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of Ontario**

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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 11 April 2005**

**Lundi 11 avril 2005**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 11 April 2005

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 11 avril 2005

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### GREENBELT

**Mrs. Julia Munro (York North):** Constituents from across my riding have been asking me how the Liberals drew the boundaries of the greenbelt. Were the lines based on science? Were they drawn to protect sensitive areas? Were the boundaries drawn to protect farmland or to stop urban sprawl? The only honest answer I can give them is that I do not know. The McGuinty Liberals won't tell us how they drew the boundaries. Often they are unclear on why we even need a greenbelt. Their reasoning seems to vary depending on their audience. The PC caucus has outlined in this House many examples of arbitrary and ridiculous greenbelt boundaries. Many were drawn without thought, and all were drawn in secret.

My constituents are concerned about the secret process of boundary drawing and the corruption that a secret process risks. They want to know that government decisions, even if they disagree with them, are made fairly and impartially.

We only have to look to the federal Liberals in Ottawa to see what happens when there is no public oversight of decisions and spending. Let's hope that the Liberals in Ontario learn from the federal experience that transparency is the best policy.

#### MEMORY PROJECT

**Mr. Peter Fonseca (Mississauga East):** It's a pleasure to speak on the Memory Project. The Memory Project is a partnership between the Dominion Institute and the Ontario Seniors' Secretariat to educate Ontario students about the tremendous price our veterans paid for our freedom. The Memory Project will help ensure that we never forget, through a number of stories.

The project also works to highlight the many moving personal stories that people endured in their migration to Canada. Many of these people came to Ontario knowing it is a place of promise and opportunity. This government works every day to ensure that the dream lives on.

I recently read, on the project Web site, one of the stories about the Second World War from Jim, of Mount Albert, Ontario. Here are Jim's recollections of Carpiquet:

"Somewhere near Bray, we were in reserve, getting reinforcements, laying mines, doing some patrolling and generally thinking how lucky we had been to survive those first hectic days of June (D-Day ... 1944) wherein we had lost over 450 men, killed, wounded, captured ... in a period of two days. Gone were ... familiar faces, those you knew well and those you knew by sight or reputation."

Stories like this can be found on the Web site. Memories of the wars and of human experience will live in perpetuity through this project.

#### TAXATION

**Mr. John R. Baird (Nepean–Carleton):** Eighteen months ago, in the 2003 provincial election, Dalton McGuinty looked every taxpayer in the eye more than 200 times and said, "I won't raise your taxes." He broke that promise and brought in the biggest tax increase in Ontario's history. Now that we're filing our taxes, the millionaire is getting a 1% provincial income tax increase and the hard-working single mom with two kids is getting whacked with a 24% tax increase.

We don't need any lectures about taxes from self-styled progressives on the Liberal side of the aisle. Even with this new tax, is our health care system getting any better? No. Liberals refused to create a segregated fund and have diverted much of that money to other ministries, such as \$3 million for an exercise video at the Ministry of Tourism and Recreation, let alone the sewer pipe scandal that has been talked about in this place.

Let me tell you that John Tory will not take one cent out of health care with his plan to scrap this illegal tax. John Tory will replace this incompetent government with a government that has a plan for health care. John Tory will take a new, constructive approach to our dealings with our federal government and with incoming Prime Minister Stephen Harper. Stephen Harper makes one, single phone call to the government of Ontario and the Brinks trucks start to head down the 401 to Queen's Park. If Stephen Harper can do that as Leader of the Opposition, imagine what he would do as Prime Minister of this great country, and what a difference that would mean to our hospitals, our nurses and our doctors.

#### ADOPTION DISCLOSURE

**Mr. Kevin Daniel Flynn (Oakville):** I rise today to speak about our government's recent introduction of Bill

183, the Adoption Information Disclosure Act, an example of the McGuinty mandate to bring Ontario's laws into the 21st century. Fundamentally, Bill 183 distinguishes the right to know from the right to a relationship by allowing more open access to adoption records for adult adoptees and birth parents.

The Adoption Council of Canada, an umbrella organization for adoption in this country, fully supports Bill 183. As Sandra Scarth, chair of the council, has stated, "Like all good legislation, Bill 183 supports the will of the majority while providing protection for the minority."

Societal norms and expectations have changed dramatically since 1927, when Ontario's adoption disclosure system was last amended. Because of our government's reforms, thousands of people who were adopted in Ontario will soon be able to have more information about their personal histories.

Our proposed legislative amendments to the Child and Family Services Act and the Vital Statistics Act balance the right to know with the individual's right not to be contacted. We're giving Ontario's adoptees something most people take for granted in our society; that is, the ability to know their own identity and to know their own history.

#### GOVERNMENT'S RECORD

##### **Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):**

As each day passes, one thing becomes more and more apparent to the voting public, the hard-working people who dutifully pay their way so that government can provide the services that people need. What they expect in return is honesty and integrity. What they are getting is neither. What has become painfully apparent to them is this: Liberals, whether they govern in Ottawa or in Toronto, just can't be trusted.

In Ottawa, we learn more details each day about how the federal Liberal government has taken tax dollars and used compliant agencies to filter that money back to the Liberal Party. The people of Canada are outraged, as well they should be. In that same vein, here in Ontario the McGuinty government has earned the title of world's worst promise-breakers.

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They promised not to raise taxes; they have broken that promise. They promised to maintain hydro rates; they have broken that promise. They promised openness and transparency in government; they have broken that promise. They promised to fund autism treatment beyond age six; they have broken that promise. They promised to keep rural schools open; they have broken that promise. There are many more broken promises too numerous to mention in this statement.

People in my riding of Renfrew–Nipissing–Pembroke, and indeed across the province, are saying, "What can we do to get rid of these rascals?" I say to them that the time will come when we can send the Liberals packing and take the first steps in restoring trust and integrity to government.

#### BARBRA SCHLIFER

**Ms. Marilyn Churley (Toronto–Danforth)** Twenty-five years ago today, Barbra Teena Schlifer was returning home after celebrating her call to the bar of Ontario. It had been a day of dreams fulfilled, and marked the start of an exciting future. Committed to social justice, she and her friends Patricia Ashby and Frances Rapaport planned to open a law practice that would provide representation to people who were abused, oppressed and marginalized. But that night, Barbra Schlifer was brutally sexually assaulted and murdered in the basement stairwell of her apartment building. Her senseless death sent shockwaves through Toronto and the country.

Barbra's death forever changed the lives of those who were close to her and increased their commitment to the principles and values they shared with her. Her friends became determined that she would be remembered for the difference she would have made as a lawyer. They decided to create a clinic in Barbra's honour that would carry on her dedication to help women affected by violence, and in September 1985 the Barbra Schlifer Commemorative Clinic opened its doors.

The clinic was designed as a holistic, comprehensive and coordinated service where women who had experienced violence could receive counselling and legal services. Twenty years later, the clinic has grown in size and significance. It serves 3,000 women a year. In addition, the clinic is active in public education, training and advocacy on a wide range of issues on behalf of women survivors.

On this 25th anniversary of her death, we pay tribute to the memory of Barbra Schlifer. We reflect on the woman she was and how her life was cut short by violence, and we reflect on how the doors to the clinic that was created to commemorate her remain open because so much remains to be done to end male violence against women, which cost Barbra her life and continues to take the lives of too many women.

#### AUTOMOTIVE INDUSTRY

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I rise today to speak about this government's commitment to ensuring the continuing strength of the province's automotive industry, ignored by the former government, and to building the most skilled and productive workforce in North America, sadly neglected by the former government.

Recently, the Minister of Economic Development and Trade and the Premier announced Ontario's participation in General Motors' \$2.5-billion Beacon project. As part of the McGuinty government's Ontario automotive investment strategy, we invested \$235 million to support General Motors. On their end, General Motors is committed to maintaining jobs over a total footprint in a single jurisdiction. That means they're making a commitment to all of their plants in Ontario, which is good news

for communities such as Oshawa, St. Catharines, Ingersoll and Windsor.

More than that, this investment by GM is good news for the entire province. The province of Ontario depends on the auto sector to drive our overall wealth and prosperity.

Michael Worswick of the Waterloo Centre for Automotive Research said, "The only way that we can remain competitive is through technology," and this announcement helps do that. As a result of this announcement, Oshawa will be able to design, build and test cars in a way that only exists in Detroit at the moment.

The future of the automotive industry is innovation. With this announcement, the McGuinty government is ensuring that Ontario will be at the forefront of a globally competitive industry that drives our economy.

#### ASSISTANCE TO FARMERS

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** There isn't a day goes by that I don't read something about the crisis our farmers are in. In my riding, I have oilseed and grain producers, livestock and poultry farmers, fruit and vegetable producers and, yes, even sugar beet farmers, who work very hard every day to ensure that Ontarians have fresh food for their tables.

We have seen farmers descend upon Queen's Park to express their frustration with the current situation. The crisis they are facing is one that resulted from years of poor government leadership and lack of vision.

Fortunately, there was some good news for farmers last week. Last week, our Minister of Agriculture made two announcements that will help farmers cope with the crisis. The McGuinty government is streamlining farmers' retail sales tax exemptions when purchasing eligible food-related goods, services and insurance for their businesses. In addition to the \$88 million that was delivered in March, the government is also providing \$79 million in funding through the market revenue program to ensure that eligible grain and oilseed producers receive the provincial government's full share of 40% of the 2004 program benefits prior to spring planting.

This government recognizes and values the contribution that our agriculture sector makes to the economic and social well-being of every Ontarian. We are fully committed to working with all members of the industry to create a stronger, more sustainable future for our farmers, food producers and our communities.

#### LEADER OF THE OPPOSITION

**Mr. John Wilkinson (Perth–Middlesex):** The leader of the official opposition has been in the House for two weeks now. He knows exactly where his seat is, but he still seems incapable of providing us with an indication of where he stands on anything. We know how he likes to criticize everything—and I especially enjoy it when he criticizes his own party's record—but, for the life of me, I can't seem to figure out what he stands for. He simply

answers questions with lame, stock responses like, "Well, I don't know," or "It's not my position to know the answer."

This isn't anything new. Back in January, when asked about the infamous 407 deal cooked up by Frank Klees, he said he didn't know the history of the deal well enough to comment on it—obviously, the member for Oak Ridges must be hiding his light under a bushel basket in caucus these days. When asked about his position on the OMA deal or new investments in hospitals, he said, "You should ask the OMA."

The people of Ontario want to know what public health care services John Tory is going to cut to keep his privatization promise to remove \$2.4 billion from the health care budget. They want to know why his party voted against Bill 8, which enshrined accountability in our health care sector. They want to know why he wants to reinstate Jim Flaherty's ill-conceived private school tax credit.

The leader of the official opposition knows where his seat is. Isn't it about time that he told the people of Ontario where he stands?

#### INTRODUCTION OF BILLS

##### INQUIRY INTO POLICE INVESTIGATIONS OF COMPLAINTS OF SEXUAL ABUSE AGAINST MINORS IN THE CORNWALL AREA ACT, 2005 LOI DE 2005 PRÉVOYANT UNE ENQUÊTE SUR LES ENQUÊTES POLICIÈRES RELATIVES AUX PLAINTES DE MAUVAIS TRAITEMENTS D'ORDRE SEXUEL INFLIGÉS À DES MINEURS DANS LA RÉGION DE CORNWALL

Mr. Baird moved first reading of the following bill:

Bill 185, An Act to establish a commission to inquire into the investigations by police forces of complaints of sexual abuse against minors in the Cornwall area / Projet de loi 185, Loi visant à créer une commission chargée d'enquêter sur les enquêtes menées par des corps de police sur les plaintes de mauvais traitements d'ordre sexuel infligés à des mineurs dans la région de Cornwall.

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

The member from Nepean–Carleton.

**Mr. John R. Baird (Nepean–Carleton):** A commission was promised during the last election; it was promised when the appeal period ended for the last case. But we have yet to see an announcement. This bill, which is a repeat of the Gary Guzzo bill—Gary, who was, of course, the hard-working member for Ottawa West–Nepean, fought so hard on this issue—is just a gentle reminder to the government that they made a commitment that should be fulfilled.

## MOTIONS

## HOUSE SITTINGS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, April 11, 2005, Tuesday, April 12, 2005, and Wednesday, April 13, 2005, for the purpose of considering government business.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry?

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

All those against, say "nay."

I think the ayes have it.

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

*The division bells rang from 1350 to 1355.*

**The Speaker:** The government House leader has moved government notice of motion number 333. All those in favour, please rise one at a time and be recognized by the Clerk.

## Ayes

Arnott, Ted	Fonseca, Peter	Parsons, Ernie
Arthurs, Wayne	Gerretsen, John	Peters, Steve
Baird, John R.	Hardeman, Ernie	Phillips, Gerry
Bartolucci, Rick	Hoy, Pat	Pupatello, Sandra
Bentley, Christopher	Hudak, Tim	Racco, Mario G.
Berardinetti, Lorenzo	Jeffrey, Linda	Ramal, Khalil
Bradley, James J.	Klees, Frank	Rinaldi, Lou
Bryant, Michael	Kular, Kuldeep	Runciman, Robert W.
Caplan, David	Kwinter, Monte	Ruprecht, Tony
Chambers, Mary Anne V.	Lalonde, Jean-Marc	Smith, Monique
Colle, Mike	Levac, Dave	Sorbara, Gregory S.
Cordiano, Joseph	Matthews, Deborah	Takhar, Harinder S.
Craitor, Kim	Mauro, Bill	Van Bommel, Maria
Crozier, Bruce	McMeekin, Ted	Watson, Jim
Delaney, Bob	McNeely, Phil	Wilkinson, John
Di Cocco, Caroline	Meilleur, Madeleine	Witmer, Elizabeth
Dombrowsky, Leona	Miller, Norm	Wong, Tony C.
Duguid, Brad	Milloy, John	Wynne, Kathleen O.
Duncan, Dwight	Mitchell, Carol	Yakabuski, John
Dunlop, Garfield	Munro, Julia	Zimmer, David
Flynn, Kevin Daniel	Oraziotti, David	

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

**The Deputy Clerk (Ms Deborah Deller):** Mr. Speaker, Mr. Craitor—

**Mr. Gilles Bisson (Timmins–James Bay):** Mr. Speaker, what is that?

**The Speaker:** We added Mr. Craitor. It was an error of the table, and we want to correct that.

All those against, please rise one at a time and be checked by the Clerk.

## Nays

Bisson, Gilles	Marchese, Rosario	Prue, Michael
Horwath, Andrea	Martel, Shelley	
Kormos, Peter	Ouellette, Jerry J.	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 62; the nays are 7.

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

**Ms. Andrea Horwath (Hamilton East):** On a point of order, Mr. Speaker: For the tenants at 355 Melvin, who have been without gas, heat or hot water for more than five days, I rise to seek unanimous consent for second and third readings of Bill 170, the Fred Gloger Tenant Protection Amendment Act (Vital Services), 2005.

**The Speaker:** The member from Hamilton East has requested unanimous consent. I heard a no.

1400

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## FOOD SAFETY

**Hon. Steve Peters (Minister of Agriculture and Food):** The McGuinty government is committed to the safety of Ontario's food supply. This has been and continues to be one of our highest priorities. We are determined to support healthier Ontarians and encourage consumer confidence in our products. That is why we commissioned Justice Roland Haines to conduct a review of Ontario's meat inspection system in January 2004. When his report was released last July, we committed to acting on his recommendations.

Today we are marking another milestone in the significant progress we are making on those recommendations. I'm pleased and proud to announce that we are establishing the office of the chief veterinarian of Ontario. Dr. Deb Stark will assume the role of chief veterinarian on May 2, 2005.

The chief veterinarian of Ontario will lead animal health and related food safety initiatives for the province, and work co-operatively with our counterparts in the federal government, other provinces and other ministries, and especially with Ontario's chief medical officer of health, Dr. Sheela Basur.

We are also realigning the structure of the ministry so that it truly has a new food safety division, a separate and distinct division of the Ministry of Agriculture and Food. The former Tory government had the opportunity over the past 10 years, but they chose to deliver a scattered approach to food safety. We are cleaning that up. The division combines the policy, program and operational aspects of food safety, allowing us to provide a truly farm-to-fork food safety system.

Previously, these responsibilities were spread throughout the ministry. With the new division dedicated to food safety, we will be better able to coordinate policy, scientific activities, inspection, industry education and training, and compliance and enforcement. We also will be better able to coordinate efforts with our counterparts in the provincial government, other provinces and the federal government.

We are showing a strong commitment to food safety and to the people of this province. We are very proud of our record when it comes to food safety, and we've made

great strides, some of which were begun even before Justice Haines released his report. Here is a short list of our accomplishments:

We proclaimed the Food Safety and Quality Act and introduced new, stronger meat regulations. This addressed Justice Haines's first recommendation, and several others, including licensing and regulating non-federally registered meat processors.

The first group of meat plants, including those that are currently licensed by the province, will need to comply with the new regulation by June 1, 2005, and all others by October 2006.

We are providing up to \$25 million in transitional assistance over three years to assist processors in meeting those new requirements.

We introduced a new, practical food safety program for small to medium-sized food processors called the HACCP Advantage, which aims to prevent food hazards before they happen. Two operations are now certified under the program, and more are in progress.

We are providing \$4 million to the Ontario Cattlemen's Association to help maintain the province's dead stock collection system to avoid potential environmental and health hazards.

We are also realigning the structure of the rest of the ministry in order to meet the McGuinty government's commitments and priorities of building strong communities and fostering innovation and prosperity, to follow through on what we've heard from stakeholders at the Premier's summit last December in preparing for the future, to better align our efforts to support the full value chain that is the modern Ontario agri-food system, and to make the most of the people and resources we have.

I want to emphasize that there will be no reductions in staff or in our field presence. Our government is simply working smarter with the resources we have. With this new food structure, we will be better able to work with our partners in the public and private sectors to take directions in the future of Ontario's agri-food industry, new directions that are going to help move all of us forward.

**The Speaker (Hon. Alvin Curling):** Responses?

**Mr. Ernie Hardeman (Oxford):** I would like to address the Minister of Agriculture's announcement today, in which he is responding to the Judge Haines report and recommendations on the province's meat regulation and inspection system. I'm pleased to see that this government is continuing to build on our government's commitment to continually strengthening Ontario's food safety system, providing safe food for Ontarians. As a government, we were pleased to introduce the new food safety legislation that would continue to enhance Ontario's strong food safety system.

We understand the importance of enhancing Ontario's already strong food safety system by continually updating standards and inspection programs by using new sciences and technologies to minimize risk to both public health and the economy. But I would be remiss if I didn't remind the minister that Judge Haines's report and its

113 recommendations were a result of the review of meat regulations and inspection. This review was intended by the Liberals to replace the full public inquiry they promised during the election campaign. What can I say? Another Liberal broken promise.

For everyone's benefit, it is important to recognize that Judge Haines concluded that the meat produced and consumed in Ontario was, for the most part, safe and free of hazardous contaminants, and I agree that today's announcement will only continue to contribute to what we already agree is most important: quality food for all Ontarians. But I'm confused: In the 2004 budget, Minister, your government slashed safety net support for crop stabilization by \$50 million, a 33% cut, at a time when the Ministry of Agriculture saw their administrative budget skyrocket by \$11 million, or a 68% increase. We allowed meat inspectors to work on contract so they could do their jobs. You've changed the way meat inspectors do business; they are once again part of the public service. Maybe you've forgotten what it was like the last time the public service went on strike and meat inspectors could not do their job. Should this happen in the future, our farmers will once again suffer.

I've said before and will say again that our Minister of Agriculture and Food, Steve Peters, was once an advocate for our farmers, but since becoming a member of the Liberal cabinet, he has turned his back on our farmers. The minister last week made an announcement of \$79 million for safety nets but has made no commitments beyond that and into this planning year. I ask the minister, what is he going to do to help our farmers? It's obvious that he has absolutely no long-term plan. The minister signed the Agriculture Policy Framework just over a year ago. It was the future of safety net support for our farmers, and I'm hearing from our farmers all over the province that this CAIS program just doesn't work.

The minister's answer is to do another review. How many reviews will it take before our farmers are listened to and given the type of program they require? Farmers are our number two generator in the Ontario economy—the auto industry, of course, being number one—and they deserve some certainty and support from their government. Mr. Speaker, I ask you again, what is the Minister of Agriculture going to do to support our farmers for the 2005 crop year and for future years? Minister, what is your long-term plan for agriculture in Ontario?

**Mr. Howard Hampton (Kenora-Rainy River):** I want to respond to the Minister of Agriculture, Food and Rural Affairs. I too want to draw attention to the fact that there are 113 recommendations in Judge Haines's report, and I want the minister to remember what he said on July 22, 2004: "I have instructed ministry staff to begin implementing this report as soon as possible, and I'm calling on everyone involved in food safety to help make this happen." You made it sound then like you would be implementing the whole report. What we see today is a minuscule piece of the report.

I actually want to read recommendation 111 from Judge Haines: "I recommend that the provincial govern-

ment consider the establishment of an Ontario food inspection agency that would assume responsibility for all activities associated with ensuring food safety.” Then we have the minister’s announcement today, which, frankly, falls far, far short of what Judge Haynes recommended. He recommended a stand-alone agency with proper funding and mandate. Are we getting that? No. He recommended an independent food inspection agency; he said it would ensure consumer confidence in our food supply and ensure markets for our producers. Are we getting that? No.

1410

What we we’re getting, once again, is a Minister of Agriculture and Food who has no plan for agriculture, no plan for farming, so what he tries to do is announce and reannounce all sorts of things that still don’t amount to a plan. Here, there is no plan for food safety. Despite what Mr. Justice Haines recommended to the government, there is no plan for food safety. When we take these series of announcements, reannouncements and partial reannouncements, there is no plan for agriculture, no plan for Ontario’s farmers.

I want to contrast this with what Premier McGuinty said before and during the election campaign. He said that he had a strategy for Ontario’s rural and agricultural community, that there were going to be investments in the rural and agricultural community, that there were going to be investments to help implement nutrient management issues, that there were going to be investments in rural infrastructure, that the market for Ontario corn growers, for example, was going to more than double.

All of these promises were made. All of this was in this pre-election statement. What is the situation today? We have ethanol producers in Ontario. Are they purchasing double the amount of Ontario corn? No. They’re importing subsidized corn from Ohio and Michigan.

*Interjections.*

**The Speaker:** Order. There’s a lot of chattering in the Legislature today. I’d like to hear the leader of the third party make his response to the Minister of Agriculture’s statement. Could I ask, if you choose to speak, to do it outside?

We’ll start the clock again.

**Mr. Hampton:** As I said, under the McGuinty government, has the market for Ontario corn doubled? Do Ontario corn producers see an increase in the price for their corn? Do they see more of a market for their corn? No. Ontario corn producers who live within sight of the ethanol plant in Chatham are going broke while that ethanol plant imports subsidized corn from Ohio and Michigan. That is the reality of what is happening under the McGuinty government.

I say again today that with this announcement Judge Haines provided a very good framework: 113 recommendations for better food safety in Ontario. Do we see the adoption of a strategy for better food safety in Ontario today? No. Do we see even the adoption of five of Judge Haines’s recommendations today? No. No stra-

tegy; no plan for farm safety. Do we see a strategy, a plan for the survival of Ontario’s farmers, whether they be beef farmers, grain farmers, oilseed farmers, fruit and vegetable farmers—do we see this plan that the McGuinty government promised before the election? No. What we see is beef farmers going broke, oilseed and grain farmers having a very difficult time, fruit and vegetable farmers having a very difficult time and corn producers going broke while the McGuinty government allows ethanol producers to import subsidized corn from Ohio and Michigan.

## ORAL QUESTIONS

### GREENBELT

**Mr. Tim Hudak (Erie–Lincoln):** A question to the Minister of Municipal Affairs and Housing: I’m going to send over, via a page, map 6 of your final greenbelt plan. Let me describe what this map indicates.

On Lake Simcoe, there lies an 800-acre parcel of land that your own greenbelt map identifies as a natural heritage system. That means that virtually the entire plot of land, according to your own map, is a sensitive wetland and forest. As you can see from your draft greenbelt plan, this project is protected as part of the greenbelt map area. However, in your final greenbelt map you personally made an exemption to pave over this pristine wetland and forest. Can you tell us why that land is exempted?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Let me just say that what we did was add a million acres of protected greenbelt land, farmland and environmentally sensitive land for generations to come. We are more than pleased to look at any particular issue this member may have. We have already offered to that caucus an opportunity to have a full briefing on the greenbelt, the science behind the greenbelt. We’re more than prepared to do that. All I can tell you is that we will certainly take a look at this particular situation. But I can tell you that we had a consultation process that was absolutely second to none. During the greenbelt task force hearings we had at least eight or nine public hearings, during the legislative process itself, during development of the plan. This bill has had more consultation than just about any other bill coming through this House, and we are very proud of the greenbelt that we protected for the people of Ontario.

**Mr. Hudak:** The minister always defaults to tab 1 and talks about how the greenbelt is to protect sensitive areas. We want to make sure that sensitive areas are protected. That’s why I’m asking you here today why you have made an exemption. Why does the Dalton McGuinty government want to pave over an 800-acre property on the shores of Lake Simcoe that your own maps identify as sensitive wetlands and forest and natural heritage area? Minister, please tell me, how could you make this



exemption, and upon what science is your exemption based? Or is it simply political science?

**Hon. Mr. Gerretsen:** First of all, it's that party that voted against the greenbelt legislation. It's that party that doesn't want to protect the environmentally sensitive lands and the good agricultural farmland in the GTA. This party, while in government, did the right thing. We were the first party in over 30 to 40 years to take a good hard look at this particular situation. We wanted to deal with the gridlock, we wanted to deal with the sprawl. We did that. We are protecting over 1.8 million acres of land, when you include the Oak Ridges moraine and the Niagara Escarpment. Exactly the same science was used as was used in developing the Oak Ridges moraine by that government, by that party, about three or four years ago. We stand by the greenbelt and stand by the science behind the greenbelt, and we are very proud for the generations to come.

**Mr. Hudak:** Minister, I'm going to send over a couple of photographs of this property, which show the sensitive wetlands and forest that exist along the shores of Lake Simcoe in Georgina. You talk about gridlock. The only gridlock that exists on this land would be from ducks and from deer. I want to know, we want to know, the general public wants to know why you have made the decision to pave over this 800-acre pristine wetland. You made the exemption, Minister. I've got to ask you, have you had an individual meeting with the owners of this property, have your political staff had an individual meeting with the owners of this property or, to your knowledge, did Premier McGuinty have a secret meeting with the owners of this property?

**Hon. Mr. Gerretsen:** First of all, I don't know what property he is specifically talking about. All I can tell you is that it is the policy of this government that sensitive environmental lands are protected and are part of the greenbelt area. We are more than pleased to look at a particular situation that the member may have pointed out. I have no idea as to what particular piece of land he is talking about on this map. We are very much in favour of what we have done, and this is a government that acted to make sure that the greenbelt is protected for generations to come. That's the premise that we went on.

We're not like that party, that basically wants to pave over the greenbelt area, that basically wants to make sure the sprawl and gridlock that has existed in this part of Ontario for the last 30 or 40 years will continue indefinitely. We are against that. We're in favour of the greenbelt legislation and in favour of the greenbelt plan, and we're very proud of that.

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**The Speaker:** New question.

**Mr. Hudak:** Back to the Minister of Municipal Affairs and Housing: I'm rather curious that you say you don't know what property this is. It is a massive 800-acre exemption that you, as Minister of Municipal Affairs and Housing, personally exempted from the greenbelt. It is a massive, gaping hole in your greenbelt map. Initially it

was covered in the greenbelt. Now, in your final greenbelt map, it's wide open for development.

On November 2, 2004, you received a letter from the owners of this property asking you to exempt this land, and within a couple of months that land was exempted. I'll ask again the question I just asked you: Have you individually met with the individuals? Did the Premier or the political staff? If you don't know the answer, can you get back to us in the House tomorrow? And what was the science behind wanting to pave over this pristine wetland?

**Hon. Mr. Gerretsen:** First of all, I don't know what specific piece of land he is talking about. He has shown me a great big map here. If it is environmentally sensitive land, it needs to be protected. That is the whole theory behind the greenbelt.

We used the best science available from the Ministry of Natural Resources and the Ministry of Agriculture. We want to make sure that environmentally sensitive land is not going to be paved over in the future. Too much of that has happened in the past. It's precisely for that reason that we made the pledge in our platform in 2003 to make sure there was an area around the greater Toronto area that was going to be protected for generations to come.

We have lived up to that commitment. We've added a million acres of land to the 800,000 acres of land that already existed at that time. We are proud of the greenbelt area. What I would like to know is, does this member speak for his party or does he speak for his leader? Are they in favour of the greenbelt or not? That's what I'd like to know.

**Mr. Hudak:** Our position is clear: We want to ensure that environmentally sensitive land is protected.

You, sir, as an individual, as the minister, as the sole arbiter, made the decision in your legislation to be the judge and jury, personally, over what gets exempted and what does not. So you chose to exempt this land, this 800-acre pristine wetland and woodland to be paved over. You yourself said, "If it's environmentally sensitive, we'll protect it." Your own map calls it a natural heritage area, as a wetland and woodland.

Tell us in the House today, based on your very own map, will you ensure that that land is protected and not developed? Or is all this talk about science nonsense and it's all about political science? Which one is it?

**Hon. Mr. Gerretsen:** As I mentioned before, we'll certainly take a look at the situation that this member has pointed out here. As far as I'm concerned, all of the land that is contained within the greenbelt area is either protected from an agricultural viewpoint or from an environmental viewpoint, or an existing use was already there prior to it becoming part of the greenbelt area, as has happened in a number of the settled communities within the greenbelt area.

Once again, what we have done is what no other government has done in the past; that is, we included an additional one million acres of land in this area around Toronto to make sure that the gridlock and the sprawl do

not continue ad infinitum and, second, to make sure that these areas are protected for future generations.

We are more than prepared to look at this particular area, but I can tell you that the greenbelt is something we are extremely proud of. Maybe one day that member and that party will be proud of it as well.

**Mr. Hudak:** I think people would be proud of the greenbelt if they had confidence that it was based on good environmental science instead of the Dalton McGuinty Liberal political science behind your land decision. This is a case in point. The science shows it's a pristine wetland. It is a forest listed in your documents as a natural heritage area—800 acres along the shores of Lake Simcoe now slated for the bulldozers under Dalton McGuinty's government. Minister, we want to have faith in the science behind this plan. Will you today commit to sending this to a legislative committee so all members of the House can be satisfied that your decisions are based on real science and not political science?

**Hon. Mr. Gerretsen:** As I've indicated to the member before, we are more than prepared to have a briefing with the member and his caucus and all of the people involved from the Ministry of Natural Resources and the Ministry of Agriculture, to go over how the greenbelt was developed and where the limitations of the greenbelt were exactly put in. So far, that meeting hasn't taken place. We hope the member will take us up on that particular offer to meet with us so that he can see that the science that's behind the greenbelt and the millions of acres of land that are going to be protected as a result of this legislation is the right thing to do, not only for this generation of Ontarians but for many, many generations to come.

#### ENVIRONMENTAL LEGISLATION

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Premier. Last week, we learned a lot about your credibility deficit: how you made promises before the election in order to get people to vote for you and then after the election you forgot about the promises. Today, I want to ask about your government's ethical deficit.

Last week, after six months of gathering dust, Bill 133, the spills bill, was suddenly, without any debate, referred sideways to a committee. It's the bill that your close friend and top political fixer, Warren Kinsella, is getting big corporate bucks to oppose. It's one of those bills that was up for discussion at cabinet last week, at the time that you gave Mr. Kinsella the keys to the cabinet meeting. You gave us your word at the time that Mr. Kinsella didn't discuss the bill. Premier, what proof can you offer the Legislature and ordinary people across Ontario that Mr. Kinsella had nothing to do with this bill?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The leader of the NDP would have us draw something untoward and nefarious connected with the fact that we are taking a bill and sending it to out to committee in the most transparent way

possible to elicit some advice and proposals and suggestions from the public.

I would also want to remind the leader of the NDP that one of those proponents for sending the bill out to committee was Marilyn Churley. She put out a press release. Her press release specifically said, "The government needs to move forward with this legislation. Let's get it to committee and make sure it does what it is suppose to do."

I recommend to the leader of the NDP that he speak with his environment critic so they can get their act together when it comes to this particular piece of legislation.

**Mr. Hampton:** Premier, you might want to read more into that press release, because it calls for debate and then for amendments at committee. What you've done is shuffle it off to neverland. It sat there for six months and gathered dust until last week, when you invited Warren Kinsella to cabinet, and then there was a motion to send it sideways. Premier, I asked you earlier, do you have any proof that Mr. Kinsella had nothing to do with this manoeuvre on the spills bill? You have no proof. So I want to ask you this: Every cabinet meeting has minutes. Will you disclose what it is that Mr. Kinsella talked about to members of cabinet?

**Hon. Mr. McGuinty:** In addition to ensuring that Bill 133 goes out to committee at the earliest possible opportunity, where we can engage Ontarians further, the member should also know that it was listed on the Environmental Bill of Rights registry for a period of 30 days, and then it was extended for a further 30 days. We are determined to get this right, we are determined to move forward with it and we look forward to getting the leader of the NDP's support when it comes to voting for it on third reading.

**Mr. Hampton:** We want to know what Warren Kinsella had to say to cabinet, because he had lots to say otherwise. Last month, Mr. Kinsella and the powerful interests he represents had a secret meeting with the finance minister. The finance minister didn't tell the lobby, "You spill, you pay." What he said was, "Not to worry; the bill is going nowhere."

Now that we're into the Gomery commission, people are demanding a little higher standard in terms of accountability from governments. By the looks of things, your spills bill is up the creek and your ethical standards are down the river. Will you disclose the cabinet minutes where Warren Kinsella attended cabinet? He's not a member of cabinet. I think we're entitled to know, what did he tell cabinet ministers? What was he there about? We know that he wants to lobby your government to get rid of the spills bill, so please tell us, what did he have to say at your cabinet meeting?

**Hon. Mr. McGuinty:** I know the leader of the NDP has a particular challenge today. There is a very small news hole available—most of the media will be dominated by stories coming out of Parliament Hill—and he's looking for any kind of hook, no matter how specious and unsubstantiated.

I said last week in response to a question that, yes, Mr. Kinsella did come before cabinet. He did make a presentation and, I will say again, it had nothing whatsoever to do with the issue that the member opposite is raising today. I will repeat once more: It had nothing to do with Bill 133—nothing.

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### LOBBYISTS

**Mr. Howard Hampton (Kenora–Rainy River):** To the Premier. Once again the Premier, who is renowned for breaking his promises, says to the people of Ontario, “Trust me.”

I want to ask you not just about Mr. Kinsella but about some other Liberal insiders who are making big bucks, working for the wealthy and the powerful lobbying your government. Mr. Bob Lopinski: Four months ago, he was your director of issues management. Now he is lobbying for Bruce Power. Six days before Lopinski signed on as Bruce Power’s lobbyist, a deal to restart the two mothballed reactors at the Bruce nuclear station went to cabinet for discussion. This is a \$2-billion deal.

We think you should be listening to ordinary Ontario families, but it looks as if you are listening to paid lobbyists like Mr. Kinsella and Mr. Lopinski. Premier, can you tell us, please, what is your word on this deal? Does Mr. Lopinski have nothing to say to cabinet ministers about approving Bruce Power’s deal?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** We have a number of people we consult with respect to ensuring that we get public policy right. We’ve consulted Bob Rae, who did a very good job for us with respect to recommendations on post-secondary education. We consulted Richard Johnston. We consulted Marion Boyd, who came forward with some recommendations of great importance to us. We consulted Mr. Romanow. We consulted Bill Davis. We consulted a number of people of a variety of political stripes, all of whom have helped us lend shape to good public policy, and we will continue to do so in the future.

**Mr. Hampton:** The Premier tries to confuse those people who have been asked to do an investigation with paid—

*Interjection.*

**The Speaker (Hon. Alvin Curling):** Member from St. Catharines, would you come to order, please.

**Mr. Hampton:** The Premier wants to confuse people who have been asked to do an investigation or do a report with paid lobbyists. There is a big difference. The paid lobbyists are there on behalf of the wealthy and the powerful and couldn’t give a damn about the public interest.

I want to ask you about another paid lobbyist. We know about Andersen Consulting, otherwise known as Accenture in Ontario. They ripped off the Ministry of Community and Social Services to the tune of tens of millions of dollars on a computer system. Now you are considering a multi-million dollar contract to build an

information system for the Family Responsibility Office and you refuse to rule out Andersen Consulting, otherwise known as Accenture. They changed their name after they got caught. Who is lobbying for Accenture? None other than Phil Dewan, your former chief of staff.

I ask you again, Premier, are you listening to the ordinary folks who don’t want to be ripped off to the tune of tens of millions of dollars again, or are you listening to the backdoor insider lobbyists who are being paid big bucks by the wealthy and the powerful?

**Hon. Mr. McGuinty:** Something I failed to mention earlier is that we have also spoken with Buzz Hargrove on a number of occasions and got some very good advice on that score. He is getting the cold shoulder these days from the NDP, but we’re pleased to listen to everybody and to distill that into some wisdom and make sure that we get public policy right.

I know that the member opposite is just doing his job, but I can tell you that we are devoted to the public interest. We consider ourselves open and accessible. We will hear from anybody we think has something to offer with respect to getting public policy right. But at the end of the day, we will remember the people of Ontario, we will keep their interests first and foremost in our minds and we will ensure that those interests breathe life into all our public policy.

**Mr. Hampton:** Premier, I am doing my job, and I want to tell you about Andersen Consulting/Accenture. They were kicked out of Florida for bad deals. They were kicked out of Ohio for bad deals. In New York, they’re under investigation. New Brunswick cancelled a \$60 million contract with them. They are under investigation in Texas. Then there’s Nebraska and Virginia, and then they ripped off the public of Ontario. But you seem to be throwing down a welcome mat to them. Why? Because your former chief of staff is their paid lobbyist.

I ask again, Premier—we’ve heard about the \$10,000-a-plate private dinners with the developers; we know about Warren Kinsella; we know about Bob Lopinski; and now there’s Mr. Dewan—whom are you listening to, the paid lobbyists who have lots of money and lots of power or the ordinary folks of Ontario who are increasingly worried about where your government is going?

**Hon. Mr. McGuinty:** Just to set the record straight on a couple of items: First of all, with respect to Mr. Lopinski, he is not authorized by the conflict commissioner to begin to lobby us here at government for a full year after his departure. I know the leader of the NDP knows that.

Second, with respect to Accenture, he may be aware of something that I’m not aware of. When it comes to the matter of dealing with the Family Responsibility Office, we’ve had that overseen by a fairness commissioner. We’re not exactly sure who has applied for this work. We’re not supposed to know that. I’ll await the outcome of that. If he has access to insider information, then perhaps he’d like to share that with us. But we will ensure that this is overseen by a fairness commissioner, because we think that is the responsible thing to do.

## LABOUR LEGISLATION

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is for the Minister of Labour. Bill 144 will not promote economic prosperity, as you claim. It will, however, stifle economic growth and job creation at a time when our province is suffering from an ever-increasing tax burden, rising dollar, increasing hydro rates and unparalleled global competition. That's reinforced in a letter that I received from the Canadian Restaurant and Foodservices Association, who represent 8,300 members who employ over 380,000 people. In their letter, they express concern "that the uncertainty created by changes to the labour code will discourage investment, employment and growth, further contributing to the industry's and the province's economic woes."

Minister, will you listen to the concerns of the CRFA and the other members of the business community, such as the Coalition for Democratic Labour Relations, and withdraw this job-killing legislation?

**Hon. Christopher Bentley (Minister of Labour):** Unlike the party opposite or the third party, we listen to all participants when it comes to labour relations. We're determined to restore fairness and balance to our approach to labour relations in the province of Ontario. That's why, immediately after becoming Minister of Labour, I listened to business groups, such as the ones she outlined, and labour groups.

The package of reforms in Bill 144 is fair and balanced. With respect to all of those outside of the construction industry, apart from getting rid of the poster and the salary disclosure, what the bill provides is an effective remedy where an employer engages in conduct that effectively removes the democratic right of workers to decide for themselves whether or not they want to be members of a union. I can't imagine any responsible individual opposing that important democratic initiative.

**Mrs. Witmer:** This bill definitely does not restore fairness or balance. It takes away the democratic rights of workers to a secret ballot vote, but it also sends a very strong signal around the world that Ontario is no longer open for business. Surely, you remember the Rae government and their Bill 40. It effectively killed 10,000 jobs in this province.

Minister, if you are not prepared to withdraw this bill, will you commit that you will send this bill to committee for public hearings in order that substantial amendments can be made to ensure that Ontario remains an attractive destination for job creation and investment for our people?

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**Hon. Mr. Bentley:** In fact, we're determined to ensure economic prosperity in the province of Ontario, as is clear not only from our labour relations initiatives but from many of the initiatives pursued by other ministers such as Minister Cordiano in the Ministry of Economic Development and Trade.

I'd say, secondly, that Ontarians do remember the time of the previous government, where they were determined

to have a one-sided approach to labour relations that does not promote economic stability. In fact, the history of this province was built on a labour relations regime that respected labour and management interests and worked for the best interests of the people of Ontario.

With respect to the specifics of Bill 144, I would hope that the honourable member would not keep trying to suggest that Ontario is not the place to invest, because that will not help support economic prosperity in the province. All that bill does for those areas outside of construction is ensure that if that small, tiny minority of employers decides to remove a worker's democratic right to choose, there will be a remedy, and there must be a remedy, for that type of conduct.

## AUTISM TREATMENT

**Ms. Shelley Martel (Nickel Belt):** Today the Toronto Sun featured a number of Ontario families who live with autism and are facing financial ruin trying to pay for treatment.

Lillian Wagman is a plaintiff in the Deskin-Wynberg court case. Both of her sons have autism. When Michael turned six, he was arbitrarily cut off his IBI treatment by your government. His parents now pay \$2,500 a month privately for his IBI, for his brother David's speech therapy and for specialized nursery school for David as well.

Premier, you made a very specific promise to parents like this that you would end the discrimination against their children, that you would continue to pay for IBI treatment. Are you going to do that, or are you going to drive them into financial ruin?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Let me tell you what we have done. We have doubled investment in services to help these children. We have reduced waiting lists for assessment by 72%. We've increased the number of children thus far receiving IBI treatment by 25%. We've created a new program for school-aged children, which has been embraced, by the way, by every single school board. We have hired 139 new autism spectrum disorder consultants to help our teachers and educational assistants make sure they're meeting the needs of students who have been diagnosed with autism. Those are the things that we have done thus far in order to help families better help their children who are affected by autism.

**Ms. Martel:** Premier, this is about the very specific promise you made to Nancy Morrison during the election, that you were going to end the discrimination against autistic children over the age of six. That's a promise you've done nothing about except to break.

You see, a number of parents voted for you on the basis of that promise. In a letter to the editor today, Thomas Gibson, who is a former Ontario deputy minister, wrote that both he and his wife—and she was in a wheelchair and incapable of speech at the time—went to the polls to vote Liberal because their grandson is severely autistic and they thought he was going to get

IBI. Brad and Cynthia Boufford of London voted Liberal because they believed you when you said that you were going to end the discrimination against six-year-olds. Imagine their surprise and anger when your government, Premier, cut their son Jordan off his IBI when he turned six last May.

This issue is all about a specific promise you made when you were looking for votes. Now that the election is over, Premier, are you going to make good on the promises that you made to these families?

**Hon. Mr. McGuinty:** In addition to reducing our waiting lists by 72%—and we agree, we have more to do—in addition to increasing the number of children receiving IBI services by 25%—and we agree, there is still more to do—I want to bring to the member's attention, if she might be inclined to listen, that notwithstanding Dr. Rozanski's recommendation that we spend \$250 million more for special education services, we increased that to \$365 million.

Beyond that, I am proud to say that we are now providing high-needs support to 2.8% of Ontario's student population. To our knowledge, nobody anywhere on the face of the earth is spending as much money as we are to support high-needs students—2.8% of our student population.

We are proud that so far we've spent about \$1.7 billion more in our first year on the job to meet the needs of students. I know that there's more to do, and we look forward to doing it.

#### GROW BONDS PROGRAM

**Ms. Monique M. Smith (Nipissing):** My question today is to the Minister of Northern Development and Mines. Over the last 15 months, residents of northern Ontario have witnessed a great deal of activity and a number of great initiatives launched by our government for northern Ontario.

Most recently, our government announced an innovative grow bonds program. These bonds are currently on sale, and loan applications are now available for small to mid-sized businesses in the north. But some residents and businesses in my riding have expressed concern that the bond purchase and business loan application periods are too short and have asked for a longer bond purchase and loan application period to be granted. What is our government doing to ensure that the northern Ontario grow bonds program is given every possible chance of success?

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** The member for Nipissing is right: We have heard a number of comments associated with our original timelines.

As you know, this is a government that listens to northerners. We value the opinions of northerners. As such, I'm pleased to tell the members of the House today that in response to the request by northerners, both northern investors and businesses, we have announced an extension of the bond sales and loan application periods

for the northern Ontario grow bonds. Northern residents will have until April 18 to buy bonds at a competitive rate of 4% interest over five years that is fully guaranteed by the government, and northern businesses will now have until May 6 to submit loan applications that will help grow their businesses, create new jobs and reignite the northern economy.

**Ms. Smith:** Minister, that's great news, and I appreciate that. Grow bonds are an important part of our northern prosperity plan and are a great initiative to stimulate economic investment in the north by investing in our small and mid-sized companies.

The reaction in my community has been great, with at least two of my local municipalities making significant investments. My local chamber of commerce is also taking a lead role. Could you share with the House today the reaction of other northern communities to the grow bonds program?

**Hon. Mr. Bartolucci:** Indeed, our government has lived up to its commitment to northerners by not only providing the wherewithal to bring prosperity to the north, by not only providing the empowerment to bring prosperity to the north, not only by providing the plan to bring prosperity to the north, but also by bringing a vision filled with hope and promise for a better future.

We have been most encouraged by the commitment and leadership demonstrated by a number of municipalities that have stepped forward to purchase large bond amounts. In doing so, they have invested in their own future. We look forward to seeing the new business investments and jobs that this program will bring to the north.

We just have a reminder to all northerners that this is the last week to buy those bonds. We encourage them to go on-line; we encourage them to go to their government offices to pick up those application forms. By investing in grow bonds, you invest in the future of northern Ontario.

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#### HIGHWAY 69

**Mr. Norm Miller (Parry Sound–Muskoka):** My question is to the Minister of Northern Development and Mines. When you were in opposition, you demanded action on the four-laning of Highway 69 from Sudbury to Parry Sound. Well, Minister, you are now in a position to do something about it. You are the minister responsible for the northern roads program. Can you tell me when we can expect Highway 69 to be four-laned from Parry Sound to Sudbury? When will the four-laning be completed?

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** If I weren't political and didn't want to give a political answer, I would simply say that laying one inch of asphalt between Sudbury and Parry Sound would be more than the previous government did in its eight years. However, I'm not going to do that, because Highway 69 is a very important initia-

tive that our government is committed to. Let me tell you that since we took the reins of government, there have been more projects on Highway 69 between Sudbury and Parry Sound than ever in the past. There has been more commitment to four-laning than was ever the case by previous governments. I invite the member from Parry Sound–Muskoka to come and visit northern Ontario, to come and visit the riding of Nickel Belt, and he will see first-hand the projects that are going on. They are real projects. They're four-laning projects, something that never happened in the past.

**Mr. Miller:** I didn't hear anything about the timetable—and that was what my question was about—for the completion of Highway 69 to Parry Sound. I would like to quote the January 5 Northern Life newspaper, where it says that as a matter of fact, CRASH 69, which was co-chaired by Bartolucci, called for it to be completed in seven years, but now all we hear is silence. It goes on, "Premier Dalton McGuinty has no intention of keeping his promise to Sudbury to four-lane Highway 69." I ask again, when can we expect Highway 69 to be four-laned from Sudbury to Parry Sound? Is this just another broken Liberal promise?

**Hon. Mr. Bartolucci:** It's anything but a broken promise; it is a real commitment. For the first time ever, you have a government in Ontario that is committed to four-laning Highway 69 from Sudbury to Parry Sound. For the first time ever, you have a government that signed a SHIP agreement that allows for projects to move ahead on Highway 69. For the first time ever, you have a real commitment of real dollars. Let's go back a little bit in time to November 2002, when the former Premier of Ontario, Ernie Eves, came to Sudbury and made an announcement Highway 69 would have a commitment of \$100 million each year in every Tory budget. But the 2003 Tory budget had no commitment to dollars, no mention of Highway 69 and no commitment to the four-laning. The reality is that this government believes that if you make a commitment, you follow through with that commitment. I am proud of our Premier's and our government's commitment to northern Ontario and to Highway 69.

#### FOREST INDUSTRY

**Mr. Gilles Bisson (Timmins–James Bay):** We say in French, "Plus ça va, moins ça change"—the more it goes, the less it changes—because I haven't seen the money in the Liberal budget for this highway.

My question is to the Premier. You would know that your Minister of Natural Resources has decided to reallocate timber from existing sawmills in northern Ontario to Tembec and Domtar so that they can create larger supermills. This past week, in an interview with the Timmins Daily Press, he was asked why people were upset and why people in those communities were fighting to save the mills. "They're putting all their energies into the past," said David Ramsay to the Daily Press about the citizens of Chapleau, Opatatika and Kirkland Lake. He further said, "This plant will close ... that's it. We need

to start thinking about the future," and that these people's minds are in the past.

I say to you, Minister, and to you, Premier, that it's a future where we know the McGuinty Liberal government is doing all it can to take wood from communities like Opatatika, Kirkland Lake and Chapleau, shut down those mills and give it to large multinationals so they can create supermills. My question is, why are you telling northerners who are fighting for their communities and their future that they're living in the past?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Northern Development and Mines.

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** First of all, nothing could be further from the truth. We have a Minister of Northern Development and Mines—excuse me—a Minister of Natural Resources and a government that truly care about the people of northern Ontario, that are committed to ensuring that we find solutions to the very complex problems we have. That's why the Minister of Natural Resources established the Minister's Council on Forest Sector Competitiveness. He awaits those recommendations. He will study the recommendations and move forward once he studies them.

Let me be perfectly clear: This is a government that is committed to the longevity and the economic growth of all of northern Ontario.

**Mr. Bisson:** In fairness to you, Minister, I would agree: We have a Minister of Northern Development and Mines. What we don't have is a minister in charge of natural resources. What we've got is a minister who kowtows to the larger lumber companies across northern Ontario and says to northerners, because they're fighting to support their communities and save the jobs in their towns, that they're living in the past.

I'm going to put it right to you, Minister, as clear as I can make it: What is the matter with your government? Why is it that you won't stand up for northern Ontario, those communities, and say to the lumber companies that you are not going to allow them to transfer this wood and that you're going to allow the communities to reorganize and find new buyers for those particular mills so that we can keep those jobs in those communities?

**Hon. Mr. Bartolucci:** Obviously, I disagree with my critic in his supplementary question. We have a wonderful Minister of Natural Resources who works extremely hard to ensure longevity and prosperity for all of northern Ontario. We will work through these problems. We will establish an opportunity, a milieu, an atmosphere of positive growth in northern Ontario. We've started that already with our northern prosperity plan. Listen, if you ever want to compare records with anybody, you can compare the 1990-95 records of the former NDP government, when 14 mills were closed.

But do you know what? We're not living in the past. We're living in the present, for the future. We've put an economic plan together called the northern prosperity plan, where we will ensure—

*Interjection.*

**The Speaker (Hon. Alvin Curling):** Member for Nickel Belt, come to order.

**Hon. Mr. Bartolucci:**—that the industries in northern Ontario grow in a very productive, strong way so that the economies of northern Ontario will, for the first time in a long time, have that optimistic support of government working with them to ensure that we recognize and reach the potential of northern Ontario.

#### FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Phil McNeely (Ottawa–Orléans):** My question is for the Minister of Finance. Our government has been leading the call for fiscal fairness for Ontario. Ontarians from all walks of life are taking notice. We have been seeking some redress to close a \$23-billion gap between what Ontarians pay to the federal government through taxes and what they get back in federal spending in Ontario. We have called on federal government MPs to take this message to their government. Minister, media reports this morning suggest that our government has reached a deal with the federal government on issues of concern to Ontario. Can you give this House an update on conversations with the federal government?

**Hon. Greg Sorbara (Minister of Finance):** The first thing to say is, I did have a very productive meeting with Minister Volpe on the weekend. I think, as a result of the meeting, he has decided to become a much more aggressive advocate, explaining to his own government the realities of the \$23-billion gap and the burden that Ontario carries right now in relation to that gap. I think I did convince Minister Volpe that there are nine areas in particular that our governments could begin to negotiate. I think I did convince Minister Volpe that he needs to work diligently to get the Prime Minister to open up doors for discussion with the Premier of this province.

I wouldn't say we've reached an agreement or any deal. Certainly, that would be a misrepresentation of our meeting. But you know, it's one small step that we took yesterday toward dealing with this very serious problem.

**Mr. McNeely:** Obviously the federal government is more eager to try to close the books on this issue than it ought to be, and not all of our issues will be resolved in one meeting between ministers. But the campaign for fiscal fairness is gaining steam. Minister, can you tell me what came out of your meeting with Minister Volpe?

1500

**Hon. Mr. Sorbara:** It was a meeting primarily about politics and the political realities that Ontarians and the nation are confronting. I had an opportunity to list very specific items including investment in Ontario's infrastructure; investment in post-secondary education, investments to help us meet our Kyoto commitments with the elimination of coal, investments in a new immigration agreement and investments in a labour market agreement. The good news—and I have to commend Minister Volpe for this—is that he said he was willing to listen and to take that argument and those views to the Prime Minister.

We are hoping that something positive will come out of that.

#### ROYAL BOTANICAL GARDENS

**Mr. Cameron Jackson (Burlington):** My question is for the Minister of Culture. Like many of us who live in the greater Hamilton and Halton regions, we have expressed concern about the future of the Royal Botanical Gardens, and had anticipated the report of the review committee discussing its mandate. There has been concern expressed by just about everyone that this report does not in any way change the mandate and does not provide any additional funding. It is causing confusion and concern as to the future. Your multi-year commitment is very unclear as to which level of government is to pay, with too many strings attached. You can't use capital dollars to buy picnic tables and expect to meet your payroll. You can't use research dollars to cut grass. Madam Minister, it would appear that that report offers no real hope for us to save this important cultural icon. Are you prepared to seek the necessary funds to keep the RBG open this summer?

**Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs):** First of all, I want to say that we were pleased to receive the report. The report is a combination of extensive research conducted by the committee. I want to take this opportunity today to thank the co-chairs of this review committee for their wonderful job and especially those who have contributed, by their knowledge and by their experience, to the outcome of the report.

We know also that Royal Botanical Gardens plays a very important role for the city of Hamilton and for the whole province. I think it's too early to speculate about the outcome. We know that the board has received the report and will give their opinion on the recommendations.

**Mr. Jackson:** Minister, there have been real questions raised about the independence of this report, by virtue of the presence of one of your ADMs on the committee and the suggestion that one of the conditions going into the review was that there be no new money put into the board, which is why so many people are concerned that you haven't changed the mandate. We don't have a couple of months here to consider this. The RBG is having difficulty meeting its payroll. On Friday, they barely made their payroll. As you know, they pay once a week. They are not paying their utilities; they're not paying their payables. This coming Friday, they will not have enough cash to pay their employees and their payroll. They're going to have to start laying people off. So I ask you, Minister, will you at least take the limited dollars that you are committed to and flow those now, because they have a serious cash flow problem—either \$159,000 per month or \$460,000 quarterly. Will you at least stand in the House today and make that commitment so they're not laying off people and can make their payroll this coming Friday?

**Hon. Mrs. Meilleur:** I'm very pleased to see that the member from Burlington has a renewed interest in the RBG. We have seen the RBG have a deficit for the past four or five years, before we got into power. That's why I have asked for a review to be done. We have received the report, and we are waiting for the review of the recommendations by the board in both the Hamilton and Halton regions.

I just want to remind the member of what he said about the RBG when they were in power: "What I find difficult, is I would hope that we're not going to pay the deficit of the RBG when we're going to allow our hospitals to run increasing deficits. I don't think that's appropriate."

#### HYDRO SECURITY DEPOSITS

**Ms. Andrea Horwath (Hamilton East):** My question is to the Minister of Energy. There is a new Ontario Energy Board policy that is inflicting a great deal of pain on hydro customers across this province, especially for low- and modest-income families. Municipal hydro companies like Hamilton Hydro now demand and hold for a full year significant cash security deposits from customers who are late paying their hydro bills more than once in a 12-month period. This exorbitant cash requirement can amount to hundreds of dollars or more on top of late-payment interest charges. The policy is the utilities' new cash cow, and quite frankly, this beast needs to be tamed.

Minister, will you order a review of the OEB policy that siphons security deposits from customers who are late paying a couple of bills? Or will you do nothing for the hard-pressed Ontario hydro customers who are being gouged by millions under your current policy?

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** The question of security deposits is a multi-faceted one that can, indeed, I concur with the member and the proposition of her question, be an unfair penalty on those who are required to put up security deposits. What makes it challenging is that the costs not paid by the individual consumers are paid by the other consumers. So there's always a balancing act with respect to that.

We are examining a number of issues with respect to fairness toward consumers who run into financial difficulties with their local distribution companies across a whole range of issues. Certainly, this is a matter that is worthy of ongoing discussions, as it has been for a number of years. I believe the Ontario Energy Board ought to be concerned about these matters, as we are.

I remind the member that when there are unpaid bills to a local distribution company, the people who wind up paying for them are other ratepayers, and oftentimes it's other ratepayers of modest means. So it's a difficult balance to find, one that requires, in my view, constant surveillance and oversight, both by the regulator, in this case the Ontario Energy Board, and by government.

**Ms. Horwath:** I would submit that currently the security deposit is being abused, quite frankly, and it's hurting people who are good, loyal customers, who are wanting, but struggling, to pay on time. They haven't had a default or a disconnection, but if they can't pay their hydro bill within two weeks, the utility then threatens to cut off their service. If late one more time, customers have to pay a security deposit or lose their hydro. These deposits aren't held in trust. The utility uses them instead as a bit of a bank to finance its operational needs. In Hamilton, the newly merged hydro company currently holds \$11 million in security deposits. Its own financial statements acknowledge that credit losses are usually only about \$600,000 a year.

I ask you again: Will you review the policy that allows hydro companies to collect far more in security deposits than they need from the people who can least afford it?

**Hon. Mr. Duncan:** We certainly will review those policies; we always do. I reviewed them for the period 1990-95. Security deposits went up then too.

I fully concur that we should be reviewing these policies. I do on a routine basis. The Ontario Energy Board has a well-defined mechanism for input, both by consumers and utilities. These matters are of great concern to anyone in this House who wants to see fairness on these matters, ensuring that balance between those who don't pay their bills and those who do, who then have to pay the costs for those who don't pay their bills. I concur with the premise of the member's question, that there has to be fairness. We certainly will undertake to review and continually scrutinize these policies, as any government that is concerned about consumers would. This government certainly is concerned about consumers, both large and small.

1510

#### TEACHERS' PROFESSIONAL DEVELOPMENT

**Mr. Dave Levac (Brant):** My question is for the Minister of Education. Since 1999, I've made the commitment to continue to meet with teachers in my riding, and I visit schools on a regular basis to do lessons in grades 5, 9 and 11.

The teachers I've been talking to have continually told me that they're very happy that this government is getting rid of the so-called PLP, the professional learning program, also known as teacher testing. They also expect, and are very co-operative in understanding, that there should be some program in place to deal with that. Teachers felt that the process was extremely unfair and ill-advised, and at best did nothing for the improvement of the education learning situation for the kids in Ontario. They felt that it was nothing more than punishment from the previous government because they decided to deal with them in the way they did.

You announced in December that you were terminating that program. Minister, what program has the government proposed to replace the PLP to ensure that our



teachers remain the best-trained in Canada, and ultimately to benefit the learning of our kids?

**Hon. Gerard Kennedy (Minister of Education):** We all know that the previous government wasn't afraid to traffic in those kinds of places, to exploit people's feelings. Sure, teacher testing sounds like an attractive program to people who have been tested by teachers, and maybe they want to be able to get some back. But nowhere in the world is there a test that tells you that someone is capable. What does make somebody a capable teacher is a professional development process, which was contradicted in every single way by the previous government.

We have moved ahead with the intensive training of teachers. We had, for example, almost 8,000 teachers show up—volunteer their own time—last summer to get literacy and numeracy training. We will have provided, by the end of the year, professional development to more teachers than any government has in the recent past. But more importantly, we're looking at an induction program from when teachers start their careers—we appreciate the work that they do—right through to the later career. There should be a continuous program of teacher development, and the proof, for the well-being of students, should be how many teachers actually take the training. On that count, we've done very well.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. I'm quite capable of watching the time. Members are given equal time. The member.

**Mr. Levac:** Thank you for answering the question. If anyone on the other side had cared to listen, you were saying that there is a replacement program on its way and it's being developed in co-operation and consultation with all the organizers and the people who are involved in education.

In the throne speech, the government stated that the important priority will always be excellent public education. Our goal is to make Ontario's public education the world's best education, as quoted in our platform. This could not be accomplished through the divisive and adversarial systems that existed before. Minister, I was trapped in that particular mode of operation, and I can tell you, as a personal experience, that I felt absolutely useless. I was made to feel as if I had not made a contribution over my 25 years in education. I was demeaned, and I resented it.

What steps is the government taking now to work with teachers to ensure that we offer the best we can and have them be the best they can be, which in turn allows our kids to get the best possible education, which we should all be striving for in this place?

**Hon. Mr. Kennedy:** I want to point out that the essence of that approach is one that was not just ignored but trampled on by the previous government: a policy of respect for teachers and for other education workers. Frankly, it applies to any workplace but especially where we have a trust position involving students and involving

something as difficult to do as the formation of their education.

We have actually set up a partnership table, which had its latest meeting last week, where teacher federation representatives, representatives from school boards and unions, support workers, parents and students were all able to first look at some of the provincial policies we're doing. As opposed to some of the other attitudes in this House, we want to get the job done. We want to find, as some enlightened jurisdictions have, a place to find collaborative work. That, if it's allowed to take place, is the natural way that teachers will do their job best: in a spirit of collaboration, with the tools they have. When they close their door and they're teaching students, we want to have the best available to them. Unlocking the potential of teachers in this province will allow us to unlock the potential of all our students.

## PETITIONS

### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** This follows a meeting we had on Saturday up in Orillia.

“To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

“Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

“Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into ‘centres of excellence’ to provide specialized services and support to Ontarians with developmental needs, no matter where they live.”

I'm pleased to sign my name to this.

### POST-SECONDARY EDUCATION

**Mr. Rosario Marchese (Trinity-Spadina):** “To the Legislative Assembly of Ontario:

“Whereas rebuilding our post-secondary education system is critical to the future of our communities and our province; and

“Whereas high tuition user fees are resulting in massive student debt; and

“Whereas Ontario ranks second-last among all provinces in terms of total PSE budget received from government grants and has the highest percentage of total post-secondary education revenues from private sources; and

“Whereas working and learning conditions must be healthy and safe, because working conditions are learning conditions; and

“Whereas the deferred maintenance cost at Ontario university campuses is estimated to have already reached the \$2-billion mark;

“We, the undersigned, support the Canadian Union of Public Employees’ call on the provincial government to invest sufficient public funds that will:

“(1) Restore public money cut from operating funds since 1995 and bring Ontario up to the national average for funding post-secondary education;

“(2) Finance the \$1.98 billion needed for deferred maintenance; and

“(3) Provide the funding needed to continue the tuition freeze beyond 2006 and increase grants to working-class families.”

I support this petition, and I affix my signature.

#### CONTROL OF SMOKING

**Mr. Brad Duguid (Scarborough Centre):** I have a petition signed by 42 individuals, most of whom are my constituents, as I look through the list. It reads:

“To the Legislative Assembly of Ontario:

“Whereas 20% of the adult population, or 1.8 million adults in Ontario, continue to smoke; and

“Whereas hospitality concepts like bars, pubs, taverns, nightclubs, Legions, bingo halls, racetracks and casinos are businesses with a high percentage of patrons who smoke; and

“Whereas more than 700 businesses in Ontario have invested tens of thousands of dollars each to construct a designated smoking room to comply with municipal bylaws;

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

“Permit properly ventilated and separate designated smoking rooms in hospitality establishments that regulate and control employee and customer exposure to second-hand smoke.”

**Mr. Frank Klees (Oak Ridges):** This petition was sent to me by Mr. Mark Neumann, the general manager of East Side Mario’s in Richmond Hill. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas 20% of the adult population, or 1.8 million adults in Ontario, continue to smoke; and

“Whereas hospitality concepts like bars, pubs, taverns, nightclubs, Legions, bingo halls, racetracks and casinos are businesses with a high percentage of patrons who smoke; and

“Whereas more than 700 businesses in Ontario have invested tens of thousands of dollars each to construct a designated smoking room to comply with municipal bylaws;

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

“Permit properly ventilated and separate designated smoking rooms in hospitality establishments that regulate and control employee and customer exposure to second-hand smoke.”

I’m prepared to affix my signature to this petition.

1520

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Andrea Horwath (Hamilton East):** “To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

“Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

“Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into ‘centres of excellence’ to provide specialized services and support to Ontarians with developmental needs, no matter where they live.”

#### ANAPHYLACTIC SHOCK

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly sent to me by Debbie Bruce of Mississauga, and it reads as follows:

“Whereas there are no established Ontario-wide standards to deal with anaphylaxis in Ontario schools; and

“Whereas there is no specific comment regarding anaphylaxis in the Ontario Education Act; and

“Whereas anaphylaxis is a serious concern that can result in life-or-death situations; and

“Whereas all students in Ontario have the right to be safe and feel safe in their school community; and

“Whereas all parents of anaphylactic students need to know that safety standards exist in all Ontario schools, be it therefore resolved...

“That the government of Ontario support the swift passage of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan.”

I'm in support of this position. I'm pleased to affix my signature and to ask Ryan to carry it down for me.

#### GASOLINE PRICES

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas gasoline prices have continued to increase at alarming rates in recent months; and

“Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to Ontario's drivers while also impacting the Ontario economy in key sectors such as tourism and transportation;

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

“That the Parliament of Ontario consider an immediate gas price freeze for a temporary period until world oil prices moderate, and

“That the provincial government petition the federal ... government to step up to the plate and lower gas prices by removing the GST on gasoline products and fix the federal Competition Act to ensure consumers are protected and that the market operates in a fair and transparent manner.”

I affix my name in full support.

#### VOLUNTEER FIREFIGHTERS

**Mr. Ted Arnott (Waterloo–Wellington):** I have a petition to the Legislative Assembly of Ontario. It reads as follows:

“Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

“Whereas the Ontario Professional Fire Fighters Association has declared their intent to ‘phase out’ these double-hatter firefighters; and

“Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

“Whereas Waterloo–Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, which would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

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

“That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time.”

I have affixed my signature as well.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Ajax.

1530

#### STUDENT SAFETY

**Mr. Jim Flaherty (Whitby–Ajax):** I have a petition to the Legislature of Ontario.

“Whereas the Ministry of Education has failed to ensure that students are protected from individuals whose past behaviours have directly harmed children; and

“Whereas the Ministry of Education has chosen to ignore the children's aid society's recommendation that certain individuals not work with children; and

“Whereas the introduction of a ‘volunteer’ into the school system must not be solely at the discretion of the principal; and

“Whereas the Liberal government promised to ensure that school boards provide strong local accountability and decision-making;

“We, the undersigned, petition the Legislative Assembly to amend the Education Act to place restrictions on the eligibility of persons who act as volunteers in schools, and to include as a formal requirement that volunteers be subject to the approval of the school board and parent council.”

I have signed my name.

**The Deputy Speaker (Mr. Bruce Crozier):** That was Whitby–Ajax; I'm sorry, to the member.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

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

“Whereas Dalton McGuinty and the Liberal government were elected based on their promise to rebuild public services in Ontario; and

“Whereas the Minister of Community and Social Services has announced plans to close Ontario's Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and economies of the local communities; and

“Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to

many more clients who live in the community, in partnership with families and community agencies;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities open, and to transform them into ‘centres of excellence’ to provide specialized services and support to Ontarians with developmental needs, no matter where they live.”

I’m pleased to sign my name to that.

#### CONTROL OF SMOKING

**Mr. Frank Klees (Oak Ridges):** Mr. Atif Zia of Etobicoke forwarded this petition. I’m pleased to present it to the Legislature. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas 25% of the adult population, or 2.25 million adults, in Ontario continue to smoke; and

“Whereas tobacconists are private enterprise catering only to those who smoke; and

“Whereas more than 50 tobacco businesses in Ontario have invested tens of thousands of dollars each to construct a designated smoking room to comply with municipal bylaws; and

“Whereas those smoking rooms are intended only for the sole use by smokers; and

“Whereas testing and sampling of tobacco products is vital to the functioning of those businesses,

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

“To adopt an exemption for tobacconists to Bill 164 identical to that of the province of Manitoba.”

I’m pleased to affix my signature.

#### CHIROPRACTIC SERVICES

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas over 1.2 million people use chiropractic services every year in the province of Ontario; and

“Whereas those who use chiropractic services consider this an important part of their health care and rely on these services, along with the OHIP funding in order to function; and

“Whereas the elimination or reduction of chiropractic services would be viewed as breaking the promise not to reduce universal access to health care; and

“Whereas by eliminating or reducing OHIP coverage of chiropractic services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

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

“That the Parliament of Ontario does not delist chiropractic services from the Ontario health insurance plan,

and that assurance is given that funding for chiropractic services not be reduced or eliminated.”

I affix my name in full support.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** This is a very important issue in my riding.

“To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

“Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

“Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into ‘centres of excellence’ to provide specialized services and support to Ontarians with developmental needs, no matter where they live.”

I’m pleased to sign my name to this petition.

#### STUDENT SAFETY

**Mr. Frank Klees (Oak Ridges):** “To the Legislature of Ontario:

“Whereas the Ministry of Education has failed to ensure that students are protected from individuals whose past behaviours have directly harmed children; and

“Whereas the Ministry of Education has chosen to ignore the children’s aid society’s recommendation that certain individuals not work with children; and

“Whereas the introduction of a ‘volunteer’ into the school system must not be solely at the discretion of the principal; and

“Whereas the Liberal government promised to ensure that school boards provide strong local accountability and decision-making;

“We, the undersigned, petition the Legislative Assembly to amend the Education Act to place restrictions on the eligibility of persons who act as volunteers in schools, and to include as a formal requirement that volunteers be subject to the approval of the school board and parent council.”

I’m pleased to affix my signature to this petition.

## ORDERS OF THE DAY

### MANDATORY GUNSHOT WOUNDS REPORTING ACT, 2005

### LOI DE 2005 SUR LA DÉCLARATION OBLIGATOIRE DES BLESSURES PAR BALLE

Mr. Kwinter moved second reading of the following bill:

Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds / Projet de loi 110, Loi exigeant la divulgation à la police de renseignements en ce qui concerne les personnes traitées pour blessure par balle.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Kwinter.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I will be sharing my time this afternoon with my colleague Shafiq Qaadri, who is the member from Etobicoke North.

Today, I'd like to speak in support of the McGuinty government's legislation to require public hospitals and designated health care facilities to report to the police when they've treated a person for a gunshot wound.

Let's begin by looking at the situation as it exists today. Obviously, guns are lethal weapons and a danger to public safety, and yet there is currently no legislated duty in Ontario for health care professionals to report gunshot wounds to the police. Right now, we are faced with the ludicrous situation that a mechanic who finds a bullet hole in a vehicle must report that to the police but a doctor treating a person for a gunshot wound isn't required to do the same thing. In Ontario, health care practitioners are mandated to report incidents of child abuse, contagious disease, violent deaths and medical conditions related to unsafe driving but are not mandated to report gunshot wounds in people. If this legislation is passed, Ontario will become a trailblazer in Canada. At the moment, no Canadian jurisdiction requires health care providers to report gunshot wounds to the police. We are sadly behind the times.

Forty-five US states have legislation mandating the reporting of gunshot and other wounds. Why? Because police cannot adequately ensure community safety unless they are informed of incidents that may pose a danger to people. Police need to know what is going on in the community. Being aware of wounds that result from guns will allow the police to take immediate steps to prevent further violence, injury or death.

Let me quote from an article in the *Annals of Emergency Medicine* called "Emergency Medicine and Police Collaboration Prevent Community Violence." The article said, "If emergency departments and law enforcement work together to enhance the reporting of crimes, this could deter potential offenders, provide police with information about violence that is not

available from another source, and help repair the wider damage done to victims from communities."

The policing community has expressed concern surrounding its ability to adequately ensure public safety when health care practitioners are not obligated to contact the police when an individual seeks treatment for a gunshot wound. Clearly, the policing community has a stake in this issue and this proposed legislation, and they support it. The Ontario Association of Police Services Boards, the Ontario Association of Chiefs of Police, the Police Association of Ontario and the Ontario Provincial Police Association all support it. The emergency medicine section of the Ontario Medical Association also supports it for the purpose of protecting public health and safety.

Let's look at what this bill, if it's passed, will do to help rectify the situation: It would require the health care facility to report (a) the fact that an individual is being treated for a gunshot wound, (b) the name of the person being treated, if it is known, and (c) the name and location of the facility to the police as soon as it is reasonably practicable.

Now let's look at what the proposed legislation won't do. It won't interfere with the treatment of the patient or disrupt the normal operation of the facility. The report to police would be made orally. This is a quick and efficient way for hospitals and health care practitioners to report to the police. The natural flow of the hospital and overall patient care is less likely to be disrupted by reporting orally, as opposed to time spent completing a written report. There is no obligation on the part of the hospital or designated health care facility to detain the individual.

This legislation will clarify the confusion among health care practitioners in Ontario as to what the reporting requirements are for people who present themselves to a hospital with gunshot wounds. This legislation would minimize the legal dilemma facing health care practitioners and protect health care facilities so that they can give authorized information to the police without worrying about their exposure to liability. It does not prevent a hospital from disclosing information to the police if the hospital is required or permitted to do so under any other legislation.

You may be asking why we have not included the mandatory reporting of knife wounds in this legislation. Unfortunately, legislation such as this would greatly increase the workload of health care practitioners in the sense that all cutting, slashing and stabbing wounds would have to be reported, even those resulting from meal preparation. This would be very time-consuming. Because all gunshot wounds must be reported, medical practitioners are not required to make decisions on the nature of an injury or to take on investigative responsibilities that are more appropriately suited to police officers. That's why my ministry has decided not to include it in our proposed legislation.

This bill, if passed, is just one more example of the McGuinty government's commitment to delivering real, positive change that will make Ontario communities

strong and safe. Protecting the public and ensuring safe communities is a primary focus of the McGuinty government. If passed, this legislation will make Ontario the first province in Canada to have mandatory reporting of gunshot wounds. It will make this province and its communities safer, stronger and more liveable.

**Mr. Shafiq Qaadri (Etobicoke North):** It's my privilege also to rise in support of Bill 110 on the mandatory reporting of gunshot wounds. I would like to support and also salute Minister Kwinter for his efforts in bringing forward this important legislation. I'd like to echo his sentiments and urge all members of the Legislature to support the McGuinty government's proposed legislation that will make it mandatory for hospitals and prescribed health care facilities to report gunshot wounds to the police.

In 2002-03, there were almost 200 cases admitted to Ontario acute-care public hospitals with injuries resulting from firearms. About 100 of those cases were the result of assault, 70 were accidental and 30 were self-inflicted.

It has been the belief of some that the majority of individuals who are shot in the process of committing a criminal act do not and will not go to the hospital to receive treatment out of fear of being identified, questioned or reported to the police. Yet statistics show clearly that this is not the case. For example, an American report called *Do Criminals Go to the Hospital When They Are Shot?* looked at the issue. After interviewing about 2,300 male inmates from five different jails across the United States, it found the conclusions that 14.5% of them reported having been shot, and that of that 14.5%, 91% said that they actually went to the hospital seeking care for those injuries. This would seem to indicate that criminals will still seek hospital medical treatment for injuries sustained from the discharge of a firearm, regardless of their fear of being reported to the police.

Indeed, 45 American states have some form of law for the mandatory reporting of gunshot wounds and in fact other wounds. Yet we have no such provision in any jurisdiction in Canada. As we see it, as the minister sees it and as the McGuinty government sees it, there is a need to balance these two competing interests. The law enforcement communities need to balance the goals of effective law enforcement and public safety, and the health care professionals need to protect personal information and the integrity of the patient-physician relationship.

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Patient confidentiality is not—I repeat, not—an absolute right in Canada. Exceptions have been defined and broadly accepted by the public as well as the medical profession. For instance, if a person, including a health care practitioner, has reasonable grounds to suspect that a child is or may be in need of protection against abuse, he or she must, by law, promptly report the suspicion and information to the children's aid society. Incidences, for example, of reportable contagious diseases, such as HIV and syphilis, must also be reported to the medical officer

of health. Medical practitioners must report to the registrar of motor vehicles the name, address and clinical condition of a patient who, in the opinion of the practitioner, has a condition that makes it dangerous for that person to drive; for example, epilepsy. Suspicious and violent deaths must also be reported to a coroner or police officer. All of these requirements protect the public, as will this legislation, if it is passed.

As Minister Kwinter has said, it's important to note that the proposed legislation would, if passed, require hospitals to orally report to police the name of a patient who has been treated for a gunshot wound, if it's known, and to give the name and location of the facility. This report would be made as soon as it is practicable and would not disrupt normal hospital operations.

The policing community supports this legislation overwhelmingly because, if passed, it will improve the quality of life in our cities, towns and rural areas by giving the police the tools they need to keep our communities safe. It will support the police in their efforts to increase community safety and allow them to take immediate steps to prevent further violence, injury or death.

The Ontario Medical Association, of which I am a member, also supports it because it resolves a source of conflict between health care workers and law enforcement officials.

This is worthy legislation because it will make Ontario's communities and citizens safe, and it clarifies the reporting obligation and protects health care providers from liability. This legislation furthers the McGuinty government's goal of delivering real, positive change that will make Ontario strong, healthy and prosperous. Through it, we are protecting the public and ensuring safe communities. We are improving community safety by mandating the reporting of those who have been involved in violent incidents involving firearms. What's more, this legislation, if passed, is likely to minimize the legal and ethical dilemma facing medical staff.

For all these reasons, I'm urging all members of the Legislature of Ontario to support the speedy passage of Bill 110, the mandatory reporting of gunshot wounds.

**The Deputy Speaker:** Questions and comments?

**Mr. Garfield Dunlop (Simcoe North):** I'm quite surprised. What was it, 11 or 12 minutes on a leadoff for a community safety bill? I thought the government would have a lot of reasons to promote this bill. But I will have my opportunity very shortly to do our leadoff, and I look forward to that time.

I should say at the outset that although there are a number of amendments we would have liked to see made to this bill, we will support it even at this particular stage. It's an area that 45 states in the United States have moved toward, and we think it's time that the provinces—Ontario and hopefully other provinces—have the same type of legislation in the future.

I look forward to the opportunity, in a few moments, to discuss this bill, to read some things into the record that I want read in and to talk a lot about community

safety in general. That's what my comments will be about today: not only on mandatory reporting of gunshot wounds, but on things like the lack of the 1,000 police officers that this government promised, the conditions around a facility in the province that's being closed and that may have an impact on the community safety of citizens, as well as some areas around safe drinking water that I'd like to discuss. I look forward to that and will be taking part in the debate in just a few moments' time.

**Mr. Peter Kormos (Niagara Centre):** I too look forward to seeing this debate develop. I know the Tory critic, Mr. Dunlop from Penetanguishene way—Simcoe North—is going to speak for the full hour allowed him on Bill 110, because I was with him and his colleague Mr. Runciman, the member from Leeds—Grenville, when they as much as arm-wrestled the minister, trying to out-“law and order” him in that committee.

*Interjection.*

**Mr. Kormos:** They did. It was a fascinating exercise.

What I learned, though, during the course—and it's not inappropriate. Look, we all know what happened yesterday in downtown Toronto, on Yonge Street, for Pete's sake.

*Interjection.*

**Mr. Kormos:** You know, some guys—and I'll bet you dollars to doughnuts it wasn't a registered firearm.

**Interjection:** Dollars to doughnuts?

**Mr. Kormos:** That much I'm pretty confident in telling you. I doubt very much if this guy who shot his victim in the buttocks, as the newspapers politely put it, and then two innocent bystanders, apparently—you can bet your boots that that was not a registered firearm. I'll be looking forward to seeing the investigation on that one.

Look, at first I thought this bill was an automatic, but then we had some very, all be they brief, committee hearings, and what I learned—and that's why I'm interested in Mr. Dunlop's declaration that the Conservatives are going to support it. We learned that it really doesn't change anything at all, because it doesn't make reporting of gunshot wounds mandatory, nor does it free up nurses, doctors or other health professionals from their ability to report a gunshot wound—remember that, Mr. Dunlop? So it will be interesting to see how the Conservatives justify their support for such a weak, meaningless, non-law-and-order piece of legislation at the end of the day.

**Mr. Kuldip Kular (Bramalea—Gore—Malton—Springdale):** I'm happy and pleased to speak on Bill 110, the mandatory reporting of gunshot wounds act, 2005. This proposed bill, if passed, would require hospitals to only report to the police the name of a patient who has been treated for a gunshot wound, if it is known, and to give the name and location of that facility.

I used to work at the emergency department of William Osler Health Centre, Peel Memorial branch in Brampton. There I was supposed to report contagious diseases, child abuse, violent deaths and medical conditions related to unsafe driving to protect the public.

I support this bill because it becomes important that we start reporting gunshot wounds to make Ontarians safe. I commend the minister for bringing this bill forward. Mandatory reporting of gunshot wounds will make our communities safe and strong.

**Mr. Jerry J. Ouellette (Oshawa):** I have a couple of comments regarding this. First of all, the brevity of the opening statements is a bit concerning. I wanted some more details about it. As we progress with this bill, exposure through members in the House highlighting some of the concerns about it will certainly help out.

Some of the key areas: First of all, I think we should move forward with the regulations for Bill 105, and assisting the policing community and the medical community would be very necessary as well. We're still waiting for regulations with regard to that particular piece of legislation.

I also have some concerns with the way the minister opened his comments regarding firearms and the use of firearms. He more or less implied that firearms are a completely bad thing and the cause of this whole thing and that if we address the firearms issue, much as the feds have concern, that registry will solve all firearms concerns. I think if you check Hansard, you'll see the way it came out. It was very concerning, particularly for a lot of members with rural ridings. If they want to take issue with that, they certainly may.

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What about the need for maintaining reports? Once this takes place within a medical facility, what happens then? Are there going to be follow-up reports as well? Normally what happens is, they phone it in on a verbal report and then there will be an investigation team assigned to do a full review with the policing community. They may not do it today; they may do it next week, when those officers are available. And what happens with the ambulance drivers who possibly delivered that victim?

Let's make it very clear: We're very supportive of making sure that those individuals who misuse firearms are punished to the full extent of the law, the way it should be. But those individuals who comply with the laws and follow the guidelines and everything else should not be. Also, on the medical community—the onerous reports or the maintaining of the reports or the cost of that and how it's going to assist the whole situation may not be in the best interests. I look forward to further debate on this issue, as we gain more information on what the minister's full intent is on the bill.

**The Deputy Speaker:** Reply?

**Mr. Qaadri:** I'd like to thank my colleagues in the House, particularly the MPP from Simcoe North, for the Tory voice, for his support in recognizing that the McGuinty government is also getting tough on crime. I'd like to thank the MPP from Niagara Centre, from the third party, from the NDP side, with his references to boots, dollars, doughnuts and buttocks, which is approximately the substance of what he said. I'd like to thank my physician colleague from Bramalea—Gore—Malton—

Springdale for highlighting some of the medical aspects from a practitioner's point of view and how this bill eases the reporting. I'd also like to thank respectfully the MPP from Oshawa for raising some of the concerns of the rural side.

In general, this is a bill that will help to strengthen communities by helping to let the authorities know first-hand on-site about gunshot wounds and how they occur, as the whole treatment is in fact unfolding. It has intelligent elements that health care practitioners—including, of course, the main body, the now-anointed Ontario Medical Association—are supporting, because health care practitioners are given a very streamlined reporting process. It has itemized what the responsibilities and duties are, and how—I would even like to address the MPP from Oshawa—no doubt, in any form of reporting setting, especially when it has to do with medical records, the obligation is to retain these records for approximately 10 years.

In general, this is a bill that's going to strengthen communities, be tough on crime and help to make gunshot wounds—let's say, the fallout or the after-effects—that much less dangerous.

**The Deputy Speaker:** Further debate?

**Mr. Dunlop:** I'm pleased today to be able to do our leadoff from the Progressive Conservative Party and our leader John Tory on Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds. I do thank the minister for finally bringing this bill forward. It was introduced almost a year ago in the House, in June—10 months ago. I thought we would have this bill passed by Christmas last year and proclaimed. But here we are after committee hearings, finally getting the opportunity to at least bring the bill forward into the House after first reading. It's important that we talk about what happened at committee.

There are a lot of different angles that people come from on this particular piece of legislation. I wanted to follow up on what the previous Minister of Community Safety had said. He introduced a notice of motion in this House on December 11, 2003, shortly after the Liberals were elected. I want to read Mr. Runciman's motion. It says:

“That, in the opinion of this House, the government of Ontario should introduce legislation to require hospitals and physicians to report gunshot wounds and knife injuries to the local police service.”

That was filed on December 11, 2003. This is a point that—although I've said it in the House, and said it even today, and the doctor mentioned earlier that he thanked us for supporting this community safety bill—it's really only half the bill that I want to support. I actually wanted to include knife injuries as part of that legislation. The reason for that is—and we can talk a lot in our time today about gunshot wounds etc.—about 85% of injuries that come forward as a result of violence are knife injuries, not gunshot wounds. What we're saying in this House is that someone could be cleaning a firearm and the gun could accidentally go off and injure the person. Under the

proposal by this government, they would have to have that wound reported. However, if someone had a knife wound, or five or six stab wounds, they wouldn't have to report that. That's the way it is right now. We just couldn't understand why we wouldn't carry forward with that, and a number of people I've talked to have as well.

I wanted to read the amendments, because in this era of democratic renewal, I thought we were going to listen to the opinions of everybody, all the members of the House and, in particular, members of the committee, when we come to amendments. The government made a few amendments. It's amazing that all the government amendments passed. Section 1, the first government motion:

“Definition

“(1) In this act,

“‘facility’ means:

“(a) a hospital, as defined in the Public Hospitals Act,

“(b) an organization or institution that provides health care services and belongs to a prescribed class,

“(c) if a regulation is made under clause 5(a.1), a clinic that provides health care services, or

“(d) if a regulation is made under clause 5(a.2), a medical doctor's office.”

That's a government motion, and that was passed immediately. Not all of us supported all the amendments by the government, but I supported that one as well.

Then there was a PC motion, under the amendments. It was moved by myself on subsection 2(1) of the bill:

“I move that subsection 2(1) of the bill be struck out and the following substituted:

“‘Mandatory disclosure of gunshot wounds and knife injuries

“(1) Every facility that treats a person for a gunshot wound or a knife injury shall disclose to the local municipal or regional police force or the local Ontario Provincial Police detachment the fact that a person is being treated for a gunshot wound or knife injury, the person's name, if known, and the name and location of the facility.

“‘Exception for knife injuries that are obviously self-inflicted

“(1.1) Subsection (1) does not apply if the person treating the person for a knife injury is of the opinion that the knife injury was obviously self-inflicted.”

That's the motion that I made in committee. I thought that we would get a positive response from the government on that. They voted that down. They went on to add a couple of other government motions. There was government motion 2 and government motion 3. I think they had a total of five government motions.

I want to read into the record the other amendments I made in the committee, because I felt it was important that they be put on the record here in Hansard in second reading debate as well.

“I move that section 7 of the bill be struck out and the following substituted:

“‘Short title

“‘7. The short title of this act is the Mandatory Gunshot Wounds and Knife Injuries Reporting Act, 2005.’”



Under the preamble:

“I move that the preamble of the bill be struck out and the following substituted:

“The people of Ontario recognize that weapons such as guns and knives pose serious risks to public safety and that mandatory reporting of gunshot wounds and knife injuries will enable police to take immediate steps to prevent further violence, injury or death.”

These were ruled out of order because the first motion was turned down. However, these are motions that were presented to the committee and were not allowed to be brought forward.

I wanted to amend the long title of the bill too. It was also turned down.

“I move that the long title of the bill be struck out and the following substituted:

“An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds and knife injuries.”

That would be the long title of the bill. Again, knife injuries were not allowed to be included. Those are the amendments we made.

#### 1600

There were a number of deputations. Some of the people who presented to the justice committee actually brought up some of their concerns, and we talked to a few of the presenters who actually supported the idea of knife injuries as well being included in the legislation. But I want to point out and I want to thank the local newspaper in my riding of Simcoe North, the *Midland Mirror*—I want to read the editorial into the record. The title is “What We Think: Report Knife Wounds.”

“While he is not cut to the quick over the McGuinty government’s refusal to add steel to the reporting of knife wounds, Simcoe North MPP Garfield Dunlop remains disappointed.

“He should be. His request for an amendment to Bill 110, which requires hospitals to report gunshot wounds, to include the reporting of knife wounds would strike many as being simple common sense. After all, some knife-inflicted wounds can be as serious as gunshot wounds, and are, in fact, much more prevalent. Knives, says Dunlop, are often favoured by criminals, because they are easier to obtain than guns. Reporting knife wounds as well as gun wounds ‘would make the bill more all-encompassing and avoid giving criminals a loophole in this legislation.’

“Currently, reporting of any gunshot wound, whether it be an accident, hunting mishap or an intended assault, is mandatory. Why not the knife wounds?” Of course, it’s really not mandatory, because we’re going through the legislation here. “One would presume that medical staff attending a victim of a suspicious knife wound would report such to police. But, again, why not make it mandatory? According to Dunlop, 80% of criminal wounds are from knives. The reporting of them makes such sense it’s surprising there is any debate at all. Dunlop says he will take another stab at it later. We’d encourage him to do so.”

One of the main reasons I’m standing here today debating this legislation is that I do think we made a mistake when the committee did not listen to the suggestions we made and report these knife wounds, because I think it’s just a matter of, if the gunshot wound bill is in fact successful here in the province of Ontario, I think the general public will want to proceed to the next step, which would make reporting of knife wounds mandatory as well. So I’d like to think that we had made a fairly positive step in at least asking for those amendments. I’m disappointed, as I said earlier; I thought there would have been more debate around those and that we would have had an opportunity to look at seeing those passed into law as well, especially when the government is promoting the fact that they want change and democratic renewal and not to have such partisanship in most of the committee hearings.

So far, we haven’t really seen a lot of amendments by either of the political opposition parties, the Progressive Conservative Party or the New Democratic Party, brought forward in any bill. However, it is important to note that at least we are now finally debating two bills in the House. We’re talking about a government that brags about its commitment to community safety and law and order, and here we are, over 18 months after their election, and we have not seen any legislation passed. We’ve seen three community safety bills actually introduced in this House; we’re debating two now, and we’ll debate another one tonight and possibly, I hope, we’ll get the marijuana grow-op bill into committee. We have some very positive amendments to that legislation as well, and I’m hoping that the government will listen to the amendments and make it a more complete and all-encompassing bill, as we would expect a government to.

There are a number of things we can actually talk about here today that I’d like to add to the list. I wanted to say that we can bring out these bills on grow-ops, we can bring out these bills on mandatory reporting of gunshot wounds and possibly knife wounds, but what’s important is the resources that the police officers have to work with. If we can fight gun control, if we can control the criminals who have the guns, who may or may not be reporting these anyhow, or may not even be taking them to a hospital—I think to do that the police would require more resources. It might be handy to have a doctor bring forward a report that said he treated someone who had a gunshot wound.

However, I go back to my original commitment to the community’s safety from our political party, and that’s that this government, the Dalton McGuinty government, promised 1,000 new police officers in the province of Ontario. That was part of the election platform. The Premier made an announcement on October 24, 2004, that they would commit to 1,000 new police officers in Ontario.

Well, we’ve lost the first year. The first year is gone completely. We’ve lost two full years now—18 months. The first commitment ended on March 31, 2004. We didn’t see any new police officers hired in that time.

That's the time they cancelled the helicopters etc. Second of all, we've now gone a full year after that, which ended a week and a half ago, 2004-05, and again no announcements. What we're seeing now, from our side of the House, is that we're getting a lot of letters in from some of our police services and police services boards who are wanting to make a commitment to hiring more police officers, and they're asking questions.

The member from Oak Ridges, Mr. Klees, in the last few days, as we see some correspondence from the Regional Municipality of York Police Services Board—and I thank the member from Oak Ridges for bringing this forward to me—asked me to read into the record the letter he received from the police services board, because he's looking for some answers. The member from Oak Ridges has a strong commitment to community safety. He would like to see this letter answered.

This letter is addressed to the Honourable Monte Kwinter, written on March 30, 2005. It reads, "On behalf of the Regional Municipality of York Police Services Board, I wish to outline our requirements with respect to the '1,000 new officers' that you are considering to provide to police services on a cost-shared basis."

I want to stop right there for a second. This municipality is willing to go along on a cost-shared basis. I didn't see any cost sharing in the Liberal platform in the 2003 election. It didn't mention anything about cost sharing. It mentioned, "We will put 1,000 new police officers on the street." That's why, when the Premier brings out a total of \$30 million for 1,000 new police officers, the math doesn't work. Obviously, the minister and the Premier are considering a cost-shared basis. The Liberal platform did not include cost sharing, the way I read it anyhow.

It goes on to say, "It is the position of our board that the previous 50-50 cost sharing partnership between the province and the municipality to enhance community safety and increase police visibility remains an acceptable and responsible funding arrangement that should continue."

If I can stop there again, what he's saying there is that the 1,000 new police officers that the previous government put on the street were on a 50-50 cost-sharing basis. They would be prepared to follow along in line with that. So they were not prepared to look at the province putting in 100% of the money. They were, in fact, now looking at a 50-50 cost sharing basis as well.

"Furthermore, our board wants to separate the costs associated with the provision of court security from those related to front-line policing. In York region, we have civilians and/or special constables in positions for which they are best suited and allowed under the Police Services Act.

"In determining our staffing needs during our recent 2005 budget process, the board anticipated a \$30,000 provincial grant per officer for 18 new front-line officers to provide increased patrols on the streets of York region. The board, Chief La Barge and our citizens are counting on the delivery of that provincial grant."

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What they're saying is that they want the money. They want to know when some money is coming forward. That's what they're saying in this letter.

"The need for more police officers for front-line policing was adequately demonstrated to our board. York region has had the fastest growth rate in the greater Toronto area in the last five years and continues to grow significantly in population each year. Furthermore, our citizens are calling for more police officers to patrol their communities. York Regional Police must increase the number of uniformed officers to ensure that the quality of policing remains high and consistent with public expectations of service delivery.

"The provincial government announced that it would hire 1,000 new officers, raising the expectations of citizens, boards and police services. As our 2005 budget contemplated provincial funding support consistent with the government's announcement, our board requests that you review our staffing needs and advise us of your funding decision as soon as possible."

This letter is at the very end of the year. York region is trying to set their budget for this year, as this letter has said. I didn't say that the letter came under the signature of David Barrow, chair of the police services board for York region. I want to add that and thank Mr. Barrow for his letter, and thank Mr. Klees, the member from Oak Ridges, for bringing forward that letter to me, because we think it should be read into the record. That is a very important piece of information, as far as we're concerned. Now there are a number of letters, and we will continue to read those letters into the record over the next few days, because it's important.

The citizens of Ontario need to know that both political parties made a commitment to 1,000 new police officers, and it simply doesn't cut it to bring out laws on mandatory reporting of gunshot wounds and the marijuana grow-op legislation without allowing the police services boards in our province and the police services themselves the money they need to carry out their jobs. I think we've seen a dramatic increase in the number of citizens in the GTA. They need to know about the 1,000 police officers this government promised, both in the previous election campaign and on October 24, when the Premier went out and met with the Ontario Association of Chiefs of Police just outside of Markham and made that commitment again. I said earlier that we haven't seen one of those officers hired today. Yet it doesn't matter what day you read the paper or hear any of the media clips, you'll understand that gang violence has increased and gunshot wounds are occurring more often. I guess if we had mandatory reporting of knife wounds, we'd need even more than 1,000 police officers.

What's important from our perspective is that this government not break that promise. As critic for community safety, I'm almost sick and tired of saying, "What about the 1,000 new police officers?" I keep bringing it up for my caucus members, and they keep asking me, "Garfield, when's Mr. Kwinter going to bring

out the 1,000 new police officers? We thought he made a promise on that,” and then I’ve got to go back to caucus and apologize to them, on behalf of the minister, that there have been no new police officers hired. Then I go to all these police receptions with the OPPA, the PAO and the OACP, and they keep asking me, “When are the new police officers coming?” Again, on behalf of the minister, I have to apologize that we don’t have any of the 1,000 new police officers hired. I keep doing that; I’m a good guy that way.

I like Minister Kwinter. I think he’s a nice and certainly, very honourable person. But it must be very difficult for him to keep going to cabinet week after week and asking, on my behalf and on behalf of all these other folks like the OPPA, the PAO and the OACP, “Where are the 1,000 police officers?” They’re just not there; we just don’t have them.

How do we send a message? We have a budget coming down, and surely in that budget there will be an announcement of 1,000 police officers; we know that’s going to be in there. He’s got to put something in about community safety. There was nothing about community safety in the last budget. In this budget we expect something because we’ve brought it up again and again. But what’s important is that we have to know that they’ll be hired. We have to know that the money will flow, and that it will be put in the budget this year to hire 1,000 new police officers. Let’s get a time frame, because only a week ago the minister said that in this term he would hire 1,000 new police officers; he’d flow that money. But time is starting to run out. We’re down to 29 months and we haven’t had one of those 1,000 new police officers. So I need something to talk about in this House when it comes to asking questions, because I’ve asked the question so many times that people give up. They say, “Well, he’s not hiring 1,000 new police officers. It’s not going to happen. It’s another broken promise.”

The job we have here today is to talk continually about law-and-order issues, but the key issue, when it’s all summed up, is that police need the resources to work with. They need to have additional help. Some of these problems are growing. Who would have thought, even two years ago, that the grow-op issue would be such a big issue as it has become? Of course, there are other issues as well that we can deal with that we would expect the minister to come forward with.

However, when it comes to legislation, community safety is about more than just police officers. We’ve talked a little bit here in this House about some of the grants the government gave out for fire departments. I acknowledge that they were good grants for training and equipment, and I thank the government for the help they gave some of the municipalities in my riding. I was trying to count the other day just how many fire stations we have in my riding. It’s somewhere over 30 fire stations, and any help is always helpful to the fire services.

But I wanted to talk for a second about a couple of issues that I consider to be very important in my riding that are tied into community safety, not necessarily

mandatory reporting of gunshot wounds but just general community safety.

On the weekend, we had a meeting up in my riding of Simcoe North, in the city of Orillia. The meeting was put on by an organization called the Huronia Helpers. The Huronia Helpers are the parents, family members and friends of the residents who reside at the Huronia Regional Centre in the city of Orillia. As I’ve said a few times in this House—and I’ll continue to say it—the Huronia Regional Centre employs approximately 680 people in the city of Orillia.

**Hon. Steve Peters (Minister of Agriculture and Food):** This is not about public safety.

**Mr. Dunlop:** I’m getting around to community safety, because it’s very important that this be put on the record.

There are 340 residents still staying at the Huronia Regional Centre. Many of the residents are elderly, frail and very, very severely challenged. The Minister of Community and Social Services has made an announcement that this centre will be phased out over the next three and a half years, so that it would be completely closed by March 2009. It has a lot of people extremely concerned about the future of their loved ones and about the future of the jobs that are lost in this community.

As I said, the Huronia Regional Centre employs about 680 people, and the payroll makes a contribution of about \$29 million to the city of Orillia and area. On behalf of family members, the Huronia Helpers and the residents, I’m asking the government to please reconsider this decision and the way it was brought forward.

**The Deputy Speaker:** Member for Simcoe North, standing order 22 does indicate that the Speaker must draw to your attention if you’re not speaking to the issue at hand. I do wish you would bring it back toward the gunshot wound area, please.

**Mr. Dunlop:** Thank you very much, Mr. Speaker. It’s going to be a little difficult to do that, because I thought it was a community safety bill and I was trying to—

**The Deputy Speaker:** I really don’t want to get into too much of a discussion, but the motion before the House refers to the “disclosure of information to police respecting persons being treated for gunshot wounds.”

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**Mr. Dunlop:** OK. I guess, in other words, we don’t want to hear about the loss of 680 jobs.

**The Deputy Speaker:** Member for Simcoe North, it’s not what we want to hear about; it’s what the standing orders say. I’m merely enforcing the standing orders.

**Mr. Dunlop:** Well, I’m disappointed in how you interpret the standing order in that particular.

Mr. Speaker, on a point of order, if I could bring this forward: When we ask a question in this House, seldom is there ever an answer to the question we ask. Does the standing order not refer to that as well?

**The Deputy Speaker:** That’s not a point of order. I’m just saying, standing order 22 requires the Speaker to bring to your attention if you wander off the subject of the debate. Please, member for Simcoe North.

**Mr. Dunlop:** I appreciate what you're trying to say here. Back to the mandatory reporting of gunshot wounds, I've said earlier that I think we've only got half a bill here, as it is. I guess what we're trying to say is that everything this government does is about halfway there. We get half of a marijuana grow-op bill. We get half of a mandatory reporting of gunshot wounds bill, because they didn't include knife wounds and they don't listen to their commitment to hire 1,000 new police officers. The 1,000 new police officers would probably fit into the mandatory reporting bill—I'm hoping they would, at least—because I would think that the doctors would have to report those gunshot wounds to police. Is that not right? I would expect that they would be reported to the police. Or would they report them to Dalton McGuinty or Monte Kwinter? Who knows? Maybe Warren Kinsella's the guy who's going to listen to the mandatory reporting of gunshot wounds now.

*Interjection.*

**Mr. Dunlop:** You can laugh at Mr. Kormos all you want, but he's going to have some extremely good points to bring forward on this bill as well in his opening statement.

I go back to the fact that this government, over and over again, made a commitment on a number of promises during the election of 2003, and many of those promises have been broken. I don't want you to break your promise on the 1,000 new police officers. In the election platform of the Liberal Party, I didn't read anything about how they would bring in legislation on the mandatory reporting of gunshot wounds. I didn't read anything about this government bringing in a bill on marijuana grow operations. But I do remember what was in the community safety portion of the platform: They promised 1,000 new police officers. The government has not come forward with that commitment.

My job as critic for community safety—I hope it's part of my job—is to make sure I support the Ontario Provincial Police Association, the Police Association of Ontario and the Ontario Association of Chiefs of Police, and to try to hold the government accountable to one of their election promises; that is, hiring these police officers. If all of these areas are growing in size, like the requirement for mandatory reporting and grow operations, we need resources available to the police officers. They can't be out patrolling the rivers and waterways, they can't be out patrolling the highways and doing all the different things that police officers are required to do if you keep adding legislation that makes their job more difficult. We need additional help, and my job, as I said earlier, is to try to ask the government to bring that forward.

I expect that to happen in the spring election. Both times, they made announcements to the Ontario Association of Chiefs of Police; one was at the conference last year in Windsor. They were mad at the time. Mr. Kwinter went down and, two days before the conference, we brought in the legislation, right here in this House, this bill today. Nine months later, we're finally getting it back into the House to debate.

He made that announcement at that time and brought in that legislation, just to try to keep his chiefs of police happy. He probably did, to a certain extent. But at the same time, in the backs of the minds of the chiefs of police, they're wondering, "Where are the 1,000 new police officers?" We haven't seen those.

The second time, when Mr. McGuinty finally entered the fray on the 1,000 new police officers, was at their fall conference last October—October 24th, to be exact—when Mr. McGuinty mentioned that he would put in \$30 million and hire those 1,000 new police officers. Of course, he did a special announcement at the conference. That's now over six months ago and again we've got letters from chiefs of police, from police services boards and from the general public asking why we have not made that commitment and where the 1,000 new police officers are.

I keep repeating myself over and over again on this issue. We'll have to keep bringing it up in this House in question period, in statements and in debate period. I'm someone who believes very strongly in a community-safety-based system. I think it's very important that community safety be held as a top priority for any government. I think it's part of my job and part of my leader John Tory's job to make sure the government actually makes a commitment to hiring those 1,000 new police officers. I'd be extremely disappointed if we got to the point where, by October 2007, there were no new police officers hired. It looks like that's the direction we're going in, although I wouldn't be surprised if, in order to combat the marijuana grow-ops, pass this legislation and maybe do a little bit with the private securities act bill, they might make an announcement of a lot of them, maybe about May or June 2007. That way they'd look like they were actually doing something. Again, we have to leave it up to the government to actually commit to that.

I don't see any money being spent in community safety. That's the problem I've got here: There are no dollars being spent. This bill doesn't really cost a lot of money. I don't see where the mandatory reporting of gunshots costs a tremendous amount of money to the government. They make it look warm and cuddly, as if they're actually doing something powerful and, at the same time, we're falling behind in community safety as a result of the neglect of the hiring of the 1,000 new police officers.

I wanted to talk more about community safety. I know you're not going to let me go back to the Huronia Regional Centre, which is a public safety issue in my riding. And I know you don't want me to talk about the site 41 landfill up in Tiny township, which is another community safety issue because it pollutes the drinking water of that particular area. So I won't go into those two topics that I had in my notes here to speak about.

But I do want to mention again how our party, under our leader, John Tory, is committed to community safety. When we become the government, as a member of this party I will be asking Mr. Tory to introduce legislation

that would add knife wounds to this particular piece of legislation. I think it would be valuable to the citizens of our province. And it would make one of the bills complete, because we don't see any really complete legislation in the government's bill so far.

The bill I brought forward, Bill 88, was the private security guards bill. I thought the government would just automatically adopt that bill, because it was perfect, but they adopted sort of a mini version of it. I guess we'll have to support it, but it's not really a bill. We'll have to correct all of those after 2007.

I haven't got a lot more to say today on this. We've made our point very clear. We will support this very vague bill, but I would have liked to see those amendments made that—

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** What amendments are those? Can we list those again?

**Mr. Dunlop:** I hear some heckling from my own caucus here. They were talking about the four amendments we'd made to include knife wounds in Bill 110. But the government, under their strong—what's it called?—democratic renewal program, refused to listen to the member from Simcoe North or the Progressive Conservative caucus.

I look forward to the debate in this House. I don't know how long it will be carried on. However, we have had committee hearings. I don't know, after second reading debate, if we'll go back to any more amendments. Maybe there is a chance that if we bring this up enough times in our caucus, the mandatory reporting of knife wounds—

**Mr. Yakabuski:** Did you talk about the 1,000 police officers?

1630

**Mr. Dunlop:** I'm hoping that the members of our caucus will in fact talk about the 1,000 new police officers. It's so important and I can't emphasize this enough. The riding I represent is home to the Ontario Provincial Police. The OPPA has their head office in Barrie.

I talk to police officers on a regular basis, I continually talk to them. Often in the conversation we bring up the fact that police are asked on a day-to-day basis to do more and more with less resources. They've become fairly high-tech with a lot of the equipment they have. For example, we now know that some of the police services have helicopters and expensive equipment on the helicopters that help fight for community safety, and that may tie into the mandatory reporting of gunshot wounds as well.

I've been passed a note here. Thank you very much.

I wanted to go back for just a moment to my original comments on this bill in the House, back on June 23, 2004. I see the member for Sarnia–Lambton is over there heckling me right now. Again, whenever I talk to the member for Sarnia–Lambton, we always end up talking about Mike Weir. Everybody give Mike a thumbs up for yesterday. He did a great job again at the Masters. We're so proud of Mike Weir in this House—

*Interjections.*

**Mr. Dunlop:** Exactly. So we're very proud that we had this. Yesterday was an important day. The Masters Tournament always brings out the beginning of spring. Mike Weir did a wonderful job; I think he shot a minus 4 and was four or five strokes behind Tiger Woods. It was a great contest. I wish I could have seen some of it, but I just saw a replay in the evening. I wanted to congratulate Mr. Weir on that.

Back to community safety for a moment, because it's important we deal with community safety in this House when we're supposed to be adding 1,000 new police officers. As I said a few minutes ago, I hope my caucus members will concentrate on this in their Q&As as well as in their 10- and 20-minute rotation comments. I think it's important that the citizens of this province who support community safety know where this party stands on that. It's important that we provide those police officers to the different police services of the province.

I want to go back just for a moment and read into the record what I said in the House earlier this year. It's on the reporting of gunshot wounds:

"I'm pleased to rise today to be able to make a few comments on the introduction of the bill by the Minister of Community Safety and Correctional Services. I believe that is the minister's first bill introduced in this House, and at the onset I'll tell you that we will be supporting this piece of legislation." Again, I mentioned that. "It follows quite clearly on the fact that our House leader, Mr. Runciman, introduced a notice of motion on December 11 that says, 'That in the opinion of this House, the government of Ontario should introduce legislation to require hospitals and physicians to report gunshot wounds and knife injuries to their local police service.'" Mr. Runciman filed that on December 11, 2003, as I had mentioned earlier.

"As the critic for community safety and correctional services, I've met with a number of our stakeholders, some of those mentioned by the minister. Since the beginning of the year, the Ontario Medical Association and the Ontario Association of Chiefs of Police and basically all the stakeholders I've talked to have very much supported this legislation. It has been led by the fact that here in the province we've had some gun-related crimes this year, more serious than a lot of years, and it has come to the forefront. I think it's time this bill was passed.

"In my opinion, it's unfortunate that we didn't introduce it a little earlier. It would have been nice to see this bill passed into law as soon as possible. The way we're going now, when we come back for the fall session I don't think we'll see it proclaimed until probably around November 1 at the earliest, which is a full year after this government took office.

"This bill also brings something else to our attention, and that's the fact that following a disastrous budget, following the fact that police officers in this province were promised by the McGuinty government to have 1,000 new people added to their ranks, the government

failed them both in the throne speech and in the recent budget. What's cute about this and what's kind of warm and cozy is that this bill is introduced two days before the Ontario Association of Chiefs of Police annual conference in Windsor, which is next week. The minister has got to talk about something very positive at that conference. He can't talk about the 1,000 new police officers that you promised, because that doesn't exist, so this bill will be the topic of conversation. I applaud him for some good political moves in that area.

"We will be supporting this bill. It's high time that it was put into legislation. I appreciate this opportunity to respond to this today."

I made those comments last June, as I said earlier, and I just wanted to point out that, again, I referred to the 1,000 police officers in it, and I referred to the fact that he had done it at an Ontario Association of Chiefs of Police conference. Again, what's disappointing about it is that we brought it forward—I thought the bill would have been passed by now, and here we are just getting into second-reading debate, the very first day of it. I don't know how long the three House leaders expect to have this bill continue on or have debate continue, but it is important, I think, that we get something passed in regard to community safety fairly soon.

Those are my comments today. I did want to thank you for allowing me to make these few comments. It's not always easy, on a bill that's very vague, to do a one-hour leadoff, but I thought I did a lot of—

**Mr. Yakabuski:** Will we be proposing amendments to this bill?

**Mr. Dunlop:** I'm hearing some noise. I think what I'm hearing here right now are some comments being made in the background, and people are wondering if this bill will go back to committee after second reading. I think if the points are made in this House, that are made very clear, that we should be going to committee after second reading and maybe adopting some of our recommendations—

*Interjections.*

**Mr. Dunlop:** Yes. So I'm hoping that can actually happen, and maybe we will or we won't. Who knows?

I'll be discussing this with my caucus, and we'll see how the debate goes. Maybe the minister would like to make some amendments at this point.

**Mr. Kormos:** What amendments do you want to make?

**Mr. Dunlop:** Again, in the background I'm hearing, what amendments would I make. I wanted to follow the pattern that Mr. Runciman had made, and that's to have the bill include knife injuries. I think it's important. I can say it over and over again.

**Mr. Kormos:** Baseball bat injuries?

**Mr. Dunlop:** Well, no, we're not going to get into all the different types of injuries that might happen besides knife injuries, but I thought, because the two major weapons that we have in violent injuries are gunshot wounds and knife injuries, the bill would be more all-encompassing if we included the two of them.

With that, I am going to sit down, and thank you very much for this opportunity today to do the leadoff for our caucus on this community safety bill. I look forward to further debate.

**The Deputy Speaker:** Questions and comments?

**Mr. Kormos:** I want folks to know that if the member from Simcoe North had wanted to speak for the full hour, he could have, standing on his head, that it would have been no problem whatsoever, because Mr. Dunlop knows this issue inside out. I know that. I heard him at committee.

I am just flabbergasted, though, to see the member from Simcoe North, the correction and Solicitor General critic for his party, supporting such a weak-kneed Liberal bill that does nothing to enhance law and order, that does nothing to enhance public safety, public security. I thought that we could always count on the Conservatives to stand up for law-abiding citizens, and here we go, we've got Conservatives in bed with the Liberals. We know that the Liberals are soft on crime. Any Tory will tell you that any chance he or she has. Stephen Harper will say that about the federal Liberals, and he'll say it more and more frequently now as he is given the opportunity. Boy, those guys are revving up into pre-election mode. It is amazing. My federal counterpart was actually out there this weekend. He was at every event I was at. He was schmoozing, he was shaking hands, he was kissing babies, he was kissing their moms and their grandmothers. Gosh, I figure he's in pre-election mode.

1640

I want to congratulate the member for Simcoe North for his effort. I suspect that maybe his support for this bill is so unenthusiastic that he couldn't bring himself to use the whole hour. Maybe he has been forced by his caucus into adopting this position. Because I've never known the member from Simcoe North to be so eager to crawl in bed with the Liberals. I say to you, in his defence, that somebody made him do it.

**Mr. Dave Levac (Brant):** I'm just kind of curious to correct some of the record. I did listen very carefully, and I will continue to do so.

The member from Simcoe North made reference to having the 1,000 police officers in place as soon as possible, and he's very concerned that it has not been done when we said it would be done inside this mandate. He went on to say further that without the 1,000 cops, it would be impossible for them to do more work. Then he turned around and said, "But we want to add more work for them anyway, because we want to include knife wounds." So it's pretty hard for us to understand why, in one breath, he's saying, "We don't want to overburden the cops, but now we want to give them some more work to do." Yet when the minister explained clearly why—it was the consultation process that invited us to that. Because you would add stabbing and slashing. Not only knives would be included in this, but you'd have to talk about glass and metal and garden tools and anything else that could create a stab wound or a slash wound, which would take away from time on task for the health care

providers. So he wants to have it on this side and he also wants to have it on that side.

The difficulty I have with that is having an understanding that this was a general consensus from all the stakeholders. Let's take a look at them. We got support for this bill from the Ontario Medical Association, which was not obtained the last time in the very version that the member is referring to; we got it from the Ontario Association of Chiefs of Police; the Ontario Association of Police Services Boards—*whoa*; the Ontario Provincial Police; and the Police Association of Ontario—the very members that this member is claiming are scrambling for the 1,000 police officers. They're very supportive of the legislation we're actually speaking about tonight. So we want to talk about the hearings.

He also said that nobody accepted the amendments. The problem was he tied all of the other amendments that he presented to the one feature about knives. So once the knives feature was removed, it eliminated all the other amendments. That's just a logical progression of what the member doesn't want to let anybody else know.

One of the other things he said was that the police services board cancelled the helicopters. What happened there was that the pilot finished.

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to enter the debate and make a few comments on the leadoff speech of the member for Simcoe North.

I have to say it's interesting, so far, that the debate on this particular bill has centred around a number of different issues.

I can recall some of the Liberal members talking earlier this afternoon about how this bill is going to strengthen communities.

I know Mr. Dunlop from Simcoe North talked a lot about the broken promise—well, the quasi-broken promise, I guess—around the 1,000 police officers, in that they were promised and then there was a halfway reneging, because, lo and behold, when the communities wanted to take advantage of that offer, they found out that the offer was really only half an offer. Certainly, that has been a big concern of Mr. Dunlop, from Simcoe North, as well as other members of his caucus and my caucus.

I really would put that if the government was interested in strengthening communities, they'd be looking at a number of other initiatives besides simply this particular reporting bill.

They'd be looking at the fact that we're losing jobs all over southern Ontario. Certainly, my community recently reported massive job losses in the manufacturing sector. I don't see the government doing anything about that. In fact, the very people who will be reporting the gunshot wounds in the hospitals in my community are complaining and are very, very concerned about the long waiting list for cardiac care, particularly.

We don't have any real solid child care announcements coming from this government—again, something that would strengthen our communities. We have some serious problems with child poverty, and poverty overall,

in our community. That's something that, if it was addressed, would strengthen our communities.

So I would put that although this bill is about reporting of gunshot wounds, the government could do a heck of a lot more to really strengthen communities across the province—including the community that I come from—not the least of which is to make good on their promise of 1,000 police officers for the province.

**Ms. Caroline Di Cocco (Sarnia-Lambton):** I'm pleased to respond to the comments made by the member from Simcoe North. I wonder, for the people who are watching this channel, if they listen to the discussions and they see that the bill is about gunshot wounds, and then they hear discussion about so many other topics—including child care, which I understand just came up now. I wonder what the public thinks about any substantive debate when we tend to have this habit of just going off in any direction rather than speaking about this new legislation.

Today in Ontario, we do not have to report gunshot wounds. Does this bill change that? Yes, it does change that. Maybe we don't have the answer to everything. On the other hand, this is a very realistic step to improve safety in this province. Are we going to report gunshot wounds now, when this bill passes? Yes, we will. I think that's the crux of the debate. Is it good policy? Yes, it is. It's good policy because we have a very specific action item that we're going to take on this.

We can sit here and speak about everything else globally, but the issue is a bill that means that now, for the first time in the province of Ontario, we're going to be reporting gunshot wounds when they occur. That makes for a safer Ontario.

**The Deputy Speaker:** Member for Simcoe North, you have two minutes to reply.

**Mr. Dunlop:** I'd like to thank all the speakers—the members from Brant, Hamilton East, Niagara Centre and Sarnia-Lambton—for their comments on my leadoff speech.

I want to begin by saying that I felt that the tone of my leadoff speech was basically not having 1,000 police officers. You promised 1,000 police officers in your platform; you didn't promise mandatory reporting of gunshot wounds. You promised 1,000 police officers; you didn't promise deputizing building inspectors and hydro inspectors. You didn't do that with the marijuana grow-op bill. You promised 1,000 new police officers.

My job as the critic is to hold you accountable. We promised, in the previous government, a helicopter for the Toronto Police Service. You cancelled that. It's gone. That was in the budget. You talked about the budget but you didn't fulfill it.

I'm going to say this: I'd like the government, I'd like Minister Kwinter's office, the Premier or anybody on that side of the House, to bring me a letter from the Ontario Association of Chiefs of Police, the Police Association of Ontario, the Ontario Medical Association or the OPPA and ask them what they'd rather have: 1,000 new police

officers or mandatory reporting of gunshot wounds. Ask them. I'd like to know that.

They bring in these things that they didn't promise, and they have not made a commitment to the commitments that they made in the platform. We don't want a broken promise again on this. My job as critic is to hold the government accountable, and I want the 1,000 new police officers in uniform by the fall of 2007. That's my job as critic for John Tory. If you don't do it now, we're going to have to do it when we get elected in 2007, plain and simple as that. Thank you for this opportunity today.

1650

**The Deputy Speaker:** Further debate?

**Mr. Kormos:** It is a pleasure to participate in this debate on Bill 110, colloquially referred to as the mandatory reporting of gunshot wounds bill. I'm going to tell you, in response to the comments made just a few minutes ago, and I suppose others, the member for Sarnia-Lambton, who says that this changes the law, that until this bill becomes law, there isn't a requirement to report gunshot wounds and once, if and when, I suppose, this bill becomes law, but, wink, nudge, nudge—majority government. The member for Sarnia-Lambton says this bill will change the law. I say to her, no, it will not change the law one iota, and in the course of the next 58 minutes I'm going to tell you why.

Secondly, one of the pages went down to the legislative library just a few minutes ago to pull the Hansard of the Minister of Community Safety and Correctional Services on the occasion, June 23, 2004, of first reading of this bill, of the introduction of this bill. I wanted to see what the minister had to say because I, unlike others, intend to comply with the standing orders this afternoon.

**The Deputy Speaker:** Thank you, Mr. Kormos.

**Mr. Kormos:** I wanted to get the minister's statement because I wanted to know what the boundaries were. Were they very narrow, tiny boundaries, or were they huge, wide boundaries? Did the minister in his comments to the bill on first reading slam the door to a broader discussion around community safety, or did he swing it wide open? Well, I sent one of the pages—I asked one of the pages. I didn't send you; I asked you. These pages are as clever a group of pages as we've ever had. It's remarkable how quickly they've learned parliamentary procedure, how quickly they've learned their way around this building, how quickly they've learned to get down to the library and pull material, I'm sure not only for me but for any other number of members as well. That these are grade 7 and grade 8 students is truly amazing, that they have the skills they've demonstrated in the short time they've been here.

I note that the minister himself, when addressing this bill, speaks to it in the context of making Ontario communities safer. That's a pretty broad topic, isn't it, Speaker? Here it is, Hansard, June 23, 2004. The minister said this bill is about making Ontario communities safer. So we're going to talk about making Ontario communities safer. And by doing that, we're going to stay within the law, the standing orders.

OK. We dealt with that.

I also wanted to use this occasion, now that we're talking about gunshot wounds and the reporting of them, to pay tribute to one of North America's great writers and novelists. It's entirely appropriate, in the context of gunshot wounds, and gunshots in general, to pay tribute to Hunter S. Thompson, who, as you know, died tragically back in February of this year at his home in Woody Creek, Colorado, of a self-inflicted gunshot wound. It doesn't surprise anybody, because Hunter Thompson, a great writer, a great political observer—Fear and Loathing: On the Campaign Trail '72. I think I've read just about everything he's ever written, even stuff he put his name to that he probably hadn't written, or stuff he hadn't remembered writing. But I'm a big fan of Hunter S. Thompson. His obsession with mixing mescaline and cheap wine as well as his affection for guns, the stories of Thompson getting all jacked up on whatever his drug of choice was and running around his estate in Woody Creek, Colorado, shooting off firearms are legion. So I do, I take this occasion that we're discussing gunshot wounds to pay tribute to Hunter S. Thompson. I'm going to miss his work.

As I indicated in one of the little opportunities I had earlier, at first blush, I thought this is a relatively simple issue, reporting gunshot wounds. I wasn't displeased that the government sent it over to committee after first reading. I was a little disappointed in the paucity of participation by members of the public, but I suppose what we lacked in quantity we made up for in quality.

Look, I'm going to tell you right now that the room was divided. There were pros coming before the committee—that is pro-bill—and there were cons—the people who oppose the legislation.

**Mr. Tim Hudak (Erie-Lincoln):** Cons?

**Mr. Kormos:** Don't read stuff into this, Mr. Hudak.

**Mr. Hudak:** I thought it was a double entendre.

**Mr. Kormos:** I admit that there was a range of views expressed, and I readily admit that the first analysis of the bill that provoked my interest in the issue was the op-ed piece written by Clayton Ruby, a great civil libertarian lawyer, a good, outstanding legal mind and a person whose counsel I hold in regard. I think all of us should.

That was followed by concern expressed by a wide range of individuals and groups, including the Registered Nurses Association of Ontario and the Ontario Public Service Employees Union, who oppose the bill. I'll talk about those in a few minutes, along with others.

I was particularly interested—there was a written submission prepared by one Dr. David A. Cameron. I've since learned that Dr. Cameron is also now—I hope I've got this correct—a law student at Osgoode Hall Law School. So it's an interesting blend of professions here. Here's a gentleman, a medical doctor, now studying law, who sent written submissions, and it's for reasons that I'm going to explain in but a few minutes—they're brief, a page and a half—that I want them very much to appear on the record. Since they were written submissions, they don't form part of the Hansard record at the committee hearings, and my interest in reading them into this record



is both with respect to that and with respect to some concerns Dr. Cameron raised with me in writing once the committee hearings ended.

I should note that a young Niagaran is here this day, Kale Hat. I'm pleased he's been able to come up from the Niagara area. He's had a strong, active interest in partisan politics and political affairs. He just graduated from high school and is looking forward to attending university, where I'm sure he's going to do well. So I'm pleased that he is with us here today.

Dr. Cameron was one of the opponents of Bill 105. "How could anybody oppose this bill?" you ask. Why would anybody not want mandatory reporting of gunshot wounds, especially when the minister of public safety—

**Mr. Qadri:** The Minister of Community Safety and Correctional Services.

**Mr. Kormos:** —the Minister of Community Safety and Correctional Services, the Solicitor General—tells us, and I'm going to join others in saying as I had a chance to indicate last week, the regard I have for the minister. I've known him a long time in this Legislature and I have great regard and respect for him. We don't always agree, and he understands that, but I'll stop and listen to him any day.

So it's all about making Ontario communities safer, is it? Really, if it's about making Ontario communities safer, what would the problem be? Folks on Yonge Street yesterday didn't feel really safe, did they? Can you imagine? It was a beautiful, bright, sunny day. As a matter of fact, I don't know when Tim Hudak came into town, but I came in late in the afternoon.

**Mr. Hudak:** This morning.

**Mr. Kormos:** He came in early this morning. I came into town late yesterday afternoon—I wanted to avoid that horrible rush-hour drive—and I noticed Yonge Street was blocked off as I was trying to drive north on it. Then I read the papers this morning.

**1700**

I hope that folks don't think I'm being overly dramatic. How much more dramatic do you have to get? According to press reports, the streets were packed yesterday. It was a bright, sunny day, a beautiful spring day. Yonge Street is open on Sundays now. Sunday shopping: You wanted it; you got it.

HMV is apparently the location. That's the record store just down from Sam the Record Man. I'm a fan of Sam the Record Man because I just like the Sniderman family mystique rather than a corporate store. But I confess that from time to time I've been in HMV too. I remember buying a Ramblin' Jack Elliott CD there just six or seven months ago. As a matter of fact, Ramblin' Jack Elliott was just at Hugh's Room over on Dundas Street West. He doesn't get to Toronto very often. The last time he was in Toronto I saw him down at the Horseshoe Tavern. I bought a Ramblin' Jack Elliott CD down at HMV because Sam's didn't have it.

Yesterday on Yonge Street, in Toronto, gun shots were fired. Again—this is our fear about these things—it wasn't in some stigmatized community. Let's be fair:

The downtown Toronto types—and I don't want to be unfair to downtown Toronto types—always seem to think there are those neighbourhoods where the violence is contained. Well, I don't care where the violence is when people are getting shot at, when bullets are flying. The minister says that this bill is about improving community safety, and that's what we're talking about now. The community wasn't very safe, yet again, yesterday. To think that's the first time that gunshots have been fired in this city—look, it seems that once a week people are being put at risk because of, literally, stray bullets. Clearly, there isn't a safe spot in Toronto. We heard that one victim, who may or may not have known the gunmen, was shot, and then two more people who were, according to the press, the most innocent of innocent bystanders. That's scary stuff. There but for the grace of God nobody got killed, because people have been killed; we know that.

You make communities safer by getting those guns out of the hands of criminals. There are far too many guns out there on the street, illegal guns owned by people who have no intention of using them lawfully or carefully. In fact, as often as not they're young people, so we've got young people shooting people here in the city of Toronto. Do you want to make the community safer? Get rid of those guns, especially those handguns—those illegal handguns, those guns that clearly are being smuggled across the border in huge numbers—and get them out of the hands of criminals, and get them off the street.

With all due respect to the advocates of gun control, the gun registry does not achieve that goal, does it? I used to be a criminal lawyer a long time ago—that is to say, I represented people charged with criminal offences—and acted for a lot of people charged with a whole lot of bad things, using a lot of guns: bank robbers, corner store robbers and just people who used guns to shoot at and steal things from other people. I tell you the truth: Never, ever did I encounter a criminal who used a gun that was registered in his or her name. These people may be bad, and many of them aren't the brightest people in the world, but they're not that dumb. Never, ever did I act for a bank robber who, by the way, pointed out, let's say in mitigation of sentence, that I should tell the judge that at least he registered the gun before he went to the bank to rob it. As I said a few moments ago, I'll bet you dollars to doughnuts that the firearm used in yesterday's crime—just like firearms used week after week throughout the city; bet you dollars to doughnuts, or, as sure as God made little apples; how's that one?—that that firearm is not registered to the person who used it.

Is Bill 110 going to make our community safer? Getting those guns out of the hands of criminals will make it safer. We know that. Giving the police the tools to deal with the street gangs—where, I simplistically conclude, many of these guns travel through—may make our communities safer, but is Bill 110 going to make the communities safer? I fear not.

Look, persuade me. We're having a debate here. I know that Liberals are going to stand up, one after the

other, and speak for their 20 minutes at a time, and persuade us skeptics that Bill 110 ought to be passed rather than brushed aside in favour of more meaningful legislation.

What did we learn in committee? We had good submissions. Bruce Miller, the Police Association of Ontario—and again, a person for whom I've got a great deal of time and a person whose advice I hold in regard—but, with respect, I disagree with him and the Police Association of Ontario and their position endorsing Bill 110. I disagree because we didn't learn, we didn't hear of, we were not told of a single instance of an illegal wounding, never mind death, by a firearm that wasn't reported to the police, that the police didn't learn about.

When the minister stood up and announced this legislation, I thought, "My goodness, is there a problem? Are there victims of illegal gun use who aren't coming to the attention of the police?" Maybe there's a problem; I don't know. But we didn't learn of a single instance where the police failed to learn about a crime with a firearm in the current milieu, without Bill 110.

I encourage Liberals who speak to this bill to set me straight. Tell me; I'm all ears. I'm eager to be told about instances where a gun crime went undetected because you didn't have Bill 110.

I was intrigued by the Runciman-Dunlop position. Bob Runciman, former Solicitor General—and he is a law-and-order guy; make no mistake about it. The proposition: If you're going to report gunshot wounds, why not report knife wounds as well, because criminals, I guess, in the course of attacking other people, use knives.

I remember the time that Donny Beauchamp came back from Dunnville with all his teeth missing. He got hit by a baseball bat. It was back in the late 1960s. Donny came back, the whole upper and lower—broken off at the gum line. He got in a scrap in Dunnville and somebody took a baseball bat to him. We took him over to the Welland county general hospital, and at that point—it was 11 o'clock at night or so. All they did was load you up with Novocaine or whatever—painkillers. Ms. Horwath broke her arm; she knows what the painkillers are all about.

I don't want the mayor of Dunnville to call me up and say, "What are you saying about Dunnville?" This happened in the late 1960s, for Pete's sake. I'm sure Dunnville doesn't have any more barroom brawls.

**1710**

So why not report baseball bat attacks? Because, again, if the premise is that somehow people want to conceal the fact that they've been victims of a crime, presumably because their hands aren't clean in their own right, then we need reporting of knife wounds, of baseball bat wounds.

**Mr. Yakabuski:** What about tire irons?

**Mr. Kormos:** Mr. Yakabuski talks about tire irons. He's had a colourful youth in his own right. He brings up the tire-iron syndrome.

**Interjection:** He would know.

**Mr. Kormos:** I suppose.

The member from Brant raises the floodgates issue. He says you've got to draw the line. I expressed concern, because I spoke with people in the mental health field. I looked at the statistics, the data, and one of the largest single groups of gunshot wound victims is suicides and attempted suicides.

I thought well, OK, the last thing that a suicidal—because look, you call the police, and the police intervene as cops. Cops are not social workers, cops are not therapists; they're cops, as they should be. They conduct investigations that are focused on determining whether or not there has been a violation of the law and then collecting evidence to prove that in a courtroom, based on the standards that prevail at any given point in time. Police do police work. You shouldn't expect them to do anything else.

I spoke to mental health professionals and I asked them if they had a concern, because the bill doesn't say that a doctor/nurse/hospital/medical clinic shall report gunshot wounds that appear to be inflicted as a result of criminal activity; it says all gunshot wounds. I say that the last thing that a suicidal person needs—of course I'm talking about the ones who survive their self-inflicted gunshot—is a police investigation. They need mental health treatment. I don't think there's anybody in the chamber who would disagree with that proposition. The phenomenon of mental illness and even suicide is common enough, regrettably, that there's probably nobody in this chamber who doesn't have some personal experience with it, be it family, friends, neighbours or associates.

The argument could be, "Well, even in the case of an attempted suicide"—because that's what you would be dealing with—"we still want to determine whether it's a matter of guns that are improperly stored or cared for," a careless-storage-of-a-firearm sort of scenario. That could be an issue. "We want to determine whether the gun that this suicidal person used to try to kill themselves was a registered one or an unregistered one." I suppose so. But it seems to me that it's simply not good public health policy, when a person has attempted suicide, to be generating a police investigation, when what we presumably want is adequate medical intervention.

Then, of course, there's the accidental gunshot wound. This is, I suppose, more often than not, people cleaning their weapons and simply overlooking, very carelessly, the fact that it's loaded, there's a round in the chamber, etc. Well, no crime has been committed, and we've got scarce police resources; we know that. We've got real scarce police resources in this province. Cops are hard-pressed to do the work that they're called upon to do now; you know they are. They've got to prioritize, they've got to rank, they've got to do some pretty dramatic triage of their own when it comes to dispatch. If your car gets stolen, call the police, but don't expect police to come. If your house gets B&E'd, call the police, but don't expect the police to come. There's just not enough of them. It's not that they don't want to come; there's just not enough of them. They are pressed to the limit.

Then I was concerned about the somewhat more esoteric argument made to the effect that if hospitals are required to report gunshot wounds—because the minister was oh, so clear. Look at what he said on June 23, 2004, Hansard, page 3176: “If passed, the legislation would not make it mandatory for family physicians to report”—gunshot wounds—“to the police.” The minister said that. “If passed, the legislation would not”—no, it would not—“make it mandatory for family physicians to report”—gunshot wounds—“to the police.”

Look, if we're talking about gunshot wounds suffered by people whose hands aren't clean, who are—well, let's spit it out—let's say, drug dealers or criminals or gangsters, the John Gotti types, that would be their reason to not want to have the gunshot reported, because they're prepared to keep it within the family.

It's not going to be mandatory for family physicians to report it. What kind of pressure does that put on doctors' offices and their staff? If you've got some really mean, bad, actor-dude kind of gangster/drug-dealer person who gets shot, and the hospital has to report but the family physician doesn't, and he or she—but, for the sake of argument, “he”—doesn't want the police to learn about it, he's going to take his big, ugly gangster/criminal wounded body to the family physician's office. That puts an incredible pressure on that doctor and his or her staff in their family physician's office. So the argument was made that either everybody has to report or maybe nobody has to report.

The government was under a little bit of pressure and moved some amendments. The argument was with respect to the walk-in clinic places, because you just don't want to statistically overload those walk-in clinics with the bad criminal type of gunshot-wounded people—so walk-in clinics or doctors' offices. Did the government take the bull by the horns? No. The government amended the bill to say that, if regulation is made, a clinic that provides health care services, and, if regulation is made, a medical doctor's office—so we've still got a scenario. We've got a bill that doesn't require family physicians to report gunshot wounds, nor those walk-in health clinics. Then who is going to do the reporting? The Ontario Medical Association—and don't think for a minute there isn't a schism there around Bill 110, along with so many other things, as we well know—in its official presentation, thought this gunshot reporting was a pretty slick idea, but, oh, it shouldn't be doctors doing it.

Think about what's going to go on here. If you've got a criminal gunshot, where a crime has been committed—it's not a suicide, it's not an accidental “I shot myself in the foot while cleaning the hunting rifle,” a legal hunting rifle—have you ever been down to the provincial court in Mimico? It's a sausage factory. It's one of those warehousey provincial courts, packed to the rafters. You've got the accused, you've got the crown witnesses and you've got defence witnesses sitting beside each other, and the victim is across the hall. You know about that stuff; you've seen it so many times, haven't you, Sergeant-at-Arms? You've got the victim sitting there

and the criminal glaring at the victim, trying to gun him or her down and threaten them and intimidate them into not testifying or forgetting what happened. You've seen that far too often. You've got police climbing all over each other. You've got judges screwing around because they are misassigned courtrooms, because our courts are grossly understaffed. An incredibly high number of staff in our courts and the Attorney General ministry are still contract staff, even they've got 10, 15 years on the job. The place stinks like a locker room, because you walk through there and it gets pretty gamey. There's a hum by around 10:30 in the morning, because there's no heating, ventilating in the place. That's the state of justice here in the province of Ontario.

#### 1720

The Askov and Melo cases: You're boom, boom, boom like this, right? You know, it took two years to prosecute this case. This one: tossed out. This one: drunk driving charges thrown out. Serious charges. Drunk driving charges tossed because of delays in the courts. You know that.

So which health professional wants to spend three days sitting in the Mimico courtroom hallway during a preliminary hearing when they've been subpoenaed by, let's say, the defence lawyer, huh? Fool me once, shame on you; fool me twice, shame on me, huh? It'll only take one of those experiences by a health professional from a hospital to report back to his or her colleagues and say, “No way. I'm not making that phone call. Doctor, you call the police.”

The Ontario Medical Association wants to have mandatory reporting of gunshot wounds. Let the doctor do it. Why should that nurse, already run ragged, him or her, by understaffing in our hospitals, have to sit in the corridors at Mimico courthouse for three days during a preliminary hearing, having a bunch of big, tough, gangster, biker, hood types glaring at him or her because they know they're a witness for the crown or their evidence is going to be contrary to the interest of their buddy, huh? Why should they be sitting? No, let the doctor do it. I don't think that's what the doctors had in mind, did they? They were going to delegate this responsibility.

I like doctors. Look, I know doctors. These are people, women and men, who work 100-hour weeks in their own right, and unless you're a specialist your hourly rate of pay really isn't that substantial.

Having said that, why shouldn't the doctor be there too? Because that begs the question about the level of reporting of gunshot wounds. I thought it was an interesting question. This bill purports to change the law. Well, what we learned in committee is that doctors and nurses are permitted and encouraged by their professional regulatory bodies to report gunshot wounds—or, quite frankly, any other—if they think that it's a matter of public safety. Whoa. What gives here? Fool me once, shame on you; fool me twice, shame on me. What's going on? I thought we were getting straight goods here.

So I go to this committee, because the impression is that, oh, no, there are all these gun crime victims flowing

through our hospital emergency rooms, and the police are never finding out about the crimes. Well, I'll be darned if the College of Physicians and Surgeons and the appropriate regulatory college for nurses don't have as part of their professional standards an obligation on the part of that professional when it's in the public safety to—in effect, it's an exemption from the relationship, the somewhat privileged relationship, between a health care provider and patient. Through all this, we weren't told of a single instance where the police were left unaware of a gun crime by virtue of non-reporting. So I thought that was interesting.

As we're going through the bill—and other speakers have mentioned that it's not a lengthy piece of legislation—what have we got here? We've got six sections. As we're going through the bill—and I have read carefully the section that says very specifically: “Every facility that treats a person for a gunshot wound shall disclose to the local municipal or regional police force or the local Ontario Provincial Police detachment the fact that a person is being treated for a gunshot wound, the person's name, if known, and the name and location of the facility.” “Every facility.” OK?

**Mr. Ouellette:** Facility.

**Mr. Kormos:** Precisely, Mr. Ouellette. It's not the doctor, no way, and I understand why. The doctors say, “No, I'm a doctor, my job is to treat people,” and they do; they perform a very demanding service. But at the facility, it's going to be, “It looks like a gunshot wound. That's where it went in, that's where it went out. Nurse, call the police.” Or maybe the administrative personnel at the intake, “No, you call the police. This looks like a gunfight at the OK Corral between drug dealers,” for instance. But even more dramatically, there it is, section 2, “Every facility that treats ... shall...” but then I look at section 2, sections 3, 4, 5, 6, because when you've got a statutory obligation, there has to be a consequence for not complying with it; otherwise, it's merely advisory. Where is the penalty clause for a facility that doesn't report? There is none. I thought, by gosh, that this was an oversight, a clerical error, a misprint. Somebody left out page 4. So I said to the committee: “What's going on here? You're saying you're making mandatory reporting of gunshot wounds, but there's no consequence for not reporting.” Lo and behold, that was the plan and design from the get-go. I'll be darned. What kind of silly charade is this? You don't have a right if you are given rights that don't have remedies, and you don't have an obligation if an obligation is imposed upon you without a consequence for not fulfilling the obligation.

This is a sham. I thought, why did the minister let himself be lured into making a public announcement about this improving community safety. Monte, Monte, Monte, why did you let them do that to you? It's not nice—he's a senior member of the Legislature—to send the minister out on a limb like that, write a speech for him telling him to say that this bill is going to improve community safety when there's nothing on the bill that makes it mandatory to report one of these gunshot wounds. This bill isn't worth the paper it's written on.

Dr. Cameron made written submissions, and as I told you at the outset of these comments, I wanted to put them on the record, so bear with me. There's a page and a half, but they don't appear in the Hansard of the committee because he submitted them in writing. Dr. Cameron is interesting because he's a doctor; he's now studying law. So he is looking at this from his own discipline as a medical doctor.

But before I get there, I should tell you that I thought maybe there was something in the standards of the College of Physicians and Surgeons that applied to doctors, or in the standards that applied to nurses that somehow forbade them, on the basis of client confidentiality, from reporting a gunshot wound. No, there isn't. As a matter of fact, the standard, as we are told, for nurses as well as for doctors, is that—

*Interjection.*

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**Mr. Kormos:** Yes, as a health professional. If they think public safety is at risk, they've got to call the police. It's only logical. Lawyers can't rely upon privilege to not do something if, let's say, a client says, “Oh, I'm going to go murder X, Y and Z, but since I told this to you as my lawyer, you're bound not to tell anybody.” Lawyers can't hide behind—Mr. Zimmer, can a lawyer hide behind privilege when he has been made aware of a crime that's about to happen?

**Mr. David Zimmer (Willowdale):** I didn't hear your question.

**Mr. Kormos:** I'll repeat it. If a lawyer's client says, “I'm going to go out and murder somebody tomorrow,” and names that person and where he or she is going to murder them, that lawyer isn't bound by privilege when a crime is to be committed, as compared to a crime that has been committed.

*Interjection.*

**Mr. Kormos:** Mr. Zimmer agrees. He said, “I agree,” for the purpose of Hansard. Correct, Mr. Zimmer? Zimmer nods his head in the affirmative.

So you see, even a lawyer—because legal privilege has limits when it comes to public safety and public interest. I've learned that doctors and nurses—professionals—have that obligation and, similarly, the right to do it. They don't suffer any repercussions. Don't forget, it's just like unregistered firearms being in the possession of crooks and bad guys. This law says, “Call the police and name the person and the facility that he or she is in,” but the cops can come there and that person can just say, “I'm not going to tell you nothing.” That type of uncooperative witness is of little comfort to the police. Again, our cops are just too darned busy, dealing with too much stuff, trying to keep our streets safe, to be sent off on wild goose chases where they've got some drug dealer victim who is going to dummy up and not rat out, as I'm told they say, the person who shot him.

David Cameron wrote on March 3, 2005, to the standing committee on justice policy. He writes:

“I am writing as an Ontario physician who has been in family practice since 1988. I have concerns with the

effect Bill 110 will have on the residents of Ontario. My points are outlined below. If you would like a more in-depth explanation of the points below, please contact me—I would be happy to provide supporting information, cites, and arguments.

“(1) This bill will damage community relationships. The undermining of the doctor-patient relationship this bill brings will spill over into other relationships. The bill will have a chilling effect on the trust and confidence that Ontario citizens will have in public authorities, health care providers, institutions, and clinics. The demographic population caught in the crosshairs of the bill is the very population whose vulnerability requires us to make efforts to improve their trust and confidence, not undermine it. The population receiving this chill will not just be those with GSWs—gunshot wounds—“but also their girlfriends, siblings, friends, and so on. We make great efforts to help police officers and public health workers gain the trust of the community, such as public school programs involving police playing basketball or public health nurses teaching safer sex. This proposed law would undo the good those efforts have achieved.

“(2) OMA support is misleading.” Dr. Cameron writes, “Telephoning the police on a patient with a GSW as soon as practicable is not what physicians want. The endorsement of the Ontario Medical Association ... following recommendations of its section on emergency medicine, is not congruent with the bill as it is drafted. Reporting a gunshot wound is very different than calling the police on your patient. Further, the position statement of the OMA section on emergency medicine is an unbalanced report, drawing unfounded conclusions from poor data, failing to take proper consideration of contrary arguments, misleading the reader about its application to GSWs from suicide attempts and accidents, and relying on US law and policy without recognizing the differences between the US and Canada. In addition, and with respect, emergency room physicians are a subset of physicians that have little experience with the doctor-patient relationship in any form other than immediate and temporary.

“(3) Poor medical care will result. Application of the current bill would drive GSW victims away from emergency departments and into private offices and walk-in clinics ill equipped to handle the injury appropriately.”

This is what I commented on earlier. If the really bad guys who are in gunfights know that they're going to be automatically reported by a hospital but they're not going to be automatically reported by a clinic or by a family physician, these really bad guys are going to show up in the doctor's office. At least, in a hospital, you've got security personnel, you've got locked doors, you've got all those sorts of things—a little better structure, institutionally, to contain bad people who show up. The poor doctor's office doesn't. It's similar with health clinics.

“Poor medical care will result. Application of the current bill would drive GSW victims away from emergency departments and into private offices and walk-in clinics ill-equipped to handle the injury appropriately.

“(4) The bill is not in accordance with charter principles,” and he writes on.

“(5) The law may be ultra vires.” Interesting.

“(6) Comparison with the US is inappropriate. Many proponents of this bill will cite the fact that 48 US states have similar reporting laws. However, the US culture of firearms is very different from Canada's. Given the US Constitution's Second Amendment right to bear arms, and the ubiquitous nature of firearms in American society, a wholly different level of justification exists in the US to balance the offence to privacy such mandatory reporting entails.”

“I would like to thank committee members and Mr. Koch for the opportunity to make this written submission.

“Sincerely,

“David Cameron.”

I am indebted to research staff Margaret Drent and Avrum Fenson, research officers, who provided an incredible wealth of material in response to various queries put to them by committee members, including myself.

One of the other areas of concern was spousal violence. I wanted to know what had been written around mandatory reporting and spousal abuse. I was provided, in response to that question, by research officer Avrum Fenson, a collection of reports from various studies done, primarily in the United States.

A publication in the Buffalo Public Interest Law Journal says, amongst other things, “The inability of the system to protect domestic violence victims from retaliation by their abusers is one reason for opposing mandatory reporting.” I know that it sounds wacky to say, if a woman has been shot, that she may not want to report it to the police. But I only have to refer you back to last week, when a woman was murdered in daylight, in front of witnesses, in a schoolyard by her spouse—oh, allegedly. This guy's out on bail.

We can't protect women. We should be able to, but we can't protect women from violent spouses. And I take the comment to heart. This reference is from the Buffalo Public Interest Law Journal: “The inability of the system to protect domestic violence victims from retaliation by their abusers is one reason to oppose mandatory reporting.”

Do you wish—do I wish—every time one of these brutal assaults is inflicted upon a partner, that the police could move in and deal with it appropriately, bust the offender and impose a sentence that is going to keep the public safe? Of course we do, but we know that isn't the reality. We know that there are victims of that type of domestic violence—partner violence; I don't know what the current language is for it that's appropriate. I don't want to offend anybody. We know that there are women who are not ready yet, in terms of what supports they have and where they can protect themselves and how they can or can't protect themselves from threats of further violence, to report an instance to the police. That raised for me the concern around gunshot wounds and

partners who are victims of domestic violence. Bringing in the police may not be the best approach to deal with that situation and, most importantly, to keep the victim safe and feeling safe.

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We were surprised—I certainly was—to learn that in a report published in *Annals of Emergency Medicine*, a study regarding the reporting requirement for domestic violence-related injuries in the United States found that 71% of physicians surveyed would not comply with the law if a patient objected to reporting the injury. We were shocked to learn of the gap between actual gunshot wounds in some of these American jurisdictions and the number reported. In other words, the two numbers didn't jibe. There was some unanimity around the need to collect data; in other words, to do non-identifying reporting so that they would have a handle.

We're going to run into this problem when it comes to dog bites. Do you remember that debate? The legislation that was passed did not incorporate or establish or lay the foundation for an accurate way of collecting data around dog bites so we can get a better handle on it. I don't disagree at all with the proposition that there has to be, because we don't have strong data on gunshot wounds.

Again, to be fair to Canadians, although the number of gunshot wounds and gun use in crimes seems, at least from what we read in the papers, to be dramatically increasing, we are not at the level of the United States, with the ubiquitous firearm and zip gun and automatic military rifle being used by kids to slaughter other kids.

Margaret Drent and Avrum Fenson developed a summary of positions, and I want to go through these very quickly.

St. Michael's Hospital—interesting. Again, this wasn't the hospital itself; it was the medical advisory committee of St. Michael's Hospital. Dr. Dan Cass, the chief of emergency medicine, told us that “we”—and he used the word “we,” presumably speaking on behalf of his department—“support mandatory reporting to an appropriate agency only of gunshot wound statistics without identifying information. We oppose the mandatory disclosure of the identity of gunshot wound victims.” He talked about it conflicting with the principle of patient confidentiality. He said, “It may threaten rather than promote public safety,” discouraging victims from coming to the emergency room and causing “marginalized populations to mistrust physicians as law enforcement agents. Mandatory reporting could be a ‘slippery slope,’” and it would “increase risk to hospital personnel who” would “be targeted later for their co-operation with police.” That's an undeniable reality.

Clayton Ruby—I referred to his op-ed piece and it being the first commentary on the principle of mandatory reporting of gunshot wounds. His commentary included, amongst other things, the observation that mandatory reporting might well deter gunshot wound victims from seeking medical help: “Fear of mandatory reporting had the well-documented effect of keeping drug addicts with a high risk of HIV infection from seeking medical advice or treatment in the 1980s.”

Dr. Cameron, whom I have cited, and even the Police Association of Ontario: “Timely voluntary reporting by hospitals of gunshot wounds was widespread until recently.” Interesting. This contradicts the whole thing about mandatory reporting, and we know that there is mandatory reporting because the bill doesn't make it mandatory because there's no consequence for not complying with the bill. So doctors and other health professionals who don't want to report simply won't report—end of story. And nothing can be done: They can't be charged, they can't be criticized, they can't be condemned. The bill means nothing. Even the police association made note that “Timely voluntary reporting by hospitals of gunshot wounds was widespread until recently.”

They go on to say, “Reporting by hospitals is falling off because they fear being sued.” Again, I put to you that that is speculative. Nobody from the hospitals seemed—and people are going to correct me if I overlooked it—to tell us that that was the case. Besides, give me a break: Some gangster is going to sue the hospital for reporting him or her being there with a bullet hole through them when, in fact, they don't have to cooperate with the police? What's to sue for? What are the damages? Remember the British courts, the ha'penny award, the classic award for libel and slander? The jury comes back and finds for the plaintiff but awards a ha'penny, a halfpenny, the lowest possible denomination; in other words, suggesting that technically they might be right in law but, “Here's what we think of you. Here's your ha'penny.”

I think it's pretty silly to talk about hospitals not doing this for fear of being sued, especially when we didn't hear of a single instance where a gun crime was not reported—not one instance. I'd like to know about them if there are. But even if there are, the bill doesn't create mandatory reporting.

We're told there's a problem when there's no evidence that there's a problem. We know there's a problem about guns. We know that; we know that. I say, at the end of the day, get cops out there on the street so they can deal with these guns, get people working on the borders so they can stop these guns from being smuggled into Canada.

Good grief, I've told you this before and I'll tell you again: I can't come back across at Buffalo or Niagara Falls with a Ted's hot dog without being asked what I purchased in the United States and “Can we look in your trunk?” “Do you think there are more hot dogs in the trunk, for Pete's sake? Go ahead; look.” Somebody's bringing across guns, handguns.

I've got grandmothers now being told they're going to have to get a passport to go over to the Niagara Square Mall, or whatever the heck it is, to do a little bit of cross-border shopping—nowhere near as lucrative as it used to be, but as a matter of fact, quite frankly, just like the folks in Windsor did some howling about the border—you know that from folks from down your way; our folks too in Niagara. We want to encourage our American friends coming across, bringing their US dollars. It's

about time some Americans came to Niagara and bought a tank of gas, a loaf of bread and a carton of cigarettes. Canadians have been doing it often enough.

Here it is, second reading of this bill, and New Democrats cannot support a bill that does nothing to achieve the goals that the minister, I believe, in good faith at the time, declared it would achieve, does nothing to enhance public safety, does nothing to change the law and, in fact, fails to create a requirement when it purports to do so. In fact, creating that requirement is redundant because health professionals, doctors included, already have the right and the obligation.

**The Deputy Speaker:** Questions and comments?

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**Mr. Phil McNeely (Ottawa–Orléans):** Bill 110, the mandatory reporting of gunshot wounds act, is an important tool that will help the police, and they have backed this legislation from the beginning.

The member for Niagara Centre thinks that this will be a burden on police forces, that it'll be a problem getting the hospitals and facilities to co-operate because there's no consequence to not reporting. Well, we're not dealing with rogue facilities here—the medical institutions. We're dealing with institutions that will follow the rules and will do it in such a way that they protect their staff and certainly help the police investigations.

I have a letter here from Rueben Devlin, M.D., president and CEO of Humber River Regional Hospital:

"This bill clearly defines when patient privacy protection can be breached to assist law enforcement officials in the course of their investigations. There's a reasonable abrogation of those privacy rights. The growing threat to the general population of illegal firearms use requires that all appropriate steps be taken to remove these weapons and the people who would use them to harm others from our community for a period determined reasonable under due process.

"Hospitals treat the destructive results of gunfire all too often. While some of it is the result of accidental discharge of firearms, too often other motives cause the trigger to be pulled. In either case, the possible harm caused by releasing personal information, as outlined in this bill, is minimal in comparison to providing law enforcement officials with information to further their investigations."

I think that is the way most people saw this legislation, that it is supportive of our police services. It is something that institutions and hospitals can easily do.

It's nice to see that under section 4 of the bill, "No action or other proceeding for damages shall be instituted against a facility, a director, officer or employee of a facility or a health care practitioner for any act done in good faith in the execution or intended execution of a duty under this act...." So the protection is there; it wasn't before.

It's very important. This is good legislation, and I hope that it passes smoothly through this House.

**Mr. Ouellette:** I very much appreciate the opportunity to again speak on this bill. There a couple of issues I

wanted to bring up. I zipped out and made a couple of calls to a number of police forces on this issue and asked their opinion. These were senior officers I spoke to. One of the key ones was, if the intention of the bill is to assist in criminal activity—I would hope that's what the intention is—in order for it to be effective, the reporting of the incident needs to be immediate. The reason that it's required to be immediate is that it could be the action of a crime that is taking place at that very time. So the necessity would be to make sure it's immediate.

Also, there are a couple of other things that need to be brought up. As I mentioned, when the member was speaking about facility reporting, there may be some reluctance on individuals at work, whether doctors or nurses or whatever. What's the reprisal going to be if they're reporting an individual who may be in criminal activity? There may be a reluctance and a concern that can come forward. Yes, I know the member mentioned that, and we wanted to raise that as well. Possibly having the facility do the reporting will be of assistance in that manner.

Some of the other things are the reporting protocols. I don't know if you've ever called the police station. When you call up, what is the protocol going to be in this particular situation? How is it going to be handled by the station? I would expect it would be in place, but I would hope that it would not be the anticipation of going to a 911 call, because as the member said, police officers need to be out on the street protecting these situations. Where you have somebody who is inside the facility reporting this, what are the protocols going to be, because it's normally dispatch individuals who take those? How is that going to formulate?

Also, the maintaining of information: What's going to happen at the local facilities after the reporting is done?

Define "gunshot." What happens with a starter's pistol? Is that a gunshot wound? We have a member who's talking about the Stratford Festival and what's taking place in that individual's riding.

**Interjection:** A bow and arrow.

**Mr. Ouellette:** That's right; I'm going to mention that. What happens in the case of the Stratford Festival when there's an incident? What happens with a bow and arrow and other incidents in those same areas? Those are some of the things that I hope we hear about from the minister and other people.

**Ms. Horwath:** It's my great pleasure to rise this evening and make some comments on the leadoff speech that was presented by our main critic in this area, Mr. Peter Kormos from Niagara Centre. I have to say, once again, Mr. Kormos was extremely well researched, extremely well read and extremely prepared for his one-hour leadoff debate. He did an excellent job not only of describing what is in this bill, Bill 110, the gunshot wounds reporting bill, but also what is not in this bill, and then spent some great deal of time talking about what other people have brought to light in regard to the failings of this bill to accomplish what the government purports it wishes to accomplish in regard to the reporting of gunshot wounds.

You will recall that in his debate he raised issues about the trouble that is likely to occur with the reporting mechanisms, insofar as the OMA indicating that they are in support of the bill, and yet CUPE, the Ontario Nurses' Association—ONA—are concerned about how the reporting requirements are going to affect their ability to do the job they are supposed to be doing in hospitals, particularly taking care of people who are ill, specifically in emergency departments.

The other issue he raised, and it's certainly an important one, is the lack of any checks and balances, or the lack of any requirements, any enforcement that this law would bring into force. I guess there are no statutory obligations with regard to penalty clauses, and that's something he raised as well. I think it's an important issue. I think that the lack of a requirement for family doctors and clinics to make similar reporting will cause tension in the system.

It's shameful—in fact, it's really not appropriate at all—that the government didn't take these very important criticisms into consideration when this was in committee.

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** I am pleased this afternoon, as we approach 6 of the clock, to have a few moments to speak in support of Bill 110, which was so capably introduced in debate here this afternoon by the Minister of Community Safety and Correctional Services. We've had a good debate.

My comments on this bill relate to what's required at the hospitals in this oral reporting to the police. We know that the legislation says the name of the patient who has been treated for the gunshot wound, if it's known, and name and location of the facility. This is not an onerous task. It's much in keeping with what's already expected in other aspects of hospital care. For example, health care practitioners in Ontario are already required to report contagious diseases, child abuse, violent deaths and medical conditions related to unsafe driving to protect the public. This is just one other aspect of that, and it really is not taking a great deal of time. We heard this afternoon that we do have nurses under some intense times at hospitals and under some very long hours etc., but I don't think this is taking a whole lot of time.

If we just look at the wording, "The disclosure must be made orally and as soon as it is reasonably practicable to do so without interfering with the person's treatment or disrupting the regular activities of the facility." So this

is not putting a burden on the facility. That's what I appreciate about this bill. I look forward to its passage.

**The Deputy Speaker:** The member for Niagara Centre has two minutes to reply.

**Mr. Kormos:** First, I want to thank you for your patience with me, Speaker. I understand that yours is a demanding role, and I appreciate your informed leadership as I wind my way through debate here in this chamber.

Look, all of the obligations in the world can be pointed out. It's so irrelevant, because there are no obligations, because the failure to comply carries with it no consequence. This isn't a law; there's no offence for not reporting. So let's not pretend that it creates mandatory reporting. It doesn't. I would far sooner spend a little more time talking to the health professions about a way of ensuring that health professionals know their rights and duties with respect to their own colleges and regulatory bodies. I have no interest in seeing suicide victims being reported to the police and having the police attend and start a criminal investigation. I don't believe anybody has an interest in that. Certainly, as a public policy, it's not in the public interest.

I'm not sure that there's a whole lot to be gained by—look, the bad guys, the guys who are doing the gunfights out on the street, are not going to talk to the cops; as I say, they're going to dummy up. You can call the cops all you want. They're going to say, "I don't know. I fell down the stairs and shot myself." And the ones who are prepared to co-operate with the police, trust me, are going to be calling the police. Do you understand what I'm saying? If they're going to turn the shooter in, they're going to turn the shooter in with all the dirty details. But the gang member who is going to dummy up because he doesn't want to be a rat—you could have 20 cops in the bed around him in the emergency room; he ain't saying nothing.

So the bill doesn't take you any further from where you are now. It's the wrong way to go. It doesn't solve a problem.

**The Deputy Speaker:** It being 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

## ERRATUM

No.	Page	Column	Line(s)	Should read:
L122B	5931	2	6-8	We look at other specific issues. The Muskoka wharf project: This government unilaterally removed \$2.5 million in funding for the Muskoka wharf project. Was there



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