encourage everybody to make sure you encourage young people to find out about fire prevention, because we can make sure that our province is safer.

Mr Dave Levac (Brant): I rise today with humility and great respect for our firefighters. On behalf of Dalton McGuinty and the Liberal caucus, it is a pleasure to recognize our fire prevention officers who are here today, and our firefighters across the province, and the United States and the world.

Fire Prevention Week from October 7 to 13 is of utmost importance to all of us. I want to reflect for a moment on a point that sometimes gets missed. I want to thank our teachers, our schools and our principals who bring forward the safety message day in and day out, on a regular basis. I want to thank the co-operation of the fire prevention officers who come into our schools and share their knowledge and make sure the teachers are presenting the information in a very tangible way for our kids.

1400

As a principal of an elementary school over the last few years in my career before I left teaching, I was always amazed at the willingness of those prevention officers to come forward and to offer our kids that knowledge. Believe it or not, there were times when I had phone calls from parents who came back to me and said, "My kid taught me something today. My kid taught me about an escape route in the house. My kid taught me today to make sure that I change the batteries in my detector when we change the clocks forward and back." Those simple little rules save lives.

To our fire prevention officers and that section from the fire marshal's office, to our teachers, to our principals, to our schools, to our parents, thank you for taking that simple message and turning it into a life-saving exercise. Congratulations on the job you've done. We know that fire deaths have diminished. We know that. We also know that your colleagues who are on the suppression side, day in and day out, offer their lives to us in a way that no one can understand except for them and their families. We appreciate it but we just don't understand that going to work, you may have to give your life. To you we say, on behalf of Dalton and the Liberal caucus, God bless you for that contribution and thank you very much for that dedication.

There's a kindred spirit among all of our safety providers: those in the police, the paramedics, the firefighters, even the correctional officers who are included inside of this who get forgotten sometimes, probation and parole officers, all of those people who have that great responsibility to protect us in any way. We must understand that we must do what we can to make sure they themselves are safe. That's why our caucus was pleased to support the bill this morning that was put before us about information that's necessary to protect their safety.

What we want to make sure the ministry understands, though, is that a simple bill like Bill 26, an act to amend the Safe Streets Act and the Highway Traffic Act, offered by the member for Essex, Mr Bruce Crozier, is another tangible way that can be done today to show our firefighters, who give of themselves off-duty to raise funds for charities—believe it or not, hundreds of thousands of dollars have gone uncollected because of the Safe Streets Act, and a simple amendment was offered to the government, which continues to refuse to pass it. I say today, show your concern, show your appreciation for those fundraisers and those fire departments, and accept this bill today.

I was also very proud and privileged to offer the legislation of Bill 107, my bill that recognized Firefighters' Memorial Day. I was very pleased that we had unanimous consent and the bill was passed, so on October 7 we will be experiencing our very first official memorial day. I will be joining the minister in Gravenhurst in showing my respect and consideration to the firefighters of the province of Ontario.

I have received over 30 memos back from municipalities across the province, and it's growing, acknowledging

what they're going to do in their communities to honour our fallen firefighters. To them I say thank you very much for your dedication, thank you very much for your recognition.

There are some very simple things we can do to enforce what it is, to show our respect to those firefighters, a very simple act, and we can do it to all of our safety providers. When you see them, extend a hand and shake their hand and say, "Thank you for a job well done. Thank you for protecting us. Thank you for doing the job that you do day in and day out, and God bless you and your families."

Mr Peter Kormos (Niagara Centre): I am incredibly proud to speak to the event of Firefighters' Memorial Day as well as Fire Prevention Week on behalf of this caucus, the New Democrats here at Queen's Park.

All of us were incredibly shaken by the images of September 11, all of us knowing full well that they were not in Ontario, they were in New York state, but all of us, shaken as we were, were similarly incredibly moved by the courage, the selflessness, the preparedness to sacrifice one's own life in the service of others that sister and brother firefighters in New York City performed.

We know the firefighters in our communities, in the constituencies we represent. We work with them as often as we can and as often as the opportunity presents itself. We know those women and men in our communities who are firefighters, and we know that each and every one of them in every single community in the province of Ontario, were they called upon, would do the same thing without hesitation, would perform as fearlessly and as courageously and as selflessly as their firefighter sisters and brothers did in New York City.

I take pride in being able to join firefighters in my community, as my colleagues do in theirs, in celebrating the sacrifice of firefighter sisters and brothers in New York City, in Manhattan, because we know that by celebrating their courage, we're celebrating the courage and selflessness of our neighbours, our family members, our colleagues in our own communities who perform that service.

Firefighting has never been more dangerous. There's no question about that; there's no doubt about it. Similarly, firefighters have never been as well trained and as professional as they are today. What's remarkable about the firefighters we know and work with in our communities is that just as they are there on the front lines, and as often as not first at that line in the event of a crisis, they're also out there when it comes to serving the community.

When you go to a Big Brothers or a Big Sisters event and take a look at some of the volunteers participating in that, you see firefighters from that community volunteering as Big Brothers and Big Sisters. When it comes to fundraising events, just like my colleagues here, I've joined firefighters down in Niagara region and down in Welland in their boot campaigns. Regrettably, I confess, we've broken the law in the last couple of years, but we've been out there at East Main and Cross Streets

breaking the law with great pride, joining my colleagues, my friends, firefighters, women and men in Welland and Niagara region, raising money for people they'll never meet, for people whose hands they'll never hold. But they're out there doing it.

I know that firefighters are there, not just in fire suppression—that's the technical language; I hope I've got it right—firefighting, but they're also there when there's a maimed body just hanging on to life after a car accident. Firefighters are there first when there's an industrial accident and when a worker lies under what could be tons and tons of metal or a beam or their body is pierced by an industrial projectile.

I and my colleagues know these firefighters and know them personally. In our communities we had firefighters we grew up with. I think of the Labenski family in Welland. I remember their father, a volunteer firefighter down in old Crowland. The little fire station isn't even active any more. His son was the chief. His other son, Henry, is my age. We went to school together; we're friends. He's now head of the association down there. I know these people so well, but for the life of me I can't imagine yet, knowing them as well as I do, and my colleagues knowing them too, how they can confront the incredible danger that they do, how they can witness the incredible tragedy that they do on our behalf, yet still perform within their families, still be good dads and moms to their kids, and they are, and still be active members of the community in so many other ways, and they are, more often than not.

It is an incredibly special and surely God-given talent to be able to do what firefighters do as a lifetime career. I tell you, one encounters more than the rare firefighter, like we have here, who's not only a full-time professional firefighter in his or her so-called day job, but is a volunteer firefighter as well, sometimes in the community where they live outside the major city where they work.

1410

These are very special people. We're very lucky to have them in our midst. I leave us with this: we can wish them well, and of course we do; we can praise their courage and commitment to their community and the welfare of the community, and of course we do; but let's not send our firefighters or any of those other emergency measures personnel out there into those incredibly dangerous situations, where people's lives depend upon them, with inadequate resources. We, as a province and as municipalities, as provincial taxpayers and municipal ratepayers, have got to understand that when we talk about supporting firefighters, it's not enough to say "God bless." We have to be prepared to give them the resources to do the job, to possess the tools they need to do the job that is so highly demanded of them.

Criticism is quick and speedy, isn't it? But the adequacy of resources is so often much slower to come. So I call upon all of us to commit ourselves to that, to support our firefighters in word, in spirit, but also to support them with the adequate investments they need in their services, in their staffing levels, in the tools they

have, so they can do their job effectively to ensure the safety of the community and to ensure their safety as well. They deserve that. They deserve more, but at least we can give them that much.

WORLD TEACHERS' DAY

Hon Janet Ecker (Minister of Education, Government House Leader): I believe we have unanimous consent for each party to speak for five minutes on the occasion of World Teachers' Day.

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

Hon Mrs Ecker: I'm pleased to rise in the House again this year to recognize World Teachers' Day, designated October 5 by UNESCO.

The theme of this year's day is "qualified teachers for quality education," and I think that's an important recognition of the contribution teachers make to our schools. It gives all of us an opportunity to publicly recognize the work and the efforts of our province's teachers.

Teachers have an important task, not only to impart knowledge to our students but also to instill in our children a love of learning that hopefully will last them a lifetime. It can be a difficult job. It can be a stressful job. But at the end of the day it is a job that can make a real difference in the life of a child.

Teachers often talk of their profession as a calling. I know that personally, for the many teachers who made a difference in my life and for the many committed and dedicated teachers I continue to have the opportunity to meet as minister, this is indeed the case. Ontario has many fine teachers who inspire their students to excellence, and this has certainly been particularly evident in recent weeks as our teachers have responded to the tragedy of September 11, helping our young people cope with these terrible events.

In Ontario we have set higher standards for our schools. We have brought in a new curriculum that is more rigorous, that sets challenging expectations for what students should learn at each grade level. Hundreds of teachers and educators helped to develop this new curriculum, the first comprehensive curriculum reform from kindergarten to grade 12, the first time such a comprehensive reform has occurred in years. There's no doubt this new curriculum is more challenging. It has meant a lot of work for students, for parents and particularly for our teachers as they become familiar with the new course material. But it is important work, because it helps ensure that our students are learning what they need to learn, and it is indeed making a difference in how well our students can succeed when they leave our school system.

In this province we've also moved forward with province-wide standardized student tests to measure how well we are doing in this curriculum. The tests help us to measure what works well and to identify areas where we can improve and help our students learn better.

We're moving forward with initiatives that will help us to improve and help our students to succeed, initiatives such as the Ontario early reading strategy, which sets clear goals for improving reading skills from junior kindergarten to grade 3 and puts in place support strategies for our teachers, our parents and our principals in those schools that are having difficulty, so that they can improve their ability to help our students to read.

These are very important steps and our teachers are vital to the success of these initiatives. As Minister of Education, I have appreciated the advice I have received from teachers on a range of issues, from the development of the curriculum to the proposed Student Protection Act that was just introduced last week. I want to thank the teachers for providing their input and advice on those initiatives and I look forward to continuing to receive those suggestions.

With teachers and other partners in education, we will continue together to ensure we focus our efforts on improved student learning, on improved student achievement. I would like to thank the teachers in our system for their contribution to making that happen.

I invite all members to join with me and the education community throughout Ontario to honour Ontario's teachers by helping to celebrate World Teachers' Day.

Mr Gerard Kennedy (Parkdale-High Park): I rise to respond to this important opportunity. I also would like to ask permission to display a button and to ask all members who—

The Speaker: Unanimous consent? Agreed.

Mr Kennedy: It is very important that Ontario recognize its teachers. It is problematic for me that it took this long. The Ontario Teachers' Federation has written to the government year after year and asked you to put aside some time for one of the largest workforces that puts us in this House.

To the member opposite, to the minister opposite, we heard from her a recitation of the government's program. We have a problem with a government that can't actually find five minutes to talk exclusively about teachers. It is the teachers of this province, and of this province perhaps more than any other, who need to be recognized, need to be thanked and need to be appreciated. There is nothing more fundamental to the success of our education system. I would say to a government that is impaired by ideology or political opportunism that you're doing us a grave disservice when you can't muster that effect in the front ranks of something as vital as education in this province.

We have to recognize the absolutely vital profession for its inherent value to our children. We entrust our children to strangers who come prepared, motivated and educated to inculcate in those children the learning, the civility, the appreciation for society that all of us expect. Yet it is this House perhaps, more than any other place in the province, that has to confer an improved level of appreciation and understanding of teachers in this province for that simple transaction to work on an ongoing basis.

It is incredibly important that we recognize this. We lost 5,000 teachers last year for reasons other than retire-

ment. They chose to leave the profession. It's a huge, almost 100%, increase from just a few years before. We have 1,300 teachers in front of kids now on letters of permission, teachers who are not qualified because there aren't enough qualified teachers who can be persuaded and convinced that Ontario is a good place to teach and for kids to learn.

In this House, I think we have to stand aside somewhat from the debates of the last number of years in which the government has wanted to focus on power and control and has missed the essence of what makes for success; that is, a classroom arrangement allowing teachers to be able to close the door and be able to teach their kids, and allow those kids to learn in a way that we have to start to understand in this House, so that we create the conditions and allow the system to prevail that will let teachers impart some improvement to those kids.

The number one thing we need in Ontario today for the success of our teachers, beyond the understanding and respect, is to appreciate what it takes for them to be successful. What it takes for them to be successful is not fiat from this room, not orders, not demands, not artificial standards, but rather the actual appreciation that it's that teacher, that motivated person in the front of the room, who needs access to those kids, who needs to be able to see and feel success, success that can be thwarted by large class sizes, by lack of textbooks, by the mismanagement of a curriculum that hasn't yet been seriously supported. Those are the things that we should, on a non-partisan basis, be able to agree need to be put in the hands of teachers.

1420

We in this House don't teach. We in this House aren't the ones who are going to make that special-needs child who has been recognized today, for example, in the Toronto board with a special award—I won't name the colleague whose name is on that award—who struggles to get on to the TTC, who takes another child with him. That success and that award have been achieved because a teacher took the time. Increasingly in Ontario we aren't allowing teachers to take the time. When I go to the classrooms and the staff rooms, for instance, as it's been my privilege for the past two and a half years, they tell us that they think they work on the moon.

I would announce here today the renewal of our MPP back-to-school program, which is to get every member of this Legislature to spend the time to understand, to walk in the shoes of the teachers of this province and ensure that we are equipped in this room to do what needs to be done. I would hope that everybody in this room is equipped to do what needs to be done on World Teachers' Day and that is to unreservedly say thank you to the teachers of this province for the personal, the financial and the family sacrifices they've made to make sure our kids do well.

Mr Rosario Marchese (Trinity-Spadina): I want to say, Madam Minister, that if only the kindness that you displayed today could be manifested on a regular basis through the deeds that you do they would recognize them

as good things. The problem is that everything that you have done belies this kindness that you appear to be displaying today. Teachers are dispirited, disillusioned, demoralized and they're quitting. That's the reality.

I want to read to you—because I mentioned this the other day—from two teachers who've got something to tell you and the Premier of Ontario. One teacher, William Blair from Kitchener, says, "I wish to withdraw my membership from the Ontario College of Teachers. I will not teach in Ontario to protest the government's implementation of Bill 80." William says, "As a teacher, I was expected to develop a program geared to the individual needs of my students, but apparently this does not apply to the government."

Another teacher, Kathleen Jackson from Kingston, says, "All my life all I ever wanted to be was a teacher. Now I'm not so sure." She says in a long letter—I can't read it all—"My question for you, Mr Harris, is, what exactly do you expect from teachers in Ontario? I work 10 hours every day, five days a week. I work four hours on the weekend. I can't take the day off to play golf. I can't decide not to grade my students' papers. I can't roll over in the morning and decide not to go to work. In addition, I will now be expected to complete courses, all of which will contain an assessment component.

"Where do you suggest I get the time to complete these courses? What about the travel expenses I will incur travelling to these courses? What about the cost? I'm sure that making \$1,800 a month I will have little left over to pay for courses, and working 10-hour days leaves little time for taking on additional work. Maybe next time you implement a program to 'improve education in Ontario' you'll think about teachers like me and what we do every day."

The reality is that these teachers are unhappy, and they're unhappy because of what this government is doing to them. These are our heroes, our real heroes, whom we should be praising every day and not attacking every day as this government has done for six years.

The royal commission which they quote often says the following of our teachers, similar to what I just said: "Teachers are our heroes. We believe they should be everyone's heroes. We can't repeat too many times that no serious improvement in our schools is possible without the enthusiastic co-operation of every teacher in the system." The royal commission recommended that teachers have more say in how schools are run because no one is better equipped to be in charge of schools than educators themselves.

These are the real heroes. We have to stop attacking them. We have to stop doing what this minister reveals in this document that was presented to their caucus, which reveals real concerns. It reveals that the public confidence in our system is floundering, and that's their fault and their problem. Schools are crumbling in our system, and that's the fault of the minister—no one else's. We have a shortage of teachers that is looming and serious. Teachers are quitting and we need to deal with that. In this document it reveals that the public, 85% of the peo-

ple of the people in Ontario—a poll you commissioned—say you've got to stop beating up teachers. You can't one day come in here and say, "They're really good," and the next day beat up on teachers. It's simply not good.

If they are to be the heroes that the royal commission said they should be, you can't beat them up. The report by People for Education says that we have fewer guidance teachers, that we don't have enough textbooks for your new curriculum. It reveals that the system is going down in ways that are reflected in the floundering of public confidence in the system.

Minister, we have to say to our teachers and to the public, "Teachers, you are our heroes. We praise you and we're going to work with you to make sure that the public has the confidence in you that we have and that the opposition members have and the government members have." Will you proclaim that today?

STATEMENTS BY THE MINISTRY AND RESPONSES

WOMEN'S HISTORY MONTH

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): This government celebrates the women of Ontario. We have committed a number of initiatives to help foster a positive environment for increased job creation, skill development and business opportunities in Ontario.

In recent years, 42% of the gains in female employment in Ontario took place in higher-paying industries such as manufacturing, educational services, finance, insurance, real estate and leasing.

We support women through a broad range of programs and policies. I would like to highlight just a few that focus on promoting women's economic independence and personal safety.

For example, we have introduced a \$2-million program to train women for jobs in the information technology sector, a field that continues to offer strong career potential, where women work together and network once they leave that program and get jobs with very high-paying potential.

We have provided funding of \$5.8 million to encourage more women to train for jobs in the skilled trades, a sector that offers high earning potential as well, and opportunity for women to network once they leave their formal education.

We also continue to support women's organizations that help women work toward economic independence and increase their safety through \$2.3 million in funding for 29 community-based agencies across this province.

This year we are spending more than \$145 million on programs and services designed to address and prevent violence against women. This is up from about \$100 million when I first became the minister in 1995.

October is Women's History Month in Ontario. For 10 years, our country has dedicated October to honouring

the vast impact women have made on our society. In business, in the community, in the arts, in politics—these are just a few examples of fields in which women have broken ground. They continue to make history.

This year, during International Year of the Volunteer, Women's History Month is saluting our women volunteers. Women truly are the foundation of Ontario's volunteer force. More than half of volunteers are women. Over four million Canadian women over the age of 15 are involved in formal volunteer work. That's 33% of the female population.

As our champion of women's rights Nellie McClung once said, "Never retreat, never explain, never apologize—get things done and let them howl!" Our women volunteers are experts at getting things done within our communities, within our province and within our country, and Ontario is a better place to live and work because of them.

1430

Today I want to recognize just a few women volunteers who are outstanding examples of volunteer action at work in Ontario.

Lynda Arthey of Brampton is the founder and volunteer director of a shelter that serves people coping with homelessness, addictions, mental health issues, abuse and illiteracy. Ms Arthey puts in 10 to 12 hours a day and has logged over 19,000 hours in volunteer work.

Penny Dainard of Orangeville has spent the last two decades helping many local groups to build a caring, safe and inclusive community in Dufferin county. Miss Dainard is an active volunteer with Family Transition Place, a shelter for abused women and their children.

Dr Yuqui Guo of Ottawa has worked with the Chinese Community Association for the past 10 years. Dr Guo assists immigrant families in their adjustment to Canada, and she helped establish a children's school whose multicultural language methods serve as a template for other Ottawa schools.

Helen Havlik of Petrolia has been an active member of the Lambton County Association for the Mentally Handicapped since 1992. She played an active leadership role in the founding of OASIS: Ontario Agencies Supporting Individuals with Special Needs.

All four of these women are recipients of this year's Ontario Medals for Good Citizenship, awarded last June.

The final volunteer I want to recognize is Noémi Paquette. Ms Paquette is a Sudbury high school student who won this year's Lincoln M. Alexander Award. She works with the French- and English-speaking communities around Sudbury combating racism and building cultural understanding.

Mr Speaker and all of my colleagues, please join me in applauding the commitment and dedication of these remarkable women. Ontario can be very proud of our women volunteers. This month affords us an opportunity to recognize their achievements and honour their remarkable record in just going on making history on behalf of women.

Mrs Marie Bountrogianni (Hamilton Mountain): I rise in the House today to recognize the 10th anniversary of Women's History Month. This year's theme is "In praise of Canadian women volunteers."

Mr Speaker, 54% of volunteers in Canada are women. Four million women in Canada aged 15 and over participate in formal volunteer activities. Canada is moving toward a better gender balance, but there's still more work to be done. Women participating in volunteer work are a deep and rich part of the history of Ontario, Canada, and indeed the history of women.

History month is in honour of the Famous Five: Emily Murphy, Louise McKinney, Irene Parlby, Henrietta Muir Edwards and Nellie McClung. It was October 18, 1929, when these women changed the future for Canadian women. On this day they won a legendary fight: the "persons" case. Women were henceforth known as persons under the law.

Adelaide Hunter Hoodless, born in 1857, passed away in 1910, was one such Canadian volunteer. She was not only a wife and mother in such an important time; she was a visionary, social reformer and philanthropist, and achieved all of this as a volunteer. She was a primary participant in the establishment of the Women's Institute, the National Council of Women in Canada, the National Council of YWCA, the Macdonald Institute in Ontario, Macdonald College in Quebec, and the Victorian Order of Nurses. Through her various charitable works, she became known as an authority and advocate of domestic science education and child welfare. From 1890 to 1902, she was the president of the Hamilton Young Women's Christian Association, what we now know as the YWCA, which was critical to public life in Hamilton. She played a major role in formulating the education policy of the day.

Mary Shadd was the first woman publisher in Canada, a proud member of the black Canadian community.

And many more.

Many issues mattered to these women, as they do today: affordable child care; the required social, economic and political support system in place to achieve many of the goals that these volunteers have fought for over the years.

We have achieved measures of political equality. However, social barriers still prevent women from achieving full participation in the formation of policy and procedures designed to give us full access to all professions.

Pay equity is still an issue in this country. After-tax income of women is still 63% that of men, regardless of age, educational attainment or labour market skill. We still need women in non-traditional professions. In skilled trades, 5% are women, 10% in fire and police, and only 21% in senior management roles. Women are over-represented, however, in the contingent workforce, part-time work, where 75% of part-time workers are women.

Although we honour women in Ontario and women in Canada in this history month, there is some very ugly

history in the making in a country called Afghanistan for our sisters, our daughters and our mothers under the Taliban regime. Women have been stripped of their freedom, their liberty and their dignity under this oppressive regime. Women cannot work outside their homes. Women who were once doctors, lawyers, university professors and teachers have been stripped of their rights to work, except in limited circumstances in the medical field.

Since 1996, women are no longer allowed to attend school, including university. Many women conduct and attend secret underground schools and can be killed, punished by death, if caught. Imagine the courage. Women cannot appear outside of the home without wearing a head-to-toe covering called a burka. They inhale their own breath, their saliva. A three-inch-square opening covered with mesh provides their vision. They're forbidden to appear in public without a male who is their relative. They are beaten openly in the streets by the Taliban regime for the slightest violation, an inch of exposed ankle or being in public for a reason not acceptable to the Taliban police.

The current situation in Afghanistan is due to ignorance and politics. It is very important to emphasize—indeed, it's imperative to emphasize—that it has nothing to do with Islamic beliefs.

Despite our efforts as parliamentarians, we still have ugly history in the making in many homes across our province. We must be vigilant in preventing the horrors of domestic violence right in our own province. If our daughters aren't safe, no daughters are safe. I ask you all to work together to address this very serious situation.

Ms Marilyn Churley (Toronto-Danforth): I join my colleagues on behalf of the New Democratic Party in recognizing Women's History Month today. We want to thank and congratulate the four women recognized today for their incredible contribution to our communities. I want to acknowledge that the minister was particularly focusing on women volunteers today, and we want to express our gratitude for women's generosity and hard work clear across the province.

I do want to single out a particular woman today whom we should honour and to whom we should express our gratitude. Her name is Beth Jordan and she is with the Assaulted Women's Helpline. Her organization, along with 165 other women's groups across Ontario, many of which are volunteer groups, deserves credit and our thanks today because it is through their efforts and their hard work that the government finally announced it will be expanding the Assaulted Women's Helpline across the province. This is something the New Democratic Party, through the former member for Beaches-Woodbine, Frances Lankin, and myself, have been calling for in this House for the last several years. This is a victory for these women. They should be proud and we should congratulate them.

I want to point out today in the kindest way possible that this is only one part, only one victory that came from

the emergency measures that these women called for in their declaration of commitment. I want to remind the government and the House today of some of the key points, other key points. That was one, and we do thank, and they thank, the government for finally coming through on expanding the Assaulted Women's Helpline.

1440

But I want to point out to you some of those other key demands that they made which we have also been calling on the government to do over the past two years. Some of the key requests are:

Stop cuts to the women's centres. The government knows that it made cuts to the women's centres clear across the province some time ago, and we want to see that funding restored and in fact enhanced.

Implement all of the emergency measures put forward last fall by this coalition of 165 women's groups across Ontario and please implement the May-Iles recommendations to create a seamless system so women can flee violent situations and take their futures into their own hands.

I would also say to the government, please get back into the affordable housing business—please. When we stand here and talk about the problems with rent control and the problems with the lack of housing, we're talking of countless women who are trying to flee violent situations and they have no place to go. That is documented, that is a reality, and we have to deal with that.

These women have called for a seamless system because it all has to work together. There are countless volunteers out there, as we speak of female volunteers today, who are working in these sectors, who are working in rape crisis centres, who are working with women who are trying to flee from violence.

As well as these issues that I have just brought up, I want to point out that they call for community-based services for women and children. They want the establishment of a \$50-million fund for the provision of community-based services for women and children to be spent on some of these measures:

Emergency services: we've got crisis lines, but there's more to do there.

Shelter funding: I mentioned second-stage housing, which is key, absolutely key to getting women and children back on their feet. It's a transition period that is critical in helping women and children.

The counselling services: the services that go with second-stage housing, that transition period that helps them get back into society, helps them get jobs, helps the children cope. That is a critical issue that we've been calling for since the government cancelled it, and we urge you to bring it back.

Community and neighbourhood supports; legal reforms and services; legal aid; criminal law reforms; family law reforms; then, economic survival and workplace safety.

I urge the government to go back and take a look at these demands.

ORAL QUESTIONS

LONDON HEALTH SCIENCES CENTRE

Mr Dalton McGuinty (Leader of the Opposition):

To the associate Minister of Health: yesterday families in southwestern Ontario, families with very sick children, were dealt a terrible blow. Responding to orders from your ministry to cut their budgets, London Health Sciences Centre has announced the cancellation of 18 programs. Included among those programs are programs for very sick babies and children.

As a result of your cuts, specialized pediatric heart surgery will be gone. Lung, heart and bowel transplants for babies and children will be gone. Programs to treat any child with burns to more than 15% of their body will be gone.

What you are telling families in southwestern Ontario, Minister, is that they're going to have to travel to Toronto from now on. They're going to have to wait in line in Toronto. They're going to have to pay for accommodation. Not only will they have to suffer the usual pain that comes with having a very sick child in your family, but they're going to suffer the pain of extended periods of separation either from that sick child or the rest of their family.

What I want to know on behalf of the families of southwestern Ontario is, how is this development in the interests of those families?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Let me say, since I represent one of the families from southwestern Ontario, that I have a great deal of faith in the decisions that the London Health Sciences Centre makes and that the board of the London Health Sciences Centre makes.

Back in October, there was an operating review that went forward. It was done by an independent firm that looked at the scopes of practice that the London Health Sciences Centre should be making. Together, the board and the operating review came forward and decided that there were 18 sets of services that would be better served in other areas where they could make sure that the expertise was there, where the London health sciences system decided that they could better ensure that quality services were provided for the people of Ontario.

I've been around the London Health Sciences Centre for a lot of years, and I can guarantee that the London Health Sciences Centre and its board are always there to guarantee quality services for their people.

The Speaker: Supplementary?

Mr McGuinty: It is nothing less than pure fiction to say that this is a health care improvement exercise. This is a cost-cutting exercise, pure and simple.

What this means, Madam Minister, and you can take a great deal of pride in this as someone from southwestern Ontario, is that families from London now can take their very sick children and babies to Toronto. Families from Bruce, Grey, Huron and Perth can do the same thing.

Families from Oxford, Middlesex and Elgin can do the same thing as well. Families from Lambton, Kent and Essex, families from Windsor, families from London can all take their very sick babies and children and go to Toronto.

You know what? Toronto has the highest occupancy rate in the province: 97% of their beds are occupied. There are no fewer beds available than there are here in the city of Toronto. So we're telling all those families from all those communities, "If you have a very sick baby or a very sick child, you will take them to Toronto, you will wait in the lengthy lineups to be found there, you will pay the inordinately high accommodation costs to be found there."

I ask you again, how is this in the interests of families from southwestern Ontario?

Hon Mrs Johns: I'd be happy to say how this is in their best interests. Let me tell you, Tony Dagnone, the president and CEO of the London Health Sciences Centre, said he cannot be all things to all people and sustain a centre of excellence.

Last year, at the London Health Sciences Centre, they did two bowel transplants. One of the things that they've decided it would be better to have happen would be that those two people should come to Sick Kids Hospital because there is expertise at the Hospital for Sick Children in Toronto. London Health Sciences Centre and the Hospital for Sick Children are going to work together to make sure that the people of London and the surrounding area get the best-quality services they can. I say shame on you to you people over there. Steve Peters was told this by Tony Dagnone yesterday. You should be ashamed of yourselves.

Mr McGuinty: Madam Minister, if you won't accept the arguments I make on behalf of families in southwestern Ontario, then maybe you'll listen to one of the arguments put forward by a constituent from southwestern Ontario, who writes to you and to Dianne Cunningham and Frank Mazzilli and Bob Wood. This constituent is Neil McKenzie. He's the head of cardiovascular and thoracic surgery at the London Health Sciences Centre. He says this to you: "Your hospital is being eviscerated and what is proposed is a prescription for mediocrity." He says, "I want you to express an opinion as to whether these changes are in the best interests of this community."

He is asking the very same question of you that I've been asking two times prior, and I'll ask it again: how are these cuts, how is driving parents and very sick babies and children outside of their community to the city of Toronto, which has the highest occupancy rate in the province, which has the highest accommodation rates in the province, how is that development in health care in southwestern Ontario, in the interests of our families?

Hon Mrs Johns: I don't know about the people opposite, Mr Speaker, but let me tell you, on this side we're concerned about receiving the best quality of care—

Interjection.

The Speaker: Order. The member come to order. Your leader has asked a very, very pertinent question. He doesn't need your help.

Interjection: Put a sock in it.

Mr Steve Peters (Elgin-Middlesex-London): Put a sock in your own thing. I'm speaking up for the kids—

The Speaker: Now that's going to be your last warning. Order. That is now your last warning. You won't be here to see any of the answers or any of the questions. If that's what your constituents want, that's fine by me. This is your last warning.

Hon Mrs Johns: Let me say that we're concerned about the quality of care in every place. We believe in some cases decisions have to be made to make sure that we have the health professionals, the people—

Mr Peters: Rationalization of services? What are you doing to southwestern Ontario?

The Speaker: Order. Stop the clock. That is it. I name the member and ask Mr Peters to please leave the chamber.

Mr Peters was escorted from the chamber.

Interjections.

The Speaker: the minister come to order or I will throw her out as well.

Interjections.

The Speaker: Order. It's not helpful when somebody leaves if you shout at them, including the minister. I'll throw her out as well. When somebody is leaving the chamber, I would appreciate some co-operation. He's been thrown out and I don't need you folks yelling at him, as he goes out, to exasperate the situation. Now you have the chance to answer, associate Minister of Health.

1450

Hon Mrs Johns: Let me say that David MacKinnon spoke to the Ontario Hospital Association at the Empire Club today, and he said that we had to make some bold moves with respect to health care. He said, "We should move toward more differentiation in the types of hospital facilities we build. Every community needs access to emergency services that can treat heart attacks and serious injuries. But hospitals don't need to be scaled-up or scaled-down versions of the same model in every community. Perhaps, for example, we need hospitals that focus on particular illnesses and by doing so produce better outcomes" for the patient.

That's exactly what the London Health Sciences Centre has done. They've made better quality outcomes for the patients and for the kids of southwestern Ontario. Today I have to say that I'm proud of London Health Sciences Centre.

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): My question is for the Deputy Premier and it has to do with Ipperwash. As you know, for nine months now we have been trying to get information on a key September 6 meeting. Today we received from the assistant Information and Privacy Commissioner, Mr Mitchinson, an order

to the government regarding this affair. In my opinion it's the most significant development yet on Ipperwash. It has the potential to be a dramatic breakthrough. The Premier, three Cabinet ministers, four deputy ministers, five OPP officers, one MPP, and roughly another 30 people, have been ordered to provide a sworn affidavit about this critical September 6 meeting by two weeks Monday. Can you assure the people of Ontario that the government will comply with this order?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): The Attorney General.

Hon David Young (Attorney General, minister responsible for native affairs): The interim order the member spoke of was provided to us over the last 24 hours. We are currently reviewing it. It is a document that we will pay serious attention to. I have, though, had an opportunity to have a quick review of the document. I will read, if I may, one quote from the commissioner, and that is as follows: he describes the activities undertaken by the four institutions by the government as being unquestionably extensive. With that in mind, we will consider the contents of the remainder of the order and we will reply to the commission within the period of time prescribed.

Mr Phillips: Deputy Premier, the commissioner also ordered the Premier that in his signed affidavit he answer the following question: "What meetings did you attend on September 6, 1995, involving other Cabinet Ministers and/or senior government/OPP officials, and who was in attendance at such meetings?" Again he wants that answer by two weeks Monday. Will you assure the people of Ontario that the government will answer this question and comply with the order?

Hon Mr Young: Perhaps the member didn't have an opportunity to hear the first answer I provided, but I'd be pleased to repeat it. The order was received by the government within the last 24 hours. It is an order that speaks very clearly about the extensive co-operation—the commissioner's words—provided by the government. It has asked for certain additional documents. We are reviewing the order, and where we can, we will provide the same level of co-operation. We will reply to the commission, not to the member opposite, within the time period prescribed.

Mr Phillips: The public will have an opportunity to read much of what the commission said about the government's response. He says, "My questions were not answered, not because the answers were not known by the government. The institutions' position is simply not acceptable." He goes on to say that all four institutions provided insufficient—they were nonetheless insufficient, their efforts, "to establish that reasonable efforts were made to identify and locate all records relative to the appellant's request. In other words, the institutions took what I would describe as a broad and often shallow approach to search activities. As a consequence, I have concluded that significant answers remain unanswered, that all reasonable search activities have not been undertaken."

My question is this: was the response by the government, in what I personally regard as a deliberate attempt to deny me information, coordinated by the government?

Hon Mr Young: Day after day, week after week, in this Assembly, the member opposite comes in and makes wild, unfounded allegations. Today is no exception. The member opposite, time and time again, has come forward and read six of seven words, one of 10 sentences, acts as judge and jury and in this instance wants to be, I guess, the Information and Privacy Commissioner.

What I have said, and what I am pleased to say again, is that the government will continue to co-operate; we will continue to do our utmost to ensure that all documents are produced; we will continue to provide the level of co-operation that is described as "unquestionably extensive" in the order that was issued within the last 24 hours; and we will do so within the period prescribed. We will do so to the commissioner, not to the member opposite who believes he is a judge.

RETAIL SALES TAX

Mr Howard Hampton (Kenora-Rainy River): My question is for the Acting Premier. New Democrats have three words for you today: reduce sales taxes. You know what the problem is. You know that in troubled economic times when people feel that they are in danger of losing their jobs, they stop purchasing, and when they stop purchasing and you see a decline in retail sales, it leads to more layoffs.

You know what the problem is. You've got to rekindle consumer confidence and restart the economy of Ontario. You need to get people back into the retail stores and you need to get them making purchases now. You can do that. Acting Premier, will you reduce sales taxes across the board to 5% and eliminate them altogether on winter clothing and school supplies and watch consumers get back into the stores this weekend?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): All options, of course, are considered when it comes time to deal with taxation issues. It has been the Ontario experience since 1995 that the reductions in the personal income tax have been most effective in stimulating the economy and creating jobs. They boost productivity growth the most directly of the various tax tools available to government. Lower personal income tax rates encourage entrepreneurs; they give employees the incentive to try harder and achieve success. Those are some of the reasons why the Premier made the announcement the other day with respect to accelerating the reductions, not only in personal income tax but also in corporate tax.

Mr Hampton: To the average person in Ontario, your accelerated personal income tax reduction won't even buy them a CD, not even a compact disc, before Christmas.

The mayor of our largest city is asking you to reduce sales taxes. The government of Saskatchewan has reduced sales taxes. In Texas they reduced sales taxes. And

this is what they say: "It really does create sales." In Florida they've done it. This is what they say: they found that the sales tax holiday generates real interest among Florida consumers.

The next three months will be critical in terms of consumer confidence and in terms of restarting the economy. Will you do something for the average person out there? We know what you want to do for your corporate friends. Will you do something for the average person so they can go out and start making some of those purchases?

Hon Mr Flaherty: It has been a great week in Ontario. I appreciate the conversion of the leader of the third party into Howie Hampton, the Taxfighter. I appreciate his recognition, finally, 11 years or so late, that tax reductions create jobs and investment and stimulate the economy in Ontario.

1500

Mr Hampton: If you want consumers to get back into our retail stores and start purchasing again, the way to do it is not to give a \$2.5-billion tax reduction to banks that already have bulging profit lines. The way to do it is not to give more money to corporations. The way to do it is to say to those consumers, as they've said in Washington, DC, as they've said in Texas, as they've said in Florida, as they've said in Saskatchewan—as the mayor of Toronto is saying to you—that you'll reduce sales taxes.

Minister, the proposition is this: you cut the PST and then go to Ottawa and ask them to similarly cut the GST. That will get people back into the retail stores. Will you do it?

Hon Mr Flaherty: To the member opposite: the best way to stimulate the economy is to put the money directly into taxpayers' pockets, which we're doing to the accelerated tune of \$60 million through the reduction in personal income taxes. But I appreciate the conversion of the member opposite to the conviction that tax reductions are appropriate to stimulate the economy in Ontario.

Indeed, when his government was in power, when Floyd Laughren was the Treasurer and he brought in his budget in 1994, he didn't reduce the sales tax. What he did is, he said, "The economy has been growing, but employment has been lagging. Small and medium-sized businesses, which are the biggest generators of jobs in the economy, have told us that payroll taxes can stand in the way of new hiring.

"To address this concern, this budget cuts payroll taxes to provide a permanent incentive to companies to take on new workers."

That's Floyd Laughren, May 1994; your party on tax cuts.

CHILD CARE

Ms Shelley Martel (Nickel Belt): I have a question for the Minister of Community and Social Services. Today we have another example of a mother who's been forced to leave her job because your government refuses to do anything about the need for more subsidized child care. Today's example is exactly the same as one we've

raised before: the case of Marney MacLean of Welland, who had to leave her job because she couldn't find subsidized child care for her two sons before and after school.

Minister, there are now 16,000 children in Toronto on a waiting list for subsidized child care. For the last two years, the city of Toronto has allocated \$3 million to fund new spaces, but your government has refused to provide your share to create these badly needed spaces.

Mothers cannot go to work or stay at work if they don't have access to safe, affordable, regulated child care. When are you going to fund new subsidized child care spaces in Ontario?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): We do recognize that for Ontario families, child care is an important resource to help them move from welfare to work, and that's why we're spending more than \$700 million to support parents and to support choice in meeting their child care needs.

I don't understand what I'm hearing from the NDP. One minute they're up arguing for tax cuts; the next minute they're up arguing for hundreds of millions of dollars, and more, in social spending. You can't have it both ways. You can't constantly be expecting us to spend more and more money on social programs, and now you're up asking for money for tax cuts. You cannot do it all.

I now understand why they had an \$11.3-billion deficit, while we were almost facing the reality of a \$17-billion deficit. We can't simply fund all the programs that the NDP would like us to fund and cut taxes the way the NDP would like us to.

Ms Martel: Minister, I know you don't care about the concerns of families, that they have access to safe, affordable child care. I know you don't care about that; that's not a big concern of yours. But for moms like Cheri Sponagle and Marney MacLean, they do want, and they need, access to safe, affordable, regulated child care so they can go to work.

Your government has cut regulated child care by 15%. Your government has downloaded responsibility for child care on to municipalities. Your government has cancelled all of the capital programs for new child care centres and for renovations. Your government did not allocate one single cent of the \$114 million you got from the federal government this year for kids on regulated child care.

Minister, when are you going to start providing a choice to parents like Marney MacLean and Cheri Sponagle and give them access to decent, safe, affordable, regulated child care in Ontario?

Hon Mr Baird: I'm proud of the \$114-million investment we're spending to help support young children with autism, to help expand services for infant development and to help expand early literacy programs. If the member opposite wants to look at any of the proposals we've outlined in that \$114 million and where she'd like

us to cut it to increase regulated, institution-based child care, I'd welcome hearing that. This government will never be able to spend as much money as the NDP government spent. The member opposite is promoting choice, her choice, and not the choice that 90% of parents in Ontario make.

I did look with great interest to the NDP's election document, where they didn't promise to spend a single extra dollar on child care, so they must have thought we had it about right.

EDUCATION ON INTOLERANCE

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Minister of Education. You'll recall that last week I put to you a specific proposal to help Ontario students better understand and celebrate diversity in Ontario, and I asked you to ask teachers in every classroom in every school right across the province to raise the issue of intolerance and to contrast that with some of our Canadian ideals like generosity of spirit, understanding and acceptance. You dismissed my idea out of hand. You said this government would never dare to tell our teachers and boards what to do, which of course was laughable.

Directing that our schools participate in a diversity day is not interference. I would call it leadership on your part. Will you take the lead and proclaim a diversity day for Ontario schools?

Hon Janet Ecker (Minister of Education, Government House Leader): First of all, I'm quite concerned that the honourable member obviously wasn't listening to what I was saying last week. Teachers in this province did not need direction from the Leader of the Opposition about what to do when the children in their classrooms needed help. There are school boards across this province and schools across this province and staff across this province who went to great lengths to help their students through this.

I have material here from the Thames Valley board, the Halton board, the Toronto board, the Peel board, materials they put together, materials their teachers used, materials from our curriculum, which teachers helped develop, that has an incredible amount of very good, useful material for teachers about diversity and tolerance and respect in our classrooms.

If I was a teacher, I would be offended that the honourable member thinks they need some order from government to do something compassionate for kids.

Mr McGuinty: Madam Minister, I've been speaking to teachers and now have obtained some letters of support from the federations and a public school board. If you wish, I can gladly obtain more letters of support for this idea, but I'll just read some passages to you.

The Elementary Teachers' Federation of Ontario has one letter of support. The OSSTF says they "want to convey the support of OSSTF for your request to Minister Ecker to initiate a common day where teachers can discuss with students the broader implications of

these events.... OSSTF is prepared to work with the government to ensure that the project you proposed to the minister will be successful."

The Ontario Public School Boards' Association writes that it would be "pleased to support and participate in a day devoted to the celebration of diversity. A celebration of diversity will allow our students to share and to understand and respect their fellow citizens."

Madam Minister, there is a parade lining up outside the door. I'm asking you to step up to the front of the parade. The only thing we need to make this happen is your leadership. It's a good idea. You in your heart of hearts must recognize that. You can do the right thing for our children and our province. Will you work with our teachers and school boards to declare a diversity day in Ontario?

Hon Mrs Ecker: Mr Speaker, I told the honourable member very clearly last week that I was quite prepared to talk to school boards to see if we could share best practices, if there was more material they needed that they could have from other teachers or other school boards. We certainly have done that. As I said, I have here a stack of wonderful things that schools and school boards and teachers did to help our children.

Mr Speaker, I've got to tell you, every day is diversity day in our diverse, multicultural Ontario, every day when those teachers are doing the job they know they need to do for our kids with the curriculum, teaching them respect, teaching them responsibility. I am appalled that the honourable member across the way would doubt their ability to pass these values on to the children of Ontario.

1510

HOME CARE

Mr Frank Klees (Oak Ridges): My question is to the associate minister of health. This morning we debated a resolution proposed by the member from Windsor West relating to CCACs. I voted against that resolution, not because I believe that all is well with CCACs in this province, but because I believe the solution proposed by the member from Windsor West was a simplistic Liberal solution of throwing more money at the problem.

I can tell you that I do not believe all is well with CCACs in this province. In fact, York region is one of those areas. Although the CCAC has grown to have more than three physical offices—a great deal of overhead—I can tell you that I'm hearing from my constituents that they are not being well looked after in the area of home care.

Minister, what will you do to ensure that my constituents and the Ontario taxpayers can be assured that this organization gets back on track, focuses on the services that are to be provided on the front lines and gets with the program of delivering home care in this province?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'd like to thank the member for the question, and I'd also like to thank the

members of the House for considering this issue carefully.

We all believe home care is an issue we need to move forward with, because we need to have an integrated health care system where people can go from the hospital to home to long-term care facilities. It's very important for this government to ensure that the system works well. We've heard lots of information about the system, and of course everyone in the House knows that funding for home care has increased by some 70% since 1995 and some 440% since the Liberals were in power in the 1980s.

Let me say that substantial dollars, some \$1.7 billion, are put into home services in the province right now. Like the member from Oak Ridges, we're concerned that we need to have a look at how the system is working. We need to review what is going on the CCACs. We need to ensure that the groups that have been working to make a difference in home care are doing—

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

Mr Klees: I'm not arguing that a great deal more money is being spent on home care. The question that I think we all have, everyone in this House, is: are we spending enough, and is the structure such that we are spending it efficiently? When my CCAC was able to establish, over a period of three years, three buildings, three separate offices from which to deliver these services, and yet we have people saying they're not getting health care, something is wrong with this picture.

The District Health Council of York-Simcoe recently released a report making some recommendations specifically relating to CCACs, some structural changes that should be taking place. Can the minister tell me if she has read that report, and what will she do to ensure that some of these changes are implemented?

Hon Mrs Johns: I want to tell the member for Oak Ridges that I have read the report he speaks of, and I welcome recommendations on how we can improve services within areas, on how we can improve accountability and transparency, and efficiencies in how we provide home care. I am also looking at other people who may be able to give us information about that, like the Price-waterhouseCoopers study. We also have a ministry representative in Hamilton, and we're looking at the recommendations that are coming from that report. I'm going to take all those together and try to make some concrete recommendations to ensure that home care works in the future.

Let me say, though, that when we're getting funding questions like from the Kingston CCAC, where they have numbers like 34% higher funding than anywhere else in the province and are still running a deficit, we have to ask some really tough questions over the next little while.

HOSPITAL FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the associate minister of health. I want

to return to the desperate struggles of the Ottawa Hospital, troubles created when you proceeded with a poorly planned amalgamation and compounded that with chronic underfunding.

Three months ago the minister fired the 28 community volunteers who sat on the board of the Ottawa Hospital. You then put in place long-time Conservative Dennis Timbrell as your supervisor. Yesterday he let go the CEO of the hospital. We are reading media reports that the cost of the severance is in the neighbourhood of \$700,000.

Ottawa families are desperate for more nurses, more hospital beds, more operating room time. The question I have on their behalf is, how is wasting \$700,000 on severance for a hospital executive in the interests of Ottawa families?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Let me say that I think this government has demonstrated its commitment to providing quality care. That's why we appointed the former health minister and former president of the OHA, Dennis Timbrell, to this job. We asked him to put this hospital back on a sound footing, because we all know it wasn't on a sound footing. We asked him to oversee the development of a recovery plan. When we asked for that recovery plan, we asked him to stabilize the hospital's operation so that we would be able to improve and ensure that quality of care for the people of Ottawa.

He is working on that plan. I am sure he is coming forward with a recovery plan as quickly as possible. We're waiting to hear the results, because we believe that when you appoint someone to a task as important as this, you should hear the results.

Mr McGuinty: I can tell you, Madam Minister, that the only person here who has been put on a sound financial footing is the outgoing CEO, who just received \$700,000.

But it gets worse. Here's the headline in today's Ottawa Sun: "Timbrell Hungry for Job: Eyes on Ottawa Hospital Supervisor to Replace CEO He Just Canned...."

"Sources say the former Tory health minister wants the job and has the support of Health Minister Tony Clement."

Madam Minister, to spend \$700,000 on a severance package at a time when Ottawa families are in desperate need of quality hospital-based care is offensive, but for Mr Timbrell to replace the CEO is nothing less than obscene. Can you assure us here and now that there is no way that Mr Timbrell will become the holder of any position at the Ottawa Hospital?

Hon Mrs Johns: Let me say very clearly that the Ottawa Hospital was in trouble and needed a lot of work, and we're very lucky to have Mr Timbrell there to ensure that we get a recovery plan set forward and that we're able to put this hospital on a sound footing. It's very important to the people of Ottawa that this happens.

The member opposite, the Leader of the Opposition, should know—I'm sure he does know—that the OIC does not allow that to happen.

Let me say that Mr Timbrell will proceed and continue to ensure that we have a strong footing for the Ottawa

Hospital and that we have the best management staff running this hospital.

Interjections.

AGRICULTURAL ISSUES

Mr Bert Johnson (Perth-Middlesex): My question, as soon as I can hear in here, is for the Minister of Agriculture, Food and Rural Affairs. Minister, over the course of this week I've met with many agriculture and commodity groups during agriculture week celebrations, and I know you have as well. What policies and legislation can these groups expect to see coming from your ministry in the coming months?

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): I thank the member for Perth-Middlesex. Before the summer break, I introduced two pieces of legislation. One, the proposed Nutrient Management Act, 2001, was sent to the standing committee on justice and social policy. They have gone through their consultation and have just completed that. This piece of legislation would set and enforce clear and concise standards for the management of nutrients across the province, and I look forward to the results of the committee's consultation.

The second bill I introduced was the proposed Food Safety and Quality Act, Bill 87. Even though we produce safe food in Ontario, in order to stay on the leading edge in taking advantage of new technologies and new food products and to see that they are produced in a safe manner, this bill would ensure the food safety system is effective and one of the most efficient in a changing world. This also would ensure high-quality, safe food that would assist farmers and agribusinesses to maintain their markets in—

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

Mr Johnson: My supplementary is for the Minister of Agriculture, Food and Rural Affairs too. In addition to the nutrient management and food safety legislation you mentioned, many of my constituents have asked me about the rural economic development program. Minister, could you please tell us how ridings like mine will benefit from this program?

1520

Hon Mr Coburn: As a result of many very extensive consultations, the rural economic development program is no less the same. We've had extensive consultation with municipal officials, leaders of rural organizations, business people and rural residents. In partnership with the comments we had from these folks and other levels of government, we've identified many barriers to the economic growth of communities in rural and small-town Ontario.

As a result of that, I made the announcement for the rural economic development program, which is a \$200-million, five-year program that will promote a diversified business climate here in Ontario by developing information tools and resources necessary for economic growth

and to address those barriers so that we promote long-term jobs and investments in our small-town and rural communities.

We also recognize that needs and opportunities differ from one community to the other, and we recognize that flexibility in this particular program.

ETHNIC PROFILING

Mr Howard Hampton (Kenora-Rainy River): My question is for the acting Premier. I understand he is on his way here.

The Speaker (Hon Gary Carr): Stop the clock. Maybe you can give us some indication whether he's just stepped out.

Hon Elizabeth Witmer (Minister of the Environment): I'm here.

Mr Hampton: Oh, you're the new acting Premier. Many in our province fear that you are conducting a campaign against immigrants. Yesterday, your Premier refused to distance himself from General Lewis MacKenzie's promotion of ethnic profiling. I don't think I need to remind you that the last time this happened in Canada was during World War II when ethnic profiling was conducted against Japanese Canadians, an unforgivable injustice, as history has taught us.

Minister, when the Premier's security adviser promotes ethnic profiling based upon people's colour and their place of birth, what are you going to do to ensure that not one Ontarian will be unfairly treated because of their colour, because of their name, their accent or the place of birth?

Hon Mrs Witmer: I will refer that question to the Solicitor General.

Hon David Turnbull (Solicitor General): I will say to the honourable member that the Premier was quite unequivocal yesterday in answering the question. There will be no ethnic profiling, period.

Mr Hampton: Let me say to the acting Premier that the so-called war against terrorism cannot be a war against certain ethnic or religious groups. People are afraid that they will be stopped by police, have their homes searched or they will be strip-searched because they are the wrong colour or were born in the wrong place.

Yesterday, the Premier's remarks clearly linked immigrants with terrorism, and his security adviser promotes ethnic profiling of people by colour or place of birth. That is clear. I want to know, in view of what the Premier has said and in view of what his security adviser has said, what are you going to do to ensure that visible minority communities in this province are not stopped because of the colour of their skin, are not subjected to search because of their accent, are not otherwise singled out because of their colour, their accent or their place of birth? You owe it to those people to state clearly what you're going to do to ensure that doesn't happen.

Hon Mr Turnbull: Perhaps the honourable member is having difficulty understanding what was said by both

the Premier and now myself. There will be no ethnic profiling. Let's be very clear about this. We will take every measure that is required to protect our citizens.

If that means that somebody who is suspected of having some connection with some terrorist organization will be subjected to some more rigorous checks, that is what the people of Ontario would expect. But it will not be targeted against somebody because of the colour of their skin or their religion. Let's be very clear about this. I don't want to hear you making these slurs any more, because we've answered very clearly.

ANTI-CRIME LEGISLATION

Mr Michael Bryant (St Paul's): My question is for the Attorney General. Will you confirm that amendments, changes, are not going to be made to Bill 30, contrary—I repeat, contrary—to what the Premier committed to on September 24 in this Legislature?

Hon David Young (Attorney General, minister responsible for native affairs): First of all, to be accurate, what the Premier said was that we would be reviewing the legislation to see if any amendment would be appropriate.

What I've said in the Legislature on two occasions now over the past week is that we think there may be some applicability in certain circumstances. That is still the case. I anticipate this bill will spend some time at committee, as has been negotiated between the parties. If you have some suggestions as to how to improve this legislation in relation to organized crime or in relation to some other unlawful activity, we're prepared to consider it.

Mr Bryant: Here's the problem. Your counterparts south of the border have already tabled draft legislation, in Washington, Nebraska, Indiana, Colorado, California, Washington and Oklahoma, to name only a few, to change their laws to crack down on terrorism. Your federal counterpart has announced when the laws of Canada will be changed and the six specific areas, including the Criminal Code amendments, that will be changed.

What has Ontario's justice minister committed to, outlined, explained to the public, that is going to change in our laws? Answer: nothing, nada, squat. Not what, not when and not how our laws are going to be changed to join the fight against terrorism. Now I hear that not only have you not drafted the legislation, not only are you not telling the people of Ontario what the government's going to do, but you've in fact reversed the commitment from the Premier to change Bill 30. Why is Ontario falling behind in the fight against terrorism?

Hon Mr Young: When we are dealing with an issue as serious as this, when we are dealing with a matter that has the amount of human tragedy this one does arising out of September 11, when you talk about a problem of this enormity, I would encourage the member opposite, with the greatest respect, not to try to gain political points in some football game.

If our colleagues in Ottawa are taking measures, as they should, as only they can do because criminal law is their responsibility, if they are taking some measures in that regard, I am prepared to look at them and I'm prepared to compliment them as I have done in the past on occasion when they do the right thing.

In terms of what this government is doing, sir, there can be absolutely no doubt that we have provided a level of leadership that is unprecedented across this province. You know that this Premier, Mike Harris, has come forward and taken steps that no other leader in this country has done. Why? Because there has been a void.

We have appointed two individuals with great expertise, sir, to report back to us.

CORRECTIONAL TECHNOLOGY

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I have a question for the Minister of Correctional Services. Today the Ontario Crime Control Commission is hosting a technology exhibition at the Metro Toronto Convention Centre. This exhibition will showcase the latest in community correctional technology. One example is electronic monitoring, which is a tracking device used to track the movements of offenders who have been sentenced to serve his or her time in the community. Exhibitors are from as far away as California, Florida and the United Kingdom. They are taking part to showcase the type of equipment we can use to enhance public safety. I believe it's time we start to use these tools to help keep our communities safe.

There is an article in the Hamilton Spectator about the repeat-offender parole enforcement unit looking for two dangerous federal parolees who have been on the run since June after breaking their parole conditions in Hamilton. My question to the minister is whether he can tell us, as part of this government's ongoing commitment to protect public safety, what type of technology can be used to monitor offenders such as these.

Hon Rob Sampson (Minister of Correctional Services): He's quite correct. This government has made a very concerted effort to represent the interests of the victims of crime and the members of society who are expecting safe communities.

1530

I want to congratulate the member also as a member of the Crime Control Commission and the whole Crime Control Commission for taking the initiative to sponsor this very important trade program here in the city of Toronto that's happening today where technology from around the world is being displayed so Ontarians can get a chance to see what other jurisdictions are using to help protect communities from people who do not want to obey the laws of this province or the laws of this country. There are a number of different technologies there.

I know the member has a follow-up question and I'll let him present that to me, but I would say to the member, thank you for your effort.

Mr Tilson: The follow-up question has to do with another article in the Hamilton Spectator this past Monday about a disturbance at the Hamilton-Wentworth Detention Centre after inmates were trying to smuggle drugs into the institution. We all know how important safe and secure institutions are for both the staff that work in them and the communities that host them. My question to the minister is as to what he is doing to ensure that incidents like the one in Hamilton do not happen. Finally, how are you going to tackle substance abuse among inmates?

Hon Mr Sampson: The member for Dufferin-Peel-Wellington-Grey has spoken about two particular and very serious issues that are before this ministry, and that is around some parolees from a federal institution who are on the lam and, of course, the incidence of drugs in our correctional facilities. To the latter point, we do have a problem in our correctional facilities. About 80% of those who are in our institutions have a dependency on drugs or alcohol. Unfortunately, that means that there's an incidence of drug and alcohol abuse within the walls of our jails. It's hard for people to understand, but it does happen.

Mr Dominic Agostino (Hamilton East): How did they get the drugs in there?

Hon Mr Sampson: I say to the member opposite, we need to find out indeed how extensive that is by having a testing program that you and your party have objected to.

Interjection.

Hon Mr Sampson: I say to the member opposite, we need to find out what the extent of the problem is and deal with the problem as it relates to drug and alcohol abuse. I've been standing in my place a number of times in this House asking for your party's support for a random drug test program in institutions and you've refused.

I say to the member for Dufferin-Peel-Wellington-Grey, that's why we have the Crime Control Commission. That's why they very openly agreed to establish this program and we will in fact have drug—

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

ONTARIO ECONOMY

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Economic Development and Trade. Earlier this morning the Premier made reference to the fact that Ontario finds itself in an economic recession. Just a few moments ago the Minister of Finance outside, when being questioned by the media, declared that Ontario did not find itself in a recession.

We've been asking your government for some time now to give us an updated fiscal statement and economic outlook so that we might better understand the state of the economy and the state of Ontario's finances.

Do you not believe, given the discrepancy between the opinions held by the Premier and the Minister of Finance,

that the appropriate thing to do, surely sooner rather than later, is to provide Ontarians with an updated fiscal statement and economic outlook?

Hon Robert W. Runciman (Minister of Economic Development and Trade): I think that's been indicated to the Leader of the Opposition on a number of occasions by both the Premier and the Minister of Finance. That is clearly the intent of the government, that as soon as the second quarter numbers are finalized the Minister of Finance will be bringing to this House and the people of Ontario an update on the finances of the province.

Mr McGuinty: I think Ontarians are entitled to know something. They're entitled to know whether technically and in actual fact we find ourselves in a recession. The Premier on radio this morning said that we were in a recession. The Minister of Finance maintains that we do not find ourselves in a recession. We need to know what the state of our finances are and what the state of our economy is and what the prospects might be. So perhaps you could tell us, are we in a recession or are we not in a recession?

Hon Mr Runciman: I'm not aware of what the Premier might have said or might not have said with respect to this morning and I'm not going to get into that debate. I know that our government has acted very quickly, very promptly in response to a slowdown in the economy and the fact that we have seen an even deeper slowdown as a result of the terrorist attacks on September 11.

We have moved to accelerate tax cuts. We have moved in a number of areas to make sure that Ontario is one of the most attractive business climates throughout the world in which to invest and grow and create jobs, and we're going to continue to do that.

FORESTRY AND FISHERIES

Mr Bob Wood (London West): My question is for the Minister of Natural Resources. Last month the minister hosted a federal-provincial meeting of natural resource and fisheries ministers in Toronto.

Interjections.

Mr Wood: The first day of the meeting was spent discussing forestry and such topics as forest fire management, forest certification and sustainable forest management. In many of these areas Ontario is the leader for the rest of Canada. However, as many members of this House know, in the area of forest fire prevention some provinces have fallen behind in upgrading their fire suppression equipment, and Ontario and the other provinces have asked the federal government to be a partner in a program to assist those provinces in upgrading their equipment. Can you tell us what progress is being made in this regard?

Hon John Snobelen (Minister of Natural Resources): I thank the member from London West for an excellent question, and obviously for this somewhat rare opportunity to address an important issue of the day. I know there are members opposite who were doing a little heck-

ling while the member asked the question who still believe that the Ministry of Natural Resources, MNR, is a railroad but in fact we are responsible for a great deal of activity in Ontario.

The member is quite right. There was in fact a meeting of the ministers from across the country in Toronto last week. I know that these sorts of meetings are often characterized as a championship of form over substance, and while there was plenty of form, there was also some substance.

Part of that substance was the strategic plan for the renewal of the national forest fire program. I know it's a name you'll remember for a long time. This indeed is an important program that all provinces will benefit from, including Ontario, and I'll be pleased to fill in more details at a later time.

Mr Wood: I also understand that the minister met with his fishery counterparts from across the country. Ontario's commercial fishery is small relative to the Maritimes and British Columbia, but Ontario is a leader in the area of recreational fishing. What progress does the minister expect for recreational fishing in Ontario?

Interjection.

Hon Mr Snobelen: The member from Nepean just mentioned that he was pleased that there wasn't any test to get a fishing licence or he might not be able to get one, and I concur with that.

I thank the member for this question. While we make some levity about the situation, it's important to note that in Ontario we have over two million resident anglers, and over 600,000 non-resident anglers visit the province every year. What does that mean? It means a \$3.4-billion industry in Ontario, the largest in Canada, by far, and it supports 55,000 jobs. That's why Ontario is a leader in the national recreational fishing task group, which I am proud to say is hoping to enhance the social, cultural and economic benefits of recreational fishing right across the country, including a fishing Web site and National Fishing Week. Mr Speaker, I know you visit our site from time to time and check up on fishing. This whole program is delivered across the country for only \$400,000—what a bargain.

PROBATIONARY WORKERS

Mr Rosario Marchese (Trinity-Spadina): This is to the Minister of Labour. I want to ask you about a matter that raises serious questions about the way probationary workers are treated in Ontario.

As you know, Cesare Pella is currently on a hunger strike to protest his dismissal without notice from Sifto Canada. Mr Pella was under a 60-day probationary with verbal agreement that reviews would take place at 20 and 40 days. He was terminated after 19 days, before the promised 20-day review. Prior to the dismissal he had received nothing but positive appraisal of his performance.

I would like to ask you whether or not you and/or your staff could meet with him and learn from him about the difficulties faced by probationary workers in Ontario.

Hon Chris Stockwell (Minister of Labour): Sure. I'm sure I can get my staff to meet with him at the earliest convenient time.

Mr Marchese: It was intended as a friendly question, because I know it has nothing to do with you and it's not your fault. That's why I raised the question in the way that I did. I suspect there are thousands of Cesare Pellas out there who are suffering similar problems, and that's why we raise it, because we know in talking to him and from other experiences of our members, other people have talked about not having any recourse to deal with difficulties they face as probationary workers.

I want to ask you whether you might want to ask your senior staff to review the Employment Standards Act with an eye to bringing protection and fairness for probationary workers; might you want to do that?

1540

Hon Mr Stockwell: We've just recently—I don't know if you remember or not—gone through a rewrite of the Employment Standards Act. It would be difficult to try to go through another full rewrite, because it takes up so much legislative time etc. Even with absolute co-operation from the opposition members, it still would be a time-consuming process to do it immediately.

I guess the dilemma is that it's a private sector place of employment, and anybody who works in the private sector and is dismissed inappropriately—in their mind—can move toward the courts to remedy the situation.

A little while ago I had a plan about agency reform. I think you remember that. You guys didn't like it; neither did the Liberals. Part of that plan was that the new Ontario Labour Relations Board would be able to deal with wrongful dismissal, thereby not costing people—like your friend—money to go to the courts. I thought that was a good idea, and it would have helped him very directly in this situation, but sadly, neither you nor your close cousins, the Liberals, were in favour of doing that. It's profoundly disappointing, and I'll express that concern—

The Speaker (Hon Gary Carr): The Minister of Labour's time is up.

AUTOMOTIVE INDUSTRY

Mr Monte Kwinter (York Centre): I have a question for the Minister of Economic Development and Trade. The automotive sector is the biggest contributor to manufacturing gross domestic product and Ontario's largest manufacturing employer, with one out of every six Ontarians directly or indirectly employed by the auto sector. Some 90% of Ontario's automobile production is exported to the United States.

The industry is under severe pressure due to global overcapacity and the impact of the loss of consumer confidence due to the terrorist attacks on September 11, 2001. It has already been reported that the General Motors assembly plant in Sainte-Thérèse, Quebec, is to be permanently closed as far as assembly goes. Some

auto plants in Ontario are on temporary one- or two-week furloughs.

Minister, as the auto industry attempts to rationalize their production overcapacity, all operations will come under close scrutiny. What guarantees do you have that the Ontario automotive plants are not going to be disadvantaged by any lack of infrastructure support?

Hon Robert W. Runciman (Minister of Economic Development and Trade): I had the opportunity to join a number of my legislative colleagues at a lunch with representatives from the Big Three auto manufacturers, and we did discuss the challenges they're facing. There's no question there are very serious challenges, not just with respect to infrastructure, although that was clearly raised, and we will be addressing those issues. But the Mexican challenge, the international border crossing challenges, on all of those, we are sitting down with them, listening to their input and addressing them as best we can. We know this is a very challenging time for the industry throughout North America.

Mr Kwinter: We know that delays at the Detroit-Windsor border have severely impacted on just-in-time delivery schedules of both the auto assemblers and the parts suppliers.

The province has a role to play in improving access to the border and in facilitating the access and free flow of goods and services to our largest market. One example is the long-needed improvements to the Huron Church Road in Windsor.

Isn't it about time that you take steps to address this issue so that there is no risk of diminishing this important contributor to our economic well-being?

Hon Mr Runciman: I did meet with officials—bridge officials—with respect to their concerns about infrastructure in that area. We are looking at those in terms of prioritization. I think when you take a look at the border crossing challenges, it's certainly a significant area of concern. But there are other concerns as well—I'm sure the member is aware—that we're trying to address. We're looking at a round table at some point in the next few weeks to talk about these kinds of challenges, not just the border itself, but the infrastructure leading up to international border crossings.

I also should mention a number of things, like the Roger Martin task force, which we will be announcing the details of very shortly, which is going to look at the productivity and competitiveness of a range of industrial and manufacturing sectors in this province to ensure that well into the 21st century we can remain competitive and keep these very important auto sector jobs centred in the province of Ontario.

BUSINESS OF THE HOUSE

Hon Janet Ecker (Minister of Education, Government House Leader): I have a brief statement about the business of the House for next week.

Pursuant to standing order 55, Tuesday afternoon we will continue debate on Bill 87; Tuesday evening we will continue debate on Bill 30.

Wednesday afternoon we will continue debate on Bill 65; Wednesday evening we will continue debate on Bill 101.

Thursday morning, during private members' business, we will discuss ballot item number 23, standing in the name of Ms Churley, and ballot item number 24, standing in the name of Ms Di Cocco. Thursday afternoon, we will begin debate on Bill 69.

PETITIONS

CENTRES D'ACCÈS AUX SOINS COMMUNAUTAIRES

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell): I have a petition that comes from Alfred and Lefavre :

« Pétition à l'Assemblée législative de l'Ontario :

« Attendu que dans la Révolution du bon sens de 1995, Mike Harris a promis d'instituer des pratiques budgétaires axées sur les patients dans le secteur des soins de santé ;

« Attendu que les centres d'accès aux soins communautaires doivent maintenant collectivement faire face à un manque à gagner de 175 millions de dollars en raison d'un gel de leur financement par le gouvernement provincial :

« Attendu qu'en raison de ce manque à gagner dans leur financement, les CASC ont dû réduire les services de soins à domicile, ce qui a répercussions sur bon nombre d'Ontariens et d'Ontariennes malades et âgés ; et

« Attendu que ces réductions dans les services ont principalement été effectuées dans les services d'auxiliaires familiales, ce qui oblige les Ontariens et Ontariennes à recourir à des établissements de soins de longue durée plus coûteux ou à retourner à l'hôpital,

« Nous, soussignés, demandons à l'Assemblée législative de l'Ontario d'instituer immédiatement des pratiques budgétaires réellement axées sur les patients dans le domaine des soins de santé, et cela inclut les soins à domicile, de telle sorte que les familles des travailleurs et travailleuses en Ontario puissent avoir accès aux services de soins de santé dont ils ont besoin. »

Je vais y ajouter ma signature.

The Acting Speaker (Mr Bert Johnson): Further petitions? The Chair recognizes the member for Hamilton West.

OHIP SERVICES

Mr David Christopherson (Hamilton West): Thank you very much, Mr Speaker. With your indulgence, if I might just acknowledge that the page, Emily Baker, from Hamilton West is off sick today. We all wish her the best and advise friends and family she's doing a terrific job here and hopefully she can be back next week.

Further petitions from Gwen Lee in my riding. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

Since I'm in favour of this petition, I add my name to it.

CRUELTY TO ANIMALS

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

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

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I am pleased to add my signature to this petition.

1550

HOME CARE

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

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring;

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond their control;

"Whereas the funding provided by the Ontario government through the Ontario Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

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

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system;

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of community care access centres in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify its agencies about the amount of funding they will be given by the government in a fiscal year at least three months in advance of that commencement."

I affix my signature. I'm in complete agreement.

CRUELTY TO ANIMALS

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I have a petition which is signed by many, many people.

"To the Legislative Assembly of Ontario:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

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

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

Mr Garfield Dunlop (Simcoe North): To the Legislative Assembly of Ontario:

“Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

“Whereas those who commit crimes against animals currently face light sentences upon conviction; and

“Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

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

“That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible.”

I'd like to sign my name to that as well.

HOME CARE

Mr George Smitherman (Toronto Centre-Rosedale): I have a petition to the Legislative Assembly of Ontario. I am proud to have my own page, Christopher, deliver this.

“Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring;

“Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond their control;

“Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

“Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

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

“(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

“(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

“(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of this fiscal year.”

I'll be signing this petition myself.

ORDERS OF THE DAY

STUDENT PROTECTION ACT, 2001

LOI DE 2001

SUR LA PROTECTION DES ÉLÈVES

Resuming the debate adjourned on October 3, 2001, on the motion for Second Reading of Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students / Projet de loi 101, Loi visant à protéger les élèves contre les mauvais traitements d'ordre sexuel et à prévoir autrement leur protection.

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: I believe we do not have a quorum in the House.

The Acting Speaker (Mr Bert Johnson): If you'd like, I'll check and see. Would you check and see if there is a quorum present?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Mr Speaker.

The Acting Speaker: Call in the members. This will be up to a five-minute bell.

The Acting Speaker ordered the bells rung.

Clerk Assistant: The quorum is now present.

The Acting Speaker: I believe that yesterday we left off with the member for Trinity-Spadina. If he would like to continue, we'd be pleased to take that in now.

Mr Rosario Marchese (Trinity-Spadina): Yes, Speaker, I would like to continue.

I want to welcome Ontarians who are watching. It's 4 o'clock and we're on live. Welcome to political forum. Today we're talking about the Student Protection Act.

Just to recap ever so briefly some of the things I said yesterday, in order to get to some other matters, Speaker, you and those watching know that I have often attacked this government because most of the bills that are introduced in this House have titles that normally belie their contents. I say this all the time.

I made reference yesterday to the Victims' Bill of Rights and said to Ontarians watching that Judge Day ruled, and mercifully a judge ruled and said, the bill contains no rights. But the government made it appear through its title that, yes, victims do have rights. If it were not for Judge Day, people would have been deceived into believing—

Mr Bisson: On a point of order, Speaker: I realize it's Thursday, but we still don't have a quorum in this House. It's unbelievable.

The Acting Speaker: That is a point of order.

Clerk Assistant: A quorum is not present.

The Acting Speaker: Call in the members. This will be up to a five-minute bell.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the member for Trinity-Spadina.

Mr Marchese: I appreciate the fact that more members have come in to listen to my speech.

Where are you going, Steve? I've got 27 minutes.

It's just so comforting to know that members come to listen to our debates and our—

Mr Steve Gilchrist (Scarborough East): I'd change my House duty day if I knew.

1600

Mr Marchese: I know. John Baird said he was going to be here today, and he's not here.

I was talking about the fact that the government often introduces bills in this place and they're very deceptive, at least as it relates to the title.

The Acting Speaker: I'd rather you didn't use the word that you just did. The word you used before was "belie," and I guess I have problems with those. I want to keep things civil and clean, and so I would ask you to consider carefully the words and the language that we use in the House. Thanks.

Mr Marchese: Speaker, I'm very careful, because I know how tough you are in the chair—

Interjection.

Mr Marchese: I didn't use the word "malign." I didn't use that. I did use the words "it belies." I did do that, and the clerks can confirm that. I often say that the titles of the bills belie their content. I say that all the time. I was giving reference to the Victims' Bill of Rights—

The Acting Speaker: That may have been in the past, but it won't be from now on.

Mr Marchese: Speaker, I'm not quite sure why you're ruling that way, because I'm not saying they're lying. The word is "belies." Perhaps you might seek some assistance from the clerks, Speaker.

The Acting Speaker: I know what the word is and that's why I'm objecting to it. I would like you to consider yourself warned.

Mr Marchese: I've used that word for years in this place. I don't understand, Speaker. I still urge you to consult with the clerks, if not today, another time, just to discuss the usage of that word, because, as I often argue in this place, if you sanitize every possible word that the opposition members might use, this place would be absolutely sterile, boring and no one would watch this political forum. You understand that. So, Speaker, you can't sanitize our language. It's wrong to do it.

I wait for you to rule on that at some future point, because I do want to use that word and I want to say that the Victims' Bill of Rights contains no rights. What does that say to you, Speaker, and to those watching? If the bill has no rights, but the title says there are rights, something is wrong with that title. Isn't it true, members of government and those of you watching? What kind of terminology can you use to get to that? That's why I used the word that the Speaker has warned me not to use. I hope maybe even before the end of my speech you might stop me and say, "It's OK, Marchese, you can continue to use it." I hope he will do that.

In the meantime, referring to other bills, there's the Parental Responsibility Act, which was to give parents

the responsibility for their children vis-à-vis the acts of crime that they commit and that parents would now be responsible for more than what the law permitted at the time. We said that the law says anyone can take a parent to court as it relates to something that their children did that causes some damage to property or to the person. We said that the law in place prior to the Parental Responsibility Act contained more rights than the Parental Responsibility Act that was introduced by this government, which suggests they're doing something which we didn't have in place before.

Do you understand what the game is all about? These titles and these bills suggest that something new is being introduced by the government that actually does something in relation to dealing with issues of crime, in relation to dealing with issues of rights, and all you guys do is just make it appear like you're really tough, and you're not.

I'm reminded of the Safe Streets Act that went after squeegee kids, those poor squeegee kids. The Safe Streets Act—"We're going to clean the streets up of the squeegee kids." It makes it appear like somehow you people are going to make the streets safe by just getting rid of those squeegee kids who were cleaning windows. Do you understand what I'm getting at?

The point I make is that much of what you've done and what you do is simply not factual, but in this case, with respect to the Student Protection Act, we support the bill, at least 90% of what is there, because there are some other matters that are of concern to us that we want to discuss today and we hope the government will address them. In this particular case, the Student Protection Act actually does what it claims to do in the title.

So I say to you, Ontarians, it's difficult to know when the government is saying something that is right and something that often may not be so right, that might be in fact wrong. How do you sort out the garbage from what might be something that's pure and/or clean? How do you sift it out? You don't know.

As I indicated yesterday, it's not as if the government says to you, "Call us and we'll send you the bill," "Call us and we'll discuss the bill with you." The intent of everything you do is to put the substance of something in the title as a way of convincing those who otherwise do not read, cannot read, will not read, to give them the sense that you are actually doing something, just like the Tenant Protection Act, which was designed clearly for the landlords, but you introduce it in a way that makes it appear to those who otherwise are of sound mind that you're actually doing something for tenants, when in fact you are not.

In your decontrolling of rents, the tenant is getting a big hit each and every time. Most people don't understand decontrolling of rents. It's a complicated construct. What does decontrolling of rents mean to an ordinary person? What does it mean to that person who is in an apartment, one of 3.3 million, when you use language like "decontrolling"? It doesn't mean much, except, I tell those of you who live in apartments, that if you move out

of your apartment your rents are jacked right up to the maximum, to as much as the landlord can make. So they're going to suck you dry a little bit. They're going to squeeze you a little bit, because the law, the Tenant Protection Act, permits it. The tenant protection law permits landlords to squeeze just a little more money out of you.

You understand. Decontrolling means you move out of your apartment and you go somewhere else, the landlord can jack up the rates as much as possible, and then rent control kicks in. But by that time you have been whacked in ways that are immeasurable. We've seen unprecedented evictions, unprecedented hardships, unprecedented rent hikes in the history of—well, there were other times when tenants have been hit, but you people are hitting them really bad. That's why New Democrats speak of rent control and speak, because the matter is so serious, of rent rollbacks. But that's another discussion.

Getting back to the bill here of student protection, we support it. New Democrats support it. There are teachers who are our heroes in the educational system who support it. These are the true heroes, unsung, I would say, because this government doesn't miss an opportunity to beat them up and beat them up good. These unsung heroes support the Student Protection Act because it does something good for students, because it is designed to protect students from sexual abuse. Our heroes, the teachers, say to this government, "We are on your side." I often say, if only the government could extend the same courtesy to teachers that the teachers are extending to this minister as it relates to this particular bill which is designed to protect students from sexual abuse. So teachers support it.

New Democrats support it because it is in the public interest. It is in the interest of a healthy, civil society that we do everything we can as legislators to make sure that young people, while in the care of our teachers, are protected, because we know that sexual abuse is perverse and we know that it shatters the lives of those young people who are affected by it. You won't find any New Democrat who is going to say no to this bill and you won't find any teacher I'm aware of who is going to say no to this bill. So by and large, it is a bill that has acceptance by the majority of people that I think belong to a civil society.

1610

There are concerns and some were raised yesterday. One of the concerns that was raised yesterday was that government needs to look at prevention. Like everything else in life, if we don't put in place structures and mechanisms to make it possible to prevent sexual abuse, then we're not dealing with the issue except when it arises, and by that time it's too late and somebody has been harmed.

So prevention is important. What is the government doing with respect to it? They probably argue that the College of Teachers has in place mechanisms in the system to deal with issues of training for teachers as a way of getting a handle on sexual abuse. I am sure there

are some of those mechanisms and instructions in place. Probably, I would argue, much more can and ought to be done.

The government has more of the money to be able to support boards of education to do that job, and I urge the government to release whatever it takes for the system to get a handle on preventive action as it related to sexual abuse.

Quite possibly the government will argue that once this bill is passed, then the College of Teachers will have a better sense of what else to put in place, beyond that which they have done, to deal with issues of prevention. That's probably true. If that is the argument advanced, we await the passage of the bill at some point to be able to have the government tell us what it is they will do to help the College of Teachers and teachers in general with issues of prevention. I can wait for that on the assumption that government has an interest in dealing with issues of prevention.

There is another issue that has been raised by Justice Robins that I want to highlight, that I believe needs to be addressed, and that is why I said to the minister yesterday, publicly and in private, that we need to have hearings to be able to deal with some of the concerns that have been raised.

Justice Robins, with respect to the definition of sexual abuse versus sexual misconduct, says the following:

"I use the term 'sexual misconduct' to embrace the full range of offensive activities of a sexual nature that teachers could engage in. The term 'sexual abuse' is a narrower term which may not be suitable to describe some offensive conduct of a sexual nature which nonetheless, should be proscribed.

"The term 'sexual abuse' is understood by many to describe conduct that involves physical contact between abuser and victim that is criminal, and that involves a significant age differential between the parties. It is not always understood to include activity that does not involve physical contact (such as indecent exposure) or which is non-criminal (such as a teacher's comments about the size of a student's breasts). Further, I noted that while 'sexual abuse' appropriately describes a sexual assault, the term may not be suitable to describe offensive conduct of a sexual nature which nonetheless should be proscribed. Put simply, the term is under-inclusive and fails to capture the full range of sexual misconduct which may properly be the subject of disciplinary proceedings by an educator's employer or by the college. Its use may leave the erroneous message that only those forms of sexual misconduct which can be characterized as abuse should be regarded as professional misconduct.

"I appreciate that sexual misconduct that falls short of sexual abuse may be characterized as conduct unbecoming a member, or as disgraceful, dishonorable or unprofessional, or as a contravention of law relevant to the member's suitability to practise or which might cause a student to be put or to remain at risk.... However, misconduct of a sexual nature should be described as

such. More to the point, the regulation should serve to inform and educate members. This means that not only should the term 'sexual misconduct' be utilized, but that it should be defined."

Robins's recommendation number 6.2 says, "'Sexual misconduct' should be defined as 'offensive conduct of a sexual nature which may affect the personal integrity or security of any student or the educational environment.'"

Bill 101, the bill that we are debating today, would define sexual abuse as follows:

"'sexual abuse' of a student by a member means,

"(a) sexual intercourse or other forms of physical sexual relations between the member and the student,

"(b) touching, of a sexual nature, of the student by the member, or

"(c) behaviour or remarks of a sexual nature by the member towards the student."

The point that Judge Robins raises I think is worthy of some discussion, that "sexual misconduct" is broader and "sexual abuse" is narrower. While yesterday I supported the definition of sexual abuse as presented by the government in that it creates a comprehensive definition of sexual abuse that includes not only physical abuse but also sexual harassment, Judge Robins does raise good points about "sexual misconduct" as being a broader term that encompasses much more than what it appears we have before us. So while that which is before us is fine in my mind, Judge Robins raises other concerns that I believe we need to discuss.

That is why we say that while we support the bill, and we support it firmly because it is of a serious nature, we want the minister to confirm to us and assure us that we will have hearings. I'm not certain that we need many days of hearings, but I told the minister yesterday privately that we are interested, as New Democrats, to have one or two days, and we hope we'll have two days, of hearings on this issue to permit people to talk to some of the concerns we have raised.

The third concern that we have raised is the fact that every certified teacher in the province is subject to the law, Bill 101. I remind you, Speaker—not really you, Speaker, but the members of this assembly, the Conservative members in particular—that in the public system we have 1,200 unqualified teachers who receive letters of permission to teach. These people teaching in our public system would be covered by this legislation. Remember, they are unqualified, but they're covered by this legislation. I just want to remind the public that's watching that this legislation, while it applies to certified teachers in the private system, does not apply to those who teach in the private system but are not certified teachers.

The point I make and argue today is that teachers are teachers, that whether you have a title called "certified" or not, if you're in the educational system, you are teaching students. You come in contact with students. The law ought to extend to these teachers who are not certified, because they are in contact with young people,

and young people are as vulnerable to potential sexual abuse be they certified teachers or unqualified teachers.

You understand, Speaker, I hope. It's not too difficult to understand. Human beings, certified, uncertified—in my mind they're all teachers. But the minister said in private yesterday, because I heard her, "But they're not teachers. That's why they can't be covered by this law." I'm sorry, madame la ministre. I'm telling you that you've got to create a mechanism to make sure that everyone is covered by this law, and if you're not doing it, the omission is egregious and it leaves a lot of students vulnerable to potential abuse. If you're not subject to the law, you are protected by the law. It's paradoxical, I know, Speaker, to you and to the Conservative members, that you have a law that protects people who potentially could be abusers. You have nothing in place and have presented nothing and said nothing publicly that would deal with this obvious omission.

1620

I say to this government, to this minister, that you have to find a mechanism to deal with it. This is one of those few bills—and there aren't too many, I say to Michael Prue, my new colleague here—where all three political parties come together, debate and discuss bills and you have almost unanimous consent to something. You rarely get that kind of unanimity. But around this particular bill, we all worry about the public safety of young people who are in the care of teachers. We all worry about that and for good reasons. So it's important for the government to treat this issue in that way, that it doesn't have to be conflictual, that some of these matters we have raised are resolvable, and public hearings can do that, we hope.

We say to the government that if you had never introduced public support for private schools, one of my objections would have been removed, but you, in your wisdom, you who otherwise are normally of sound mind, have decided in this particular instance to extend taxpayers' dollars to private schools, and that's wrong. Your Premier and the minister stated over and over again in the past that in doing so it would take money from our public system in ways that would be injurious if not ruinous to the public system, yet you, Minister of Education, allowed the Minister of Finance to take over what is essentially an educational matter and make it a financial issue. You abandoned your post and permitted the Minister of Finance to do something you knew was wrong.

So yes, we hold you responsible for not defending public education, and yes, we decry your attempts to explain it away by saying, "Oh, my remarks and the remarks of the Premier with respect to public dollars for private education were something of the past. It was intended to mean the \$300 million would indeed come out of the public system if we had funded the private system in the way of the past." I asked the minister, "What do you mean 'in the way of the past'?" She had no answer. I asked her to explain to me what kind of financing they had in mind four or five years ago that would have taken \$300 million out of the public system

but have devised a new system of tax credits that doesn't come out of public education but will come out of consolidated revenues and therefore won't damage public schools.

It's a dumb argument because there's only one pot of money, and from that pot we allocate to areas of responsibility that we have as legislators. All money goes into one pot and then you, as the government, with the wheels and the limousines, decide how to assign dollars to the various responsibilities. When you give away \$300 million to \$500 million to \$700 million of our taxpayers' money to private schools, it'll come out of somewhere. It comes out of some pot. It comes out of three areas: education, health and social services. That's where the big dollars go: \$13 billion or so to education; \$20 billion or so to health; \$13 billion or so to social services. That's where the money goes. Then you decide, when you don't have enough, where to cut. I'm arguing to you, taxpayers, that more money will have to come out of our public education system to deal with that.

If you hadn't funded private schools, then I would not be raising an objection with respect to Bill 101, that it will not cover those who otherwise teach in the private system but are not certified. It would not have been an objection of mine, but now is because those people are not covered by this legislation.

We've got various objections that we have made to this bill. There could be others; I'm not sure. Objection 1 is issues of prevention. Objection 2 is issues of serious concern that we fund private systems from public dollars and those teachers who are not certified who teach those 100,000 students in that private system, half of which are not certified, probably, are not covered. Objection 3 is the definition of "sexual misconduct" versus "sexual abuse." While I defend the definition of "sexual abuse" as presented, I think we need to consider Judge Robins's remarks around sexual misconduct.

I urge the minister to grant us and those who have concerns two days at least of public hearings to permit people to respond to it, because I know we can come to some kind of agreement, I'm convinced, because the majority of people support this bill.

Mr Speaker, I thank you for your attention. I hope you'll get back to me on the issue of "belie."

The Acting Speaker: Thanks for your time. Comments and questions?

Mr Garfield Dunlop (Simcoe North): I want to thank the member from Trinity-Spadina for his comments. I'm happy to hear he will be supporting the bill. I know you have some concerns with it.

I was also happy to hear earlier, in the last couple of days, comments from your leader supporting forms of tax cuts. I think that's very important in these days. I appreciate the fact that the NDP has got the message.

The government has taken Justice Robins's report very seriously. The government is acting on recommendations from the Robins report, the Ontario College of Teachers and our education partners. The government is committed to identifying better ways to help ensure the

safety of Ontario's children and to support the victims of crime.

We know that most teachers have earned the respect of parents and students. We all know those teachers; they're in all our schools. But we must do everything we can to protect the safety of our students and make that the very top priority. The Student Protection Act, 2001, will protect Ontario students from sexual abuse.

I want to bring up one point on amendments to the Ontario College of Teachers Act, 1996. This bill makes an amendment to that. There was some concern about the words "sexual harassment" and if they were in fact included. I just want to read a little bit about that.

"Section 1 of the Ontario College of Teachers Act, 1996, as amended by the Statutes of Ontario, 1997, chapter 31, section 161 and 2001, chapter 14, Schedule B, section 1, is further amended by adding the following definition:

"sexual abuse' of a student by a member means,

"(a) sexual intercourse or other forms of physical sexual relations between the member and the student,

"(b) touching, of a sexual nature, of the student by the member, or

"(c) behaviour or remarks of a sexual nature by the member"—

The Acting Speaker: The member's time has expired. Comments and questions?

Mr Dwight Duncan (Windsor-St Clair): I'm pleased to have the opportunity to respond to the member for Trinity-Spadina. First of all, he raised a number of concerns with the bill that we have shared and indicated in our discussions. We talked notionally about the idea that the provisions of this bill should be extended to cover private schools in Ontario. The minister has placed an argument against that under the guise—I'm paraphrasing the minister—that the legislation itself is not applicable to those schools and that until the regulations are promulgated with respect to private schools, it's premature.

1630

Secondly, extending that coverage to non-teaching professionals inside of our school system: we agree with that. I know last night—I wasn't here for the length of his speech—he too addressed the issue of prevention, as Justice Robins did in his report.

Then finally the notion of having the financial resources in place to deal with these kinds of concerns: I should say to the member for Trinity-Spadina, and I know the government whip will concur, that this morning the government did agree to committee hearings on this bill. The government has agreed to clause-by-clause to allow the opportunity for amendments to be brought forward.

This bill is an important step, and I think the caveats the member for Trinity-Spadina raised are worthy of the government's consideration and certainly worthy of the consideration of this assembly, hopefully at clause-by-clause. I'm certain that member will put amendments. We too will put amendments.

The government's case with respect to the applicability of those amendments, specifically as they relate to teachers in private schools and non-teaching professionals in all schools: we think that argument's incorrect. We believe the bill can be amended to deal with those circumstances at this time and that now is the appropriate time to deal with those. I thank the member for his comments.

Mr Michael Prue (Beaches-East York): I think all the members of the House will remember the horrific life of Martin Kruze. We certainly read a lot about it in Toronto. His problems as a boy, his problems as a man were profound. How we deal with this is maybe a testament or a way of saying to the Kruze family that this society holds in contempt what happened to him and we want to try to make sure it does not happen to any other child, any other boy, any other girl, any other person.

How can it be any different, though, when we stand here and say that one can be abused and have certain consequences in a private school versus how one could do that kind of deed and be treated differently in a public school? That's a question that is so fundamental here. We have to be able to clearly articulate that no matter where it is done, it is wrong. It is wrong at Maple Leaf Gardens, it is wrong in a private school, it is wrong in a public school.

The child abuse committee of Toronto works extremely hard—and I was a member until this week—with both the victims of abuse and with those who are the abusers. The number of cases reported in this province is increasing. They're increasing not only because the numbers are going up but because people are less likely to hide in shame than they once were. Everyone who does this needs to be unmasked, everyone who is a victim needs to be protected and everyone who would perpetrate such acts needs to be dealt with equally and severely under law.

I congratulate my colleague for his wonderful speech. We need to do more than what this bill does. We need to get to the root of all those who would abuse.

Mr Bart Maves (Niagara Falls): I recall that Justice Robins's report came out quite some time ago. I believe it was before the 1999 election. It was quite a disturbing account of events that had occurred in Sault Ste Marie; events that had gone on for a very long time; events that it seems people in the community knew about but were unwilling to do anything about. Mr Tony Martin, who's the NDP member for Sault Ste Marie, brought forward a bill which was a change to the Child and Family Services Act, and his bill sought to address some of the concerns in Justice Robins's report.

I remember going to committee hearings on Mr Martin's bill in Sault Ste Marie, I believe last summer, and both the government and the NDP sides listened very intently to some very emotional testimony given by people at that public inquiry. I say the NDP and PCs because the Liberals failed to materialize at that meeting. It was rather surprising that they failed to show up for such an important bill and discussions on such an important issue.

But this act attempts, within the school system, to address Justice Robins's report. I believe the NDP will support it because it has a similar intent to Mr Martin's bill. I look forward, as the days and weeks move on, to further discussion about this bill and commend Mr Martin for his initiative and the government for following through on a similar initiative.

The Acting Speaker: The member for Trinity-Spadina, two minutes to respond.

Mr Marchese: I say to the member from Niagara Falls that we do support the bill. We can't be any clearer than that. We have raised some concerns, but we are clearly in support of the bill.

I want to say to the member from Simcoe North that we're saying to people that if you, as a government, want to give away \$2.5 billion—in income tax cuts to individuals who don't need it, the high-income ones, and the corporate sector, the banks, those who don't need much support from us—there is a better tool. The better tool is the provincial sales tax. That's what we're saying to the member for Simcoe North, that one is a better tool than the other. Cutting provincial sales tax is better than cutting income taxes to individuals who otherwise don't need it, at the high-income level, and particularly people like banks, which certainly don't need taxpayer support.

Provincial sales tax: everybody's got to buy. Everyone's got to buy something. Whether you earn \$10,000, \$15,000 or \$30,000, everyone's got to buy. We're saying it would stimulate the economy better and help those in the lower income bracket than your income tax cut that only serves to profit those who don't need it. That was to you, the member for Simcoe North.

With respect to this bill, we support it. We have concerns around issues of prevention, we have concerns around issues of definition of "sexual abuse" versus "sexual misconduct" and how to deal with that, and we have serious concerns that those who teach in the private system but do not have a certificate need to be covered by this bill, and the minister has to create a tool for that to happen.

The Acting Speaker: Further debate?

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is a pleasure for me to stand in this House this afternoon and talk about the Student Protection Act, 2001.

Just a couple of seconds ago, my colleague on the other side of the House the member for Beaches-East York, Mr Michael Prue, spoke and I do want to welcome him officially. I sent him a note as soon as he came in, and I am glad that he is up and about and joining in a healthy and very important debate.

As I said, I am pleased to stand today and discuss and debate this bill, the Student Protection Act, 2001. I think this is a very important act. I'm going to take you back to some time as I was growing up, as a young man of about eight or nine years old. My grandfather, who had been to Canada in his early years when he was about 18 years old, had traveled back to India where I was born. We would discuss things. He was the wise man of the village,

and we would discuss things about his experiences and about things he picked up while he was travelling in this great country of Canada.

One of the things he spoke about was education, because he did not know the language when he was here. He used to work on the great railroad that joins the country together. He found out that because of his language problems, he did suffer a little bit of some kind of disparity in what he was being paid and disparity in getting the kinds of jobs perhaps he could have gotten if he had known the language.

1640

One thing he taught us as we were growing up is to try to get the maximum education one can, try to learn the languages, try to get out and experience the world, because he had done so at that age of 18. I am very glad to say that we listened to the wise old man. He was a great man. He taught us the importance of education. He did say, "No matter what, education is something that nobody can take away from you. It is something you must strive for to do the best you can."

I am very happy that I was able to do that. I am very happy that my children, along with many other children of this great province of ours, are striving to get the maximum and the best education they can. I am very happy to state that Ontario is at the forefront in secondary school education as well as a university education.

As a parliamentary assistant to the Honourable Dianne Cunningham, Minister of Training, College and Universities, I am very cognizant of the fact that we have a great challenge in front of us, a great challenge called the double cohort; that is, in 2003, two classes will be entering university. In September 2003, the people who are in grade 12 now and kids who are in grade 11 now are all going to be going to university. We expect there will be an influx of about 85,000 students. I have been assured by not only the ministries but by my own due diligence that we will have those spaces that are going to be much needed for those students.

Sometimes it's very easy for a government to talk about these things from its point of view, saying how good the system is and how well we are running it. But I took a step further and I did consultations with the universities and colleges and the people who are actually running those institutions. They too agree with the approach we are taking: the \$1.8 billion we are spending in the area of rebuilding, and also the \$293 million we have given to the universities over next year, the consistent funding, so they can go out and hire the faculty we're going to be needing. It is very important to have those basic foundations.

We're going to come back to this particular bill. Ontario's two million students need and deserve a school environment that is free of fear from sexual abuse and harassment. I just want to make sure that through this bill, if passed, kids who need our protection, kids who need the protection of the teachers and the principals when they are going to school, will have no fear in their minds that they are going to be subjected to any kind of

sexual harassment. It is very important for the young mind and the learning mind to pay attention only to the task at hand.

In today's day and age we talk about lifelong learning, and I do agree with that, and Internet-based learning. We're learning all the time. I know I'm still learning, that's for sure. But at the same time there is a stage in life, and I suppose it is the early years, from perhaps junior kindergarten to grade 13, which are very important years for building the foundation.

I believe, Mr Speaker, and I'm sure you do as well—because I know you and I have discussed things about values and about bringing up children in a very value-based society—the 3Rs are very important. The basic education is very important. The core subjects are very important. It is well and good to have the freedom to do and choose whatever you want, but in the early years you want to make sure about the basics: the reading, the writing, the arithmetic in terms of the sciences and whatever kids should be taking. But it is important, as kids are going to school on a daily basis, that they are free from any kind of intimidation.

I know the previous speakers from both sides of the opposition parties have agreed that it is a good bill and I understand they're going to be supporting it. I'm certainly looking forward to working with them.

The management of a case of sexual abuse involving a teacher and student in Sault Ste Marie is what got government's attention and caused us to establish a review by Justice Sydney Robins. We asked Justice Robins to look at the circumstances of the Sault Ste Marie case and also to cast a wider net, to make recommendations regarding protocols, policies and procedures to effectively identify and prevent sexual assault, harassment or violence. Justice Robins presented the government with his report in the spring of 2000.

This report provides a comprehensive and thorough analysis of sexual misconduct within the educational system, and it makes 101 separate recommendations directed toward the federal and provincial governments, the justice system, school boards and the Ontario College of Teachers. To support his detailed recommendations, Justice Robins offered some very thoughtful analysis of the dimensions of sexual abuse in the educational context.

I would like to begin with his principal suggestions and then talk about how Bill 101 addresses his key concerns. One of the most important perceptions advanced by Justice Robins is that sexual abuse of students by teachers is a very complex issue that requires a concerted and coordinated response. There's no simple, or single, solution.

Effective action to combat sexual misconduct by teachers requires careful planning and joint action involving many educational partners, including the ministry, the school boards, teachers and the regulatory body—the Ontario College of Teachers—the police, children's aid services and the courts. And of course we should not forget this Legislature.

Another important insight we can learn from Justice Robins is the contribution that safe and respectful school environments can play in supporting the prevention of sexual abuse of students. As Justice Robins said in his report, "It is important to remember that policies and protocols designed to identify and prevent sexual misconduct by educators may, and indeed, should be established within larger initiatives designed to create a school environment free from violence, abuse, harassment and discrimination."

Our government has taken a number of important steps to meet that need for the school environment to be safe, to be a respectful and secure place for teaching and learning. Through our safe schools initiative, we brought in a provincial code of conduct. It establishes clear, consistent, province-wide standards of behaviour for everyone involved in our schools as well as mandatory consequences for students who do not follow the rules. In addition, this Legislature passed the Safe Schools Act, as you will remember, which provides the legal framework for the code and promotes respect, responsibility and civility in Ontario schools.

The ministry has taken a number of additional steps to support safe environments in schools, including a provincial model for local police and school board protocol for police involvement in the schools; raising awareness for school boards to train staff to recognize the signs of physical, sexual or mental abuse through the violence-free schools policy; the new elementary curriculum, which introduces such topics as sexual harassment, child abuse and violence in the relationship at an early age; and finally, the implementation of criminal background checks, which is very important, for teachers and other school employees in contact with children. These new requirements will be phased in over the next two years.

Our government made another important contribution to the safety of children through the amendments we made in 1999 to the Child and Family Services Act. The purpose of those changes was to strengthen the role of front-line protection workers to enable them to do a better job of protecting Ontario's children.

One of the key amendments that we made to the act was to clarify the responsibility of professionals and the public to report to children's aid societies if a child is, or may be, in need of protection.

1650

Turning to the specific recommendations Justice Robins made, I want to talk about how Bill 101 addresses his key concerns. A number of Justice Robins's recommendations dealt with the need for a clearer and more comprehensive definition of "sexual abuse" in the school context. He noted that the existing Criminal Code definition was not broad enough to include sexual harassment, and therefore did not provide sufficient protection to students. He also expressed the hope that a broader definition of "sexual abuse" would be given a legislative base.

The proposed Student Protection Act, 2001, which we are talking about today, addresses these concerns

directly. We would include sexual abuse as part of the description of professional misconduct. The proposed new definition of "sexual abuse" includes sexual intercourse or other forms of physical sexual relations between a teacher and a student, touching of a sexual nature of a student by a teacher and behaviour or remarks of a sexual nature toward students. The government believes this comprehensive definition of "sexual abuse" will better protect students from sexual harassment and sexual assault.

Bill 101 would take another important step to meet Justice Robins's concerns; that is, it proposes to place this more detailed definition in two statutes: the Ontario College of Teachers Act and the Teaching Profession Act.

One of the key points made by Justice Robins was the need for strong action to remove teachers from the classroom and from contact with students when there's an allegation or charge of sexual misconduct. This issue is addressed in part I of Bill 101. It proposes an amendment to the Education Act that would place an important new duty on school boards. When boards become aware that a teacher has been charged or convicted of an offence involving sexual conduct and minors or any other offences that might place students at risk, they would be required to ensure that the teacher does not perform any duties that involve access to students. This requirement would apply to all certified teachers and temporary teachers working for school boards, school authorities and provincial school authorities. In practical terms, it would require immediate removal of the teacher from the classroom and from any other duties that might involve contact with pupils. This duty to remove the teacher would be maintained pending a withdrawal of the charge, a discharge following a preliminary inquiry, a stay of the charge or an acquittal.

Another important issue addressed by Justice Robins's report was the need for more comprehensive reporting relationships between the employers of certified teachers and their regulatory body, the Ontario College of Teachers. He states that a school board policy on how complaints of sexual abuse should be acted upon that is clear, fair and known to all is likely to protect children, ensure fairness to the affected teacher, provide assurance to the community and enhance the school environment. The government agrees wholeheartedly with Justice Robins on the importance of clear reporting relationships, and our agreement is reflected in considerable detail in Bill 101, the bill we're discussing today.

Because the Ontario College of Teachers plays a pivotal role in certifying teachers, establishing standards of practice and handling discipline, Bill 101 proposes a number of important improvements to strengthen the college's ability to respond to cases of sexual abuse by certified teachers.

When a teacher's employment has been terminated or his or her duties restricted for reasons of professional misconduct, employers of certified teachers would be required to report this to the college within 30 days. It

would also be necessary for an employer to report to the college if the employer intended to terminate the teacher's employment or restrict his or her duties due to professional misconduct but did not do so because the teacher resigned. What do you do then? This is an important provision designed to help prevent potential abusers from moving undetected from one board to another or from one school to another.

Next, the registrar of the Ontario College of Teachers would be required to report back to employers on the action it has taken in response to employers' notifications to the college. This is another important innovation that would close the communications loop and help ensure that employers are made aware of what has happened to cases involving their employees.

The proposed legislation also recognizes a need to enhance fairness in the process. Bill 101 proposes that employers be required to notify the college when they become aware of a number of important circumstances: if a charge has been withdrawn, if a teacher has been discharged following a preliminary inquiry, if a charge has been stayed or if the teacher has been acquitted.

The next new reporting initiative would require the college to provide employers with its decision regarding their teacher employees relating to professional misconduct and professional status.

One of our government's top priorities continues to be the protection and safety of Ontario's children and young people. We must do everything we can to protect them from sexual abuse, especially when they are in our schools. The Student Protection Act, 2001, does just that. It builds on and supports the many efforts our government has made to benefit children. I know most of the members have already said they are going to be supporting it. I'm certainly going to be supporting it, as you would have gathered from my discussion this afternoon. I urge the speedy passage of this bill.

The Acting Speaker: Comments and questions?

Mr Mike Colle (Eglinton-Lawrence): Bill 101 is supposed to provide for the protection of students, but this bill does not go far enough. It leaves thousands of children who go to private schools in this province unprotected.

I have a school in my riding, for instance, where the so-called principal is a convicted criminal. He has defrauded children and their parents out of hundreds of thousands of dollars. He is up on 44 charges of fraud. The school lacks books. The children were promised credits; the credits were not coming. This school was advertised on the Ministry of Education Web site. It totally defrauds hundreds of children, has been doing it for years and no government ministry has acted.

I've asked the Ministry of Education to close it down. They refused. I've asked the Minister of Labour to close it down. He refuses. I've asked the Ministry of Community and Social Services to close down the child care centre and the day camp. They refused. I've asked consumer and commercial relations to close down the school. They refused to act.

So here we have children who are basically being abused, being deprived of their basic education rights on a daily basis right under the government's nose. I'll name the school: St James Academy at Lawrence and Caledonia. It looks like a warehouse. You wouldn't want to send your worst enemy to this so-called school. The principal continues to operate. He's in court, not paying teachers. He owes innocent children thousands of dollars, and this government is not protecting those children there.

If this bill is really interested in protecting children, why would they not close down St James Academy? That's the question parents and children are asking. Why is this school allowed to be operated by this convicted criminal abusing children and their rights to be educated?

1700

Mr Bisson: Just listening to the comments of my friend Mr Colle—I forget the riding—I wonder if that particular school is a model the government wants to hold up as one of these private schools that people could send their children to. I hope not, anyway.

I want to comment to the member for Bramalea-Gore-Malton-Springdale, just a couple of points that I want to make. Nobody here in the House is arguing that we shouldn't do something in order to protect children from predators. I think all of us in this House agree that's something we need to work on and need to find solutions for, because it is a problem in our society.

The problem I have with this legislation is, why all of a sudden, the only time you want to deal with this issue in the Legislature since this government was elected in 1995, do we just single out teachers? There are predators in our society in all classes of society, in all kinds of professions, who are out there doing what is a criminal act, doing things that are going to scar these children for years. I look at this and I say, is this more teacher-bashing? I just say to the government member across the way that I enjoyed what you had to say. You made some comments that I thought were reasoned and came across to most people who are sitting back and listening to the debate that this is a good thing. But again I say, why is it that we're just targeting teachers?

The second point is, why are we just targeting teachers in the public system? Are you somehow saying, by way of this legislation, that in the private system this type of activity doesn't happen? I don't think any of us would believe that. So we say to ourselves, why not get the Minister of Education to find a mechanism, if we're going to have legislation that deals with how we deal with teachers who are found to engage in those types of activities, so that it has to at least apply to teachers who are in the private system and teachers who are unlicensed?

The argument the government uses is because we can only do it through the teachers' college. I'm sorry, it doesn't cut it. This is an issue that has to be dealt with across society, and to single out teachers is nothing more than teacher-bashing.

Mr Dunlop: Again it's a pleasure to stand here this afternoon and speak to the Student Protection Act, 2001. I want to compliment my colleague the member for Bramalea-Gore-Malton-Springdale for his fine presentation this afternoon. I know that Mr Gill, as an engineer and as the parliamentary assistant to the Minister of Training, Colleges and Universities, has a lot of deep concerns about education, and I believe he has two daughters in the university system.

Certainly we want to do what is right in the education system, and we think the Student Protection Act, 2001, will go a long way to making improvements. Again, we are very pleased that in this House this afternoon we've heard that both parties will support this bill, although they're not keenly fond of it. They do have some concerns, but nonetheless we're pleased that they will support it.

I want to just make a couple of points on the act. It includes a comprehensive definition of sexual abuse designed to protect students from sexual harassment as well as sexual assault. I talked about that a little earlier in the first comment I made. I also wanted to point out again and repeat to the House that the bill will require school boards and other employers such as independent schools and tutoring agencies to report to the Ontario College of Teachers if a certified teacher has been charged with or convicted of an offence involving sexual conduct with minors or any other criminal offence that the employer feels may put students at risk.

Again I want to compliment Mr Gill for his fine presentation and thank you for the opportunity.

Mr Joseph Cordiano (York South-Weston): Let me just briefly comment on the thorough, comprehensive presentation of my colleague the member for Bramalea-Gore-Malton-Springdale. I thought he did a very good job of laying out the bill as presented by the government.

All of us on this side of the House will of course support this bill. I think others have made comment with respect to the shortcomings in the bill. I think we repeatedly have pointed out to the government that the bill does not go far enough, that we should include in this bill all of Ontario's children, and that includes those who are in the private school sector. It is inconceivable to us that this government would exclude those children from its protection under this act.

We have concerns about that and we say to the government that you should rethink this. You should include these children in private schools. We would hope that the government would take this into consideration and include those children. The bill will be going to committee, there will be hearings and I hope the government would take what we're saying into consideration.

I would also like to highlight a number of areas that are of some further concern. I will be speaking on this bill, and I'll make comment on that, but let me just say that the member did a fine job, being comprehensive and having done thorough research, so I commend him on that.

The Acting Speaker: The member for Bramalea-Gore-Malton-Springdale has two minutes to respond.

Mr Gill: I want to thank all the members who took part in this afternoon's debate: the members for Eglinton-Lawrence, Timmins-James Bay, Simcoe North and York South-Weston.

A few things came up in this discussion today.

The member for Eglinton-Lawrence brought up a particular school. The system was so bad and the principal perhaps might not have been doing things properly. I'm not sure of the situation. But one thing we are providing as a government is more choice in education. If parents want to take their kids to a school, even though geographically another school might be closer to them, I think they should have that kind of choice.

In terms of discipline, they should have strict discipline, they should show respect for the teachers. I've said it before. I came up through the system, even though it was a public school, where a uniform was the norm. As a government, we are certainly giving leeway through the student councils and through the parent councils so that parents can make that choice.

One other thing: somebody asked why we didn't bring this bill in earlier or if it goes far enough. There's always—and I believe this sincerely—room for improvement. There are always things we can do better. Certainly we have had other governments who have been here before, and some of these things people might have suspected, people might have felt were going on, but there is a point in time when you have to take leadership, the leadership that Mike Harris has taken, not only to protect the children but also the citizens of this great province of ours, unlike the federal government.

The Acting Speaker: Further debate?

Mr Michael Bryant (St Paul's): I'm going to be sharing my time with the Ontario Liberal caucus. I'm pleased to join this debate. Of course, I support this bill. I echo, just at the outset, the concern raised that in fact these laws are not going to be applying to private schools. I'm going to be splitting my time, just so I'm clear, with the member for Toronto Centre-Rosedale, as well as the member for York South-Weston. My concern is with respect to private schools, particularly in my riding. I have more families sending their children to private schools in St Paul's than any other riding, I'm told, in the country and certainly in the province of Ontario. As a result, obviously there are a lot of families in St Paul's whose children are not going to receive the protections that are being provided in this bill. There's really no sense to that.

I hope the government does send this to committee and that when it is considered in committee those issues will be addressed one way or another. There are a couple of other matters that I want to speak to in terms of technical changes that might be addressed in committee, and I'll get to that in a moment.

This bill is about increasing protection for students. We know that it is trying to make some good out of the tragedy of what happened in 1993 in Sault Ste Marie, as

some comfort, I suppose, to the victims—and by that I don't just mean their immediate families but everybody who was affected by this tragedy—so that they know the Ontario Legislative Assembly has responded in some positive way.

1710

Of course, we're drawing many of our comments here in the debate and much of this bill from the great work done by Justice Robins, formerly of the Ontario Court of Appeal, in the report *Protecting Our Students*. Time will not permit me to get into much detail in terms of the report, but let me just say at the outset that the definition of "sexual abuse" taken from this bill does not really square with the recommendations by Justice Robins. I hope the government reconsiders the way in which sexual abuse is defined.

Right now, it's basically cut and pasted from the Health Professions Act. Of course, the duty of care for a doctor to a patient is not the same as the duty of care for a teacher to a student. Justice Robins talks about that duty in the *Protecting Our Students* report. The common law said that teachers are expected to maintain a higher standard of conduct than other employees because they occupy such an extremely important position in society. It has been described by the courts, and in particular in the Myers case, which is considered the starting point from the Supreme Court of Canada on the duty of care of a teacher to a student, but rather everybody involved in the education profession is seen as having a standard of the "careful and prudent parent."

The Acting Speaker: I just wanted to remind everybody, but it's pertinent right now, that the conversation going on beside the speaker is being picked up. That's because the microphones are mechanically digitalized so that the member's microphone is on 100% and each of those around it is 25%, and it is picking up some of that conversation from the 25%. I hope that you're aware.

Thank you, and sorry to interrupt the member for St Paul's.

Mr Bryant: Thank you, Mr Speaker. The standard of care of the teacher is described as that of "a careful and prudent parent." That means that the definition of sexual abuse perhaps should be including misconduct which goes beyond that of the doctor-patient relationship—it includes part of it, it includes some of it, it amends it, the point being that there is some conduct, according to Justice Robins, that precedes the actual sexual abuse, and it's at that point that we need to capture the behaviour in law, forbid it, and have consequences thereto. There are ways in which those obviously very few and rare people who are in the education profession who engage in this conduct—there is behaviour preceding the sexual abuse which has got to be addressed and, as it reads right now, arguably is not addressed. We hope that will be addressed before committee.

I'll also say that the importance of screening not just teachers—and I mean by that public and private school teachers—but also volunteers and support staff, as Justice Robins says, is a tricky one. Volunteers are often spend-

ing a tremendous amount of time and have a tremendous amount of responsibility with respect to students under their care. In some cases, that's not the case. There needs to be some proportionality test to ensure that the volunteers are tested to the degree to which they have those responsibilities. As you get closer to a teacher, you expect the full screening of those volunteers and of that support staff.

Lastly, I want to add my voice to all those who are disappointed that this is very much a crackdown piece of legislation, without more, and that there is not enough here from the government in terms of its statements, announcements or the bill itself in terms of preventing. I don't think anybody who has put their mind to this issue thinks that responding and retribution are somehow preferable to prevention. Of course, we want to prevent this from happening rather than having to respond to it.

In that regard, education of prospective teachers; training for current teachers, volunteers and school board staff to be able to spot some of the behaviours that might precede abuse; education and training to students and parents along the same regard; and resources to conduct an adequate investigation; all of this is in the Robins report. I hope that the government will see fit to include these preventative measures as we move this into the second stage, past this debate and into committee.

Mr Cordiano: I am delighted to speak to this bill, albeit for a brief time. But I would from the outset like to say that I don't think there is more important a thing that we can undertake in this legislature than to protect our children against abuse of any kind. Sexual abuse must be the most horrific kind of abuse that children could be faced with. Certainly it is incumbent upon us in this chamber, in this Legislature, to protect our children. That has to be a priority for all of us. I am glad to see that the government has brought this bill forward.

I have two children, two daughters, and I drop them off at school just about every day. Like any other parent, I need to know that my children are safe from any kind of abuse or any other harm that might come their way. My wife is a teacher as well, and I know for a fact that the vast majority of the teaching profession is above and beyond reproach. But like in every other walk of life, there may be some problems. That does not exclude, as I say, any profession whatsoever. This bill speaks to that and certainly is universally supported, and I'm glad to see that this is moving forward.

However, having said that—and we do support the bill—there are a few areas that concern us: number one is the exclusion of private schools. Again, it's inconceivable to me that this government would exclude those children from the protection offered by this bill. It's simply not acceptable. I would hope that the government would see fit to include private schools when this bill does go to committee for consideration.

Second, the bill does not cover non-teaching staff. They are not included in this bill. I think that is a serious omission. Again, there's an opportunity for the government to deal with this in committee. But because there's

all sorts of non-teaching staff—support staff, custodians, secretarial workers, audio-visual technicians, psychometricians—who all deal with the children, and some of them deal with the children directly, I think it's very important to include the non-teaching staff in the bill.

Finally, we need to ensure that there are adequate resources committed to prevention and to the implementation of Bill 101: for training of students, teachers and parents; to conduct adequate investigations into allegations that lead to further investigations—these need to be adequately dealt with; as well, deal with the litigation that extends from false allegations. These are very concrete proposals and considerations that must be dealt with. I think they should be dealt with at committee. This government would be wise to agree with reviewing some of these matters at committee, because it would extend the bill beyond what has been contemplated in Bill 101, and I think that's very important.

1720

There was a discussion—my time is limited but I want to touch on this—an argument between the whole debate around sexual abuse as defined in the bill. It is clearly defined in the bill. However, there is the question of sexual abuse versus sexual misconduct, and the fact that sexual misconduct, in that definition, might broaden out the consideration for other types of harassment to be included within the definition of this bill. “Sexual abuse” is probably too narrow a definition, and that is of some concern.

I think there is ample opportunity to deal with these matters before committee, and I hope these matters will be taken into consideration very seriously by the government.

Mr George Smitherman (Toronto Centre-Rosedale): It's my pleasure to have an opportunity to join this debate on this important bill before us and to follow, in the words of my colleagues the member from St Paul's and the member from York South-Weston—as I offer that compliment, one of them leaves.

I might also just take a few seconds to draw to our attention a distinguished visitor in the members' gallery, a good friend of mine, Rick Churchill, who joins us from Windsor, Ontario.

This is an important bill, a bill which, as a result of its importance, gains support from, I think, all parties represented in this House. I would join in the call others have made here today to ensure that with that unanimity of opinion, at least with that support for the important principles contained in this bill, we have an opportunity, as opposition parties and as government members, to take a harder look at it, and that with the expertise that's available to us from the outside, we make sure this bill does the best job possible to offer the surest and broadest protection for Ontario's children.

We believe this bill can be improved upon and that some time before committee will allow us the opportunity to do just that. I would echo the call that's been made here and implore the government to take an oppor-

tunity to make what is a good bill—a bill with good intentions, at least—an even better bill in reality.

When we think about extending that protection as broadly as we can to children, one cannot help but notice that this bill in a sense helps to highlight the inadequacies of the government's policies in education more broadly. What we're dealing with here is the protection of children in an educational environment. We have this bill coming from a government that in the earlier part of this year, in an unprecedented and, I might say for the government that likes to make its claim about “only doing what we said we would do,” in a surprise manoeuvre, motivated I think by public opinion polls in key Tory ridings perhaps, brought forward an idea in the budget that would have the net effect of offering an incentive to parents to take their kids out of the public education system and put them into private and religious schools. In doing so, those parents, in a sense, are being asked to take their children from a setting where this bill would offer them enhanced protections against sexual predators that might be among staff to an environment where no such protection exists. That's a major failing of this bill. It underscores a major inadequacy in the government's thinking.

We often see, in response to a variety of public concerns, a rush to politicians where much is asked in terms of offering enhanced protection. In this case, we have an important work by an esteemed justice who brought forward a report that leads us to this legislation. But where is the protection for those children in private and religious school settings? There is none in this bill, and I highlight that as the most major inadequacy. That's why we speak to the need, and we'll reinforce it continually through this debate, to ensure that we have the opportunity to enforce these standards for all citizens.

It is a wrong approach as a government to have support provided from the one taxpayer we know exists to the public school system and then to the private and religious, but to offer a different educational standard in one.

This government is one that champions the word “accountability,” at least theoretically or rhetorically. But in practice, where we have an opportunity to demonstrate the extent to which accountability actually matters to them, they offer us a bill, they offer a bill to the parents and to the children in Ontario that offers an inadequate level of protection for those children who are getting their schooling in a private or a religious school setting.

Perhaps you could say that it's scaremongering to look and say the cup is half empty rather than half full, but anyone who has spent any time lately looking at this issue would know that private school settings have been a place where teachers, as an example, that have been accused of this very kind of action have sought teaching opportunities, having previously taught in a public school setting. It strikes me that this government's approach offers one level of protection in the public system and then for those schools which are now the beneficiary of up to \$500 million a year of government money, no pro-

tection. I challenge the government members who have spoken on this and who will follow up on the comments of me and my colleagues to address that very specific point.

Again, we need to build, it seems to me, on the fact that as members of this Legislature we have a bill before us which has the support of three political parties. So the criticisms that we offer ought to be viewed as objective criticism, constructive criticism. I would encourage members, some of whom are with us today and who have an opportunity to influence their government, to make sure that we're offering up the committee time that will allow us to make improvements to this bill so that this two-tier system, this one level of protection for those in the public system and another for those in private and religious settings, is addressed.

We find ourselves in a situation where we're going to vote for this bill, but we're going to vote for this bill knowing that it's an imperfect creature as it stands now. I'll be expecting in the next few minutes, through the course of this debate this afternoon and as it's picked up next week, to hear from government members very specifically on this policy, particularly from those government members who stood in their place and supported the government's initiative to offer funding to private and religious schools. Why do they support an initiative today in a bill that does not provide the same level of protection for the children and the parents of children who have chosen that path? That's the question we'd like to have answered.

The Acting Speaker: Comments and questions?

Mr Bisson: I thought there were a couple of interesting points raised in the comments made by the previous members. One of the comments is how the government is accelerating or making worse the condition possibly by increasing the amount of money available to private schools by way of the tax credit. I thought that was an excellent point—and I think the member is right when he says it—because by doing that you're going to be making it easier for parents to put their children into private schools; therefore, the numbers should be increasing in the private system. But at the time that we're doing that, we're not trying to figure out, by way of this legislation, any kind of mechanism that basically subjects the teachers in the private system to the same rigours that we're going to put in place in the public system.

So it comes back to this point: why is the government doing this? Why are they picking just on teachers in the public system? I believe it's scapegoating. Really, this government has worn as a badge of honour for the last number of years to attack teachers at every opportunity. It has been in almost every session of the Legislature—I would argue it actually has been—since 1995 that we have had a piece of legislation in this House that attacks teachers in one way or another. I say shame on the government.

I think it's a good thing that we're trying to find a way to protect our children, and I commend the government

for bringing that idea forward and finding a mechanism by which to punish those people who are accused and found guilty of molesting children in the school system. But to just go in and say, "We're only going to do it to teachers," and then come back and say, "We're only going to do it to the public teachers, who happen to be unionized"—I say to myself, is there really an agenda here that the government is trying to follow? I conclude that the government is doing this for the political points and is really not trying to get at the base issue.

I repeat the call that we've been making in the New Democratic Party. We need to find a mechanism that encompasses all the teachers in the system, either private or public, licensed or unlicensed.

1730

Mr John O'Toole (Durham): I am pleased to respond to the discussion today on Bill 101. I want to start by first recognizing that this is in response to incidents, more specifically, to the Justice Robins report. I think the government is taking the right steps to ensure the safety of our children in our public schools.

I listened intently to the members for St Paul's and York South-Weston, and I do agree there are some points to be established there. There are others among us whom I may disagree with, but the intention, the common support here is that all members, if I could be so liberal—or if that's the wrong term, gliberal—I would think that this will probably pass this with the intent of it going to committee.

It's also clear that the Child and Family Services Act obligates teachers and other professions who work with children to report a child who is or may be in need of protection directly to the children's aid society.

One of the important sections is in part III, the amendments to the Ontario College of Teachers Act, 1996. If I could, for the members and those who may be viewing, read that section, it's quite important to recognize that.

"Reporting sexual abuse

"Despite any regulation made under subsection (1), a member who makes an adverse report about another member"—in this case the member is a teacher—"respecting suspected sexual abuse of a student by that other member need not provide him or her with a copy of the report or with any information about the report."

So it includes the protection of the professional who is doing their job and reporting their advice on sexual abuse.

The bill also goes on to define sexual abuse beyond the obvious relationship. It says "touching, of a sexual nature, of the student" and "behaviour or remarks of a sexual nature by the member towards the student." So the intent here is to protect the students who are charged in the responsibility of the teacher and to make sure that their protection is foremost.

Mr Gerry Phillips (Scarborough-Agincourt): I am pleased to comment on my colleagues' remarks. I want to particularly focus on the member for Toronto Centre-Rosedale, who correctly points out that this bill does not provide our students in private schools with any pro-

tection. I think that reinforces a concern we've had for some time, that the government has decided to embark on a program of \$500 million of public funds going to private schools.

We are in a very tough financial position right now. The Premier today said we're in a recession, and the Minister of Finance said we are not. The public's confidence in the government has to be shaken somewhat when the Premier and the Minister of Finance can't get their stories straight. Exacerbating the problem will be that in less than three months, private schools will begin to get \$100 million of public funds. But we see in this bill no protection for students in private schools.

This once again points out the problems: removing substantial amounts of public money from our public schools to private schools and embarking on a program to expand our private schools, and yet we have legislation here that completely excludes the students of those schools from the protections that we think are so essential for our students. It makes no sense.

Mr Michael Prue (Beaches-East York): I hope in the long course of this afternoon that the government members have listened. There has been some very sage advice from this side of the House. When this goes to committee, as it should go to committee, then I hope the advice that you have heard will be listened to.

The laws and the protections of those laws should be equal for all persons, especially for those who are abused, as should the punishment. The punishment cannot be unequal between various peoples or else there will be constitutional challenges and there will be people who will stand up and say, "This would not have happened had I been in that system." We cannot allow that to happen. We must make sure there is one law for all people, especially one law for all abusers.

We cannot hide ourselves in thinking that the abuse might only happen in the public school system. Certainly those who have followed the newspapers over the last number of years will know that the abuse is not as widespread in the public school system as it may be in private and religious schools. One need only remember the Mount Cashels, one need only remember the Indian reserves and the church-based schools on those reserves and the horrific things that happened not to one student but literally to hundreds of students, to know that the law must be expanded.

I hope you have heard that kind of argument from this side of the House, that you will bear that in mind when this comes to clause-by-clause and that you will make the necessary changes to make this a piece of legislation that will protect everyone in this province, no matter where they live, no matter what school they go to, no matter what their race or creed is.

The Acting Speaker: The member for Toronto Centre-Rosedale has two minutes to respond.

Mr Smitherman: I'd like to thank the members from Timmins-James Bay and Beaches-East York, my colleague from Scarborough-Agincourt, and especially the

member from Durham for their responses and their comments to the presentation that we made.

But leave it to the member for Durham, unable to get off the two-minute script provided by the government on this issue, to leave unanswered the important questions that we asked. He was more engaged, frankly, in hectoring the member for Scarborough-Agincourt, who asks what I think is the question of the afternoon, and that is, why is it that the children who will go to private and religious schools are to be treated, in a sense, as second-class citizens by this government and offered unequal treatment, unequal security, as this bill does?

Yes, it will go to committee, we hear. But we don't hear from the member, speaking as a representative of the government, or any one of the esteemed members of the cabinet who is before us, why it seems all right in Ontario to offer up unequal treatment and unequal security to children who will go to private and religious schools. I think that's the central question that we'll be looking forward to as the next government member gets to his or her feet.

We have a government across the way that likes to talk a lot about accountability. I look forward to the day, if they refuse to amend this bill and make it a fair and equitable bill for all children, I look forward to the circumstances—I don't look forward to the circumstances, but I think it's possible that we will see the circumstances whereby parents force this government, over time, to bring in a bill that brings fairness and equality on the issue of treatment to all children, instead of seeing these distinctions between the public and the private. That's what we demand.

The Acting Speaker: Further debate?

Hon R. Gary Stewart (Minister without Portfolio):

It is indeed my pleasure to be able to stand in this House and have the opportunity to speak on the second reading of Bill 101, the Student Protection Act.

I want to read the entire title of this bill, because I believe it says it all. Bill 101 is An Act to protect students from sexual abuse and to otherwise provide for the protection of students. If that doesn't say what this bill is all about, I don't know what it does. I also suggest to you that this bill is long overdue.

When I listened to a member in this House who just recently spoke, I have a great deal of difficulty with the opposition's not supporting this type of legislation. I believe it suggests that maybe these people do not want protection of our students.

I'm also going to speak as a grandfather, and I probably am one of the few in this House. But I'm very fortunate in having four grandsons and four granddaughters, ranging from the age of 17 down to twins of 14 months. I can tell you this: I would be appalled if anybody would not support this bill to protect other children and indeed protect my grandchildren. I think it is absolutely terrible if this bill does not go through, and go through extremely quickly.

1740

Two years ago, this government appointed retired justice Sydney Robins to review the issue of sexual abuse

of students by teachers in our Ontario schools. The review was prompted by the 1996 criminal conviction of a Sault Ste Marie teacher for sexually assaulting 13 students over a period of 21 years. The government asked Justice Robins not only to look at the circumstances surrounding that particular case but also to recommend protocols, policies and procedures to prevent sexual assault, harassment and violence in schools.

Justice Robins, as has been mentioned in this House, tabled his report in April 2000. It's a comprehensive report, with 101 recommendations that are directed at the provincial ministries, school boards and the Ontario College of Teachers and the judiciary. I believe that we are all part and have to be part of the process to solve the problem of sexual abuse and other things in the schools, and I believe that all members in this House should be supporting it.

There are several important themes that are addressed in Justice Robins's recommendations that I would like to highlight:

- the need for a much clearer procedure at both the school board and regulatory levels for dealing with cases of sexual misconduct by teachers;

- the need for improvement in communication and reporting protocols;

- changes to processes and procedures at the school board and school level in hiring, screening and reporting—and why not? We do it in any other venue; why would we not make sure that there are indeed good processes, good procedures at the school board level, at the school level and in the hiring and screening, as I have mentioned;

- necessary changes in legislation to provide clear direction to the education system on how to deal with sexual misconduct by teachers; and

- a clear definition of sexual abuse in the school context.

The legislation we are considering today is one more step in our government's continuing efforts to respond to the Robins recommendations. It is our government that created the Ontario College of Teachers as a regulatory body for the teaching profession. We included in its mandate responsibilities to establish and enforce professional standards of conduct for its members and to implement disciplinary procedures.

In the spring of 2000 we introduced the provincial code of conduct and passed the Safe Schools Act to set clear and consistent standards of behaviour for students, staff and teachers in Ontario schools, and consequences for students who choose to put at risk the safety of themselves or others in schools. As recently as last Friday, I had a couple of students in my office in Peterborough and we talked about the code of conduct. It was unfortunate to have to put it in, but it seems that it is necessary, and increasingly more necessary in the last number of years. I always make a comment that the previous government, the NDP government, took spirituality and prayer out of schools, I think it was maybe on a Tuesday, and on Wednesday we put the police in. I don't like that

picture and I know a whole lot of people in this province don't like that picture very well either.

The new elementary curriculum introduces students in an age-appropriate way to such personal safety issues as sexual harassment, child abuse and violence in relationships. Work is in progress to require criminal background checks for everyone teaching or working in Ontario schools who has regular contact with children. And why not? Why would we not put those kinds of requirements in our schools? The government is working toward implementing this requirement later this fall.

The Ministry of Education, through its school-based services program, is providing funding of approximately \$1.3 million each year to support the education of both students and teachers on violence against women, including sexual harassment.

The ministry's violence-free schools policy supports the efforts of school boards to develop the skills to recognize the warning signs of physical, sexual and mental abuse and to take the right action when it sees those signs.

Finally, the government has made a commitment to establish an ongoing \$5-million fund to help teachers identify when children, especially in the primary years, may be at risk of neglect or physical or emotional harm.

These are a few of the steps taken by our government to develop and support school environments that are safe, respectful and free from violence.

The point of mentioning them in the context of the Student Protection Act, 2001, is that a safe school environment is the first step toward keeping children safe from sexual abuse, along with—I often make the comment—morals, ethics and spirituality, which are all part of making sure that this type of violence does not continue and does not exist in the school system.

Policies to identify and prevent sexual abuse and harassment in schools will be more effective if they are built on a foundation of respect and understanding, fundamentals that have been around for a long time, which I believe in some cases may have to be reintroduced. That is the kind of school environment we have been trying to build through the many safe school initiatives this government has launched since 1995—long overdue.

In the remaining time I have today, I would like to focus specifically on the details of the changes proposed by Bill 101. The first point to note is that we are dealing with amendments to three separate acts: the Education Act, the Ontario College of Teachers Act and the Teaching Profession Act.

Bill 101 proposes only one amendment to the Education Act, but it is a very important one. Paragraph 12.1 of subsection 170(1) of the act currently requires school boards to notify the ministry if a teacher they employ has been convicted of a Criminal Code offence involving sexual conduct and minors or any other offence that, in the opinion of the board, indicates that pupils are at risk.

I remember back a couple of years ago being told that if there was the thought of sexual abuse or harassment

and it was deemed to have been committed by the teacher or whoever it might be, they would leave the school and the boards could not pass that information on, or indeed teachers would not pass it on about fellow teachers. That is a deplorable situation that puts at risk every student in our system. It should not be tolerated, so I'm extremely pleased that is one of the sections that is going to be changed.

Bill 101 proposes that boards be required to remove teachers from class and from contact with pupils if they have been charged with or convicted of a Criminal Code offence involving sexual conduct and minors, or any other Criminal Code offence that might put pupils at risk.

1750

In my opinion, this proposed change makes sense for two good reasons. I'd also like to say for seven good reasons, and those seven reasons are my grandkids. First, it places the priority where it should be, with getting the teacher out of the classroom and away from contact with those students. As Justice Robins pointed out in his report, that is the critical first step in preventing additional abuse from occurring.

Second, since the Ontario College of Teachers, and not the minister, is responsible for discipline within the teaching profession, it is far more important that the college be advised of the removal of a teacher. That is precisely what is required by the changes that Bill 101 proposes to make to the Ontario College of Teachers Act.

The second important change I would like to address is a proposal for legislative definition of "sexual abuse." As Justice Robins and many others have pointed out, at the present time neither the Ontario College of Teachers Act nor the Teaching Profession Act contains an explicit definition of sexual abuse. In addition, in the opinion of many education partners consulted by Justice Robins, and in his view as well, the existing Criminal Code definition was not sufficiently broad for the educational environment.

The Student Protection Act, 2001, proposes to address these issues in three ways. First, a broader definition is proposed that would include sexual harassment as well as sexual abuse. Second, Bill 101 proposes to give this new definition a legislative base—most necessary—by adding it to both the Ontario College of Teachers Act and the Teaching Profession Act. Third, Bill 101 proposes to expressly set out that professional misconduct includes sexual abuse of a student by a member of the Ontario College of Teachers.

The third set of changes I would like to highlight relates to proposed requirements for reporting on sexual abuse by teachers. This includes the creation of appropriate information sharing protocols between employers of certified teachers and their regulatory body, the Ontario College of Teachers.

Before I address these proposals specifically, I would like to take a moment to address the importance of information sharing in the identification and prevention of sexual abuse in schools. This issue formed a critical part of Justice Robins's report. There was a comment that

I made a little bit ago regarding not sharing information, which I believe is intolerable.

In reviewing the details of the unfortunate situation in Sault Ste Marie—and instead of using the word "unfortunate," I think we should be using the word "terrible"—Justice Robins found that the victims in the case faced the following responses: "Reluctance on the part of teachers to report suspected sexual misconduct by a colleague, intimidation of victims and their parents to prevent or discourage disclosure, failure to act upon disclosure of misconduct, the inadequacy of records documenting complaints made, the transfer of a suspected perpetrator from school to school, the absence of screening procedures on the hiring of new teachers have all been seen, to varying degrees, in both" this "case and in numerous other cases and in the literature documenting sexual misconduct in schools."

That is a very chilling list of failures, but if the appropriate officials had faced more explicit reporting requirements, they did not need to occur. In fact, it is difficult to identify one of those failures that would not have been prevented with reciprocal reporting requirements designed to keep all parties aware of any activity that might pose a threat to students. We have been remiss for many years in not identifying this issue and letting this issue proceed. It is terrible that we have allowed that to happen.

The improved reporting requirements proposed by Bill 101 are focused on the Ontario College of Teachers. The act currently contains some reporting requirements, but they are not nearly as extensive as what is being proposed. Those reporting requirements have got to be put into legislation.

School boards are currently required to advise the college if a member employed by them is convicted of a Criminal Code offence involving sexual conduct and minors or an offence that indicates students may be at risk of harm or injury. There is also a more general requirement for boards to notify the college if, in their opinion, the conduct or actions of a current or former employee should be reviewed by the college.

Let me identify the key proposals made by Bill 101 to improve the reporting requirements related to sexual misconduct by teachers.

Employers who terminate a member of the college or impose restrictions on a member's duties would be required to fill out a written report to the registrar of the college within 30 days. This requirement would also apply if the employer had intended to take those actions but did not because the member resigned. In both cases the registrar would be required to report back to the employer on any action taken in response to the employer's report.

Employers would also be required to report to the college when they become aware that a current or former member has been charged with or convicted of an offence under the Criminal Code involving sexual conduct and minors; has been charged with or convicted of a Criminal Code offence that, in the opinion of the

employer, indicates that students might be at risk of harm or injury; or has engaged in any conduct that, in the opinion of the employer, should be reviewed by the college.

Employers who have reported to the college regarding members' charges or convictions are also required, if they become aware, to advise the college if a charge is withdrawn, the member was discharged after a preliminary hearing, the charge was stayed or the member was acquitted.

The college is required to provide employers with information on a variety of decisions and orders.

Mr Smitherman: Strong finish.

Hon Mr Stewart: It may not be of interest to you, the member of the opposition, but I said at the start that this was pretty important legislation. If you don't believe it, then I would highly suggest you leave the chamber,

because I believe that our government wishes to protect students in this province.

Mr Bisson: On a point of order, Mr Speaker—

The Acting Speaker: I'll get that in just a moment. I just wanted to say that Sunday at dusk is the official end of agriculture week. Dusk is when the top of the sun is five degrees below the horizon. Monday is Thanksgiving.

The member for Timmins-James Bay had a point of order?

Mr Bisson: It's a very important point of order, Mr Speaker. I would like to wish you and everybody in this Legislature a happy Thanksgiving weekend.

The Acting Speaker: Thank you very much. It being 6 o'clock, this House stands adjourned until 1:30 o'clock Tuesday next.

The House adjourned at 1759.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

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

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

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

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

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

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

Continued from overleaf

OTHER BUSINESS

Thanksgiving

Mr Bartolucci	2424
The Speaker	2424

Firefighters' Memorial Day and

Fire Prevention Week

Mr Turnbull	2427
Mr Levac	2428
Mr Kormos	2429

World Teachers' Day

Mrs Ecker	2430
Mr Kennedy	2430
Mr Marchese	2431

Business of the House

Mrs Ecker	2444
-----------------	------

TABLE DES MATIÈRES

Jeudi 4 octobre 2001

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

Loi de 2001 modifiant la Loi sur la protection et la promotion de la santé, projet de loi 105,

M. Dunlop

Adoptée	2424
---------------	------

PREMIÈRE LECTURE

Loi de 2001 sur la Journée mondiale des enseignants, projet de loi 106,

M. Marchese

Adoptée	2426
---------------	------

PÉTITIONS

Centres d'accès aux soins communautaires

M. Lalonde	2444
------------------	------

DEUXIÈME LECTURE

Loi de 2001 sur la protection des élèves, projet de loi 101,

M^{me} Ecker

Débat présumé ajourné	2462
-----------------------------	------

CONTENTS

Thursday 4 October 2001

PRIVATE MEMBERS' PUBLIC BUSINESS

Home care , private member's notice of motion number 14, <i>Mrs Papatello</i>	
Mrs Papatello.....	2405, 2406, 2414
Mr Galt	2405, 2406, 2412
Mr Kormos	2406
The Deputy Speaker	2406
Mr Duncan	2406
Ms Martel	2408
Mr Maves.....	2410
Mr McGuinty.....	2411
Mr Klees	2411
Mr Caplan	2412
Mrs Dombrowsky	2413
Mr McMeekin.....	2413
Mr Gravelle.....	2414
Mr Conway	2414
Negated.....	2423

Health Protection and Promotion

Amendment Act , 2001,

Bill 105, *Mr Dunlop*

Mr Dunlop	2415, 2422
Mrs McLeod	2416
Mr Mazzilli	2417
Mrs Papatello.....	2418
Mr Galt	2419
Mr Levac.....	2420
Mr Christopherson.....	2420
Mr Maves.....	2422
Mr Gerretsen.....	2422
Agreed to	2424

MEMBERS' STATEMENTS

Animal protection	
Mr Colle.....	2424
Eye centre	
Mr O'Toole.....	2424
Rent regulation	
Mr Bryant	2424
Constituency office	
Mr Prue	2425
Al Bush	
Mrs Munro	2425
Doctor shortage	
Mr Gravelle.....	2425
Ernie Coombs	
Ms Mushinski	2425
Water quality	
Mr Brown	2426
Orillia Soldiers' Memorial Hospital	
Mr Dunlop	2426

FIRST READINGS

World Teachers' Day Act, 2001,

Bill 106, *Mr Marchese*

Agreed to.....	2426
Mr Marchese	2426

MOTIONS

Private members' public business

Mrs Ecker	2427
Agreed to	2427

STATEMENTS BY THE MINISTRY AND RESPONSES

Women's History Month

Mrs Cunningham.....	2432
Mrs Bountrogianni	2433
Ms Churley.....	2433

ORAL QUESTIONS

London Health Sciences Centre

Mr McGuinty	2434
Mrs Johns	2434

Ipperwash Provincial Park

Mr Phillips	2435
Mr Young	2436

Retail sales tax

Mr Hampton	2436
Mr Flaherty	2436

Child care

Ms Martel.....	2437
Mr Baird.....	2437

Education on intolerance

Mr McGuinty	2438
Mrs Ecker	2438

Home care

Mr Klees.....	2438
Mrs Johns	2438

Hospital funding

Mr McGuinty	2439
Mrs Johns	2439

Agricultural issues

Mr Johnson.....	2440
Mr Coburn	2440

Ethnic profiling

Mr Hampton	2440
Mr Turnbull.....	2440

Anti-crime legislation

Mr Bryant	2441
Mr Young	2441

Correctional technology

Mr Tilson	2441
Mr Sampson.....	2441

Ontario economy

Mr McGuinty	2442
Mr Runciman	2442

Forestry and fisheries

Mr Wood.....	2442
Mr Snobelen	2442

Probationary workers

Mr Marchese.....	2443
Mr Stockwell	2443

Automotive industry

Mr Kwinter	2443
Mr Runciman	2444

PETITIONS

OHIP services

Mr Christopherson.....	2444
------------------------	------

Cruelty to animals

Ms Mushinski	2445
Mr Gill	2445
Mr Dunlop	2446

Home care

Mr Bradley.....	2445
Mr Smitherman.....	2446

SECOND READINGS

Student Protection Act, 2001,

Bill 101, *Mrs Ecker*

Mr Marchese.....	2446, 2451
Mr Dunlop	2450, 2455
Mr Duncan	2450
Mr Prue	2451, 2459
Mr Maves.....	2451
Mr Gill	2451, 2455
Mr Colle.....	2454
Mr Bisson	2454, 2458
Mr Cordiano	2455, 2456
Mr Bryant	2455
Mr Smitherman.....	2457, 2459
Mr O'Toole.....	2458
Mr Phillips	2459
Mr Stewart	2459
Debate deemed adjourned.....	2462

Continued overleaf