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(Hansard)**

Wednesday 23 November 2005

Mercredi 23 novembre 2005

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 23 November 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 23 novembre 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

ONTARIO ECONOMY

Mr. Ted Arnott (Waterloo–Wellington): Last May, I initiated a resolution in this House calling on the government to immediately assign the standing committee on finance and economic affairs the task of investigating Ontario's industrial and economic competitiveness.

This should have led to the development of an action plan to maintain and expand Ontario's domestic and international markets in the coming years. My goal was to support the protection of the manufacturing jobs that we must have in Ontario, and the new ones we will need if we are to enhance our quality of life and our competitive advantage worldwide.

Immediate action was needed last spring, and business leaders agreed. My resolution was supported by the Canadian Manufacturers and Exporters, Canadian Chemical Producers' Association, the Canadian Council of Chief Executives, the C. D. Howe Institute, the Employers' Advocacy Council and the Ontario Real Estate Association.

In response to my resolution, the government did nothing. Here we are six months later, and Canada's industrial engine, the province of Ontario, continues to bleed manufacturing jobs at an alarming rate. For example, Glenoit Corp., formerly known as Borg Textiles, based in Elmira, will be closing its doors just before Christmas, resulting in the loss of 77 good jobs.

This week's announcement by General Motors is a crushing body blow to the GM workers and Ontario's economy. Plants in Waterloo–Wellington like Budd Automotive, Lear Seating and Kuntz Electroplating all sell to Big Three automakers, and we know that parts suppliers will be affected by any major restructuring of the automotive industry.

The government should have listened six months ago, and they'd better start listening now.

MICHELLE VALBERG

Mr. Richard Patten (Ottawa Centre): I rise today to pay tribute to a gifted photographer in a city of international repute in that fine art form. Michelle Valberg's photography continues the legacy of her friends Yousuf

and Malik Karsh. Michelle's work is not just behind the camera; she also gives enormously of herself for the betterment of Ottawa.

Michelle believes in contributing to the community through voluntary work—fundraising for the Ottawa Regional Cancer Centre, for example, for CHEO, as well as a variety of other Ottawa-based charities. Along with her colleagues from the SCO Health Service Foundation board, Debbie O'Brien and Sister Veronique Belcourt, Ms. Valberg was recently presented with the Quality of Life Award from St. Joseph's Women's Shelter.

Michelle has received a series of accolades from the community in recognition of her philanthropic heart. She has been named Algonquin College Alumni of the Year, the YM/YWCA's Woman of Distinction in the Arts, Ottawa's Businesswoman of the Year, and listed in the Ottawa Business Journal 40 under 40 Award.

Michelle Valberg not only has an eye for the lens, but a keen vision for giving to others. Awaiting the launch of her third book, Michelle is an Ottawa Centre talent to be watched. I want to personally say congratulations to Michelle for another award recognizing your contributions to helping make Ottawa a better community.

HOSPITAL FUNDING

Mr. John O'Toole (Durham): I rise in the House today because of the chronic underfunding of hospitals in my riding of Durham, and indeed in all of the GTA/905 hospitals.

Brian Lemon, chief executive officer for Lakeridge Health, was quoted in the Scugog Standard this month, where he said there are no further cuts that can be made to reduce an estimated \$14-million deficit without cutting patient care. Cutting patient care is not an option to me, to Lakeridge or to the community where I have the privilege to live and serve.

Members may well know that Lakeridge is among the hospitals in the GTA/905 that are facing a funding gap of \$655 million. In other words, GTA/905 residents receive \$164 less per person annually in the provincial funding shortfall. Lakeridge Health Corp. faces additional challenges because it is a multi-site hospital serving both urban and rural growth communities.

Lakeridge Health is to be commended for its commitment to acting on behalf of its patients first and commissioning an expert panel to review matters related to the financial health of our hospitals. I look forward to the findings of the expert panel, chaired by John Reid and including Sister Elizabeth Davis and Ruth Robinson.

The entire team at Lakeridge Health, including board chair Marion Saunders, are outstanding providers in our community, and I ask for fair funding to ensure that this outstanding care will continue. I know that our critic, Elizabeth Witmer, will keep the pressure on George Smitherman to do the right thing.

ESL WEEK

Mr. Shafiq Qaadri (Etobicoke North): I rise today to bring to the attention of this chamber ESL Week in Ontario, another hallmark of Ontario's flourishing diversity. This week-long event, which took place just a few days ago, celebrates and recognizes the network of ESL programs available throughout Toronto.

These programs are offered either privately or through public school boards, and now even at the university and college level, which is particularly welcome given the large and growing number of new Canadians who wish to become fully integrated members of Canadian society. I bring to your attention that without these programs, many newcomers will go without the necessary language skills.

As an example, the Toronto District School Board, the largest school board in the country, notes that 41% of students have a language other than English as their first language. This particularly highlights the need for ESL programs in Toronto, and in particular for my own riding of Etobicoke North.

However, challenges remain. We must continue to promote the teaching of ESL. "Only 60 of 1,300 graduating students at the University of Toronto's OISE will take the ESL elective in any given year." That means the vast majority of teachers will be ill-equipped to teach individual students who require ESL instruction.

It is our duty as legislators to promote and properly resource the recruitment of instructors and the teaching of ESL, for language itself is one of the first stepping stones to participation, access, ease of navigation, reaching one's potential and eventual success in society, for your and subsequent generations.

1340

HEALTH CARE

Mrs. Elizabeth Witmer (Kitchener-Waterloo): Ontarians are fast losing their faith and confidence in the McGuinty Liberal government's ability to manage health care and respond to patient needs. It is becoming increasingly obvious that the Liberals have no plan for health human resources in the province. Yesterday, emergency doctors came to Toronto to warn us about long wait times and suffering of patients. Earlier this week, the Ontario Medical Association reported that not enough is being done to address the doctor shortage in Ontario. They said that under the Liberal watch we are now 2,100 doctors short and, according to the OMA report, "A staggering 1.4 million Ontarians could be without a physician within the next year." In fact, the headline of their report read, "Doctor Shortage a Deepening Crisis." Your policies will leave us 2,800 doctors short in 2010.

Although the government has promised to hire an additional 8,000 nursing positions, a recent press release issued by the Ontario Nurses' Association also talks about the nursing crisis and states that this government is falling far behind this target. To quote: "They are making matters worse. We expect to hear of as many as 700 additional nursing position layoffs in the next month, as hospitals announce cutbacks in an effort to balance their budgets."

Yes, under this government, patients are suffering.

IMMIGRANTS' SKILLS

Ms. Marilyn Churley (Toronto-Danforth): Earlier this week, on the brink of an election call, we saw the federal and provincial Liberals sign an immigrant funding agreement. Both parties lauded it as a watershed deal that will improve the lives of newcomers. Today we saw a labour market agreement that mentioned again increasing newcomers' prospects.

After carefully reading details of both agreements, it is clear that both lack any new, much-needed concrete plans to fix the system that makes talented, industrious newcomers part of an underclass. It takes them over 10 years, and sometimes never, to attain a standard of living comparable to their Canadian peers, despite the fact that they often have a high level of education and training.

Both the federal and provincial Liberals keep failing to make good on their repeated promises to bring in a workable system that recognizes foreign-trained credentials. The McGuinty Liberals unequivocally said in their red book that if any trade or profession had not eliminated barriers to entry within their first year of office, they, as the government, would act.

Well, they haven't. It's been over a year—well over a year. The skilled immigrants who live across the GTA from Scarborough-Rouge River, Crescent Town to York and Peel regions and across the province are left to ask: Where is this promised action? When will the doors be opened for them to be able to work in their chosen professions?

WESTDALE SECONDARY SCHOOL

Ms. Judy Marsales (Hamilton West): Our government has introduced programs to reduce class sizes, programs to enhance student test scores, and initiatives to keep children in school until age 18, and we want to celebrate that these efforts are already paying off.

We are proud of our schools in Hamilton West, but there is one school in particular that deserves mention in the House today. Westdale High School has just received local, national and international recognition for finishing first in the field of mathematics. The competitors included all public, separate and private schools in Hamilton-Wentworth in Pascal, Cayley and Fermat contests which were written by over 90,000 students from nearly 1,400 schools across Canada.

Westdale students received 14 Pascal certificates, 19 Cayley certificates and 10 Fermat certificates. Each

certificate of distinction represents a ranking in the top 25% of all contestants in the country. Eleven Westdale students were even invited to write the American International Mathematics exam in order to receive North American recognition for their skills. One student finished in the top 1% of all students in grade 10 North America.

Kudos to all the students who received recognition for all of their hard work and dedication. We wish you continued success in your future careers, and we want you to know in Westdale that we are so proud of your achievements.

DAIRY FARMERS OF ONTARIO

Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell): It is with pleasure that I rise today to welcome the Dairy Farmers of Ontario, also known as DFO, to the Legislature, and to recognize our dairy farmers' friends in the gallery today. DFO is a non-profit farm organization representing Ontario's 5,047 licensed dairy farms.

Dairy is the largest sector in Ontario's agriculture industry and a major economic asset to this province. In the 12 months ending June 30, 2005, DFO marketed approximately 2.5 billion litres of raw milk on behalf of their farmers. Furthermore, the value of dairy products shipped from Ontario processing plants is in the neighbourhood of \$4 billion.

Milk transportation is also another important rural economic activity associated with dairy farms, with 62 milk transport companies operating over 260 vehicles on a daily basis to pick up milk and deliver the product to processing plants across Ontario.

Most recently, DFO joined Premier McGuinty, Minister Cordiano and MPP Tony Wong on the Ontario trade and investment mission to China. As leaders and innovators, Ontario's farmers were warmly received by their Chinese hosts, who were eager to learn about our best practices in agriculture.

AUTOMOTIVE INDUSTRY

Mr. Bruce Crozier (Essex): I rise today to cheer about some exciting news that the residents of Windsor and Essex received yesterday on behalf of the province of Ontario. DaimlerChrysler Canada confirmed that it will invest \$768 million in its Canadian operations, \$610 million of which will go toward building a new paint shop for its Windsor assembly plant. This is the largest investment in our area in half a decade, and the residents of my riding and I couldn't be more pleased.

This investment would not occur if it were not for the support of both levels of government, who together have agreed to add nearly \$123 million to the investment. I know it was the hard work on behalf of Premier Dalton McGuinty and Minister of Economic Development and Trade Joe Cordiano, among others, that resulted in this historic investment that will increase flexibility and put in place new technologies at the Windsor assembly plant,

including the implementation of prototyping, ensuring that it continues to be competitive and thrive well into the future. The McGuinty government, as its part, has committed \$76.8 million through the Ontario automotive investment strategy.

This announcement proves that Premier Dalton McGuinty's auto strategy is working. In just over one year, we've attracted \$5.3 billion in new auto investment and secured thousands of high-value jobs for years to come.

VISITORS

The Speaker (Hon. Michael A. Brown): I would like to bring members' attention to a former colleague. Ron Johnson, from Brantford, is in the members' west gallery. Ron represented Brantford in the 36th Parliament.

Mr. Gerry Martiniuk (Cambridge): On a point of order, Mr. Speaker: I would like to take this opportunity to introduce the family of one of our pages, Andrew Martin. In the gallery is his father, David Martin; his mother, Linda Martin; his twin brother, Jonathan Martin, who was a page last term in this House; and his sister, Taylor Martin, who wants to be a page next year.

The Speaker: Of course, it's not a point of order, but welcome.

Mr. Tim Peterson (Mississauga South): On a point of order, Mr. Speaker: Like the member opposite, I would like to introduce Sandy Smale from Port Credit. Sandy's one of the great volunteers we have in Ontario who help build our community by welcoming new families to Port Credit, especially those disadvantaged and having a hard time getting started. Sitting beside her is Lori Mason. Lori Mason runs the Mason store, which is a ship chandlery store in Port Credit, but she's also the founder of the largest in-water boat show in Ontario. Welcome to Queen's Park.

The Speaker: Again, it's not a point of order.

Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell): On a point of order, Mr. Speaker: I call upon all members to join the dairy farmers at the reception at 5 o'clock this evening in committee room 2 to show the farmers that we thank them for giving us the great value of dairy products.

The Speaker: It's not a point of order, but an important point of information perhaps.

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REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms. Marilyn Churley (Toronto–Danforth): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

The Clerk-at-the-Table (Mr. Todd Decker): Your committee begs to report the following bill, as amended:

Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences / Projet de loi 209, Loi modifiant le Code de la route en ce qui concerne les suspensions de permis de conduire.

The Speaker (Hon. Michael A. Brown): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for second reading.

STATEMENTS BY THE MINISTRY AND RESPONSES

LABOUR MARKET AGREEMENTS

ENTENTES SUR LE MARCHÉ DU TRAVAIL

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): This is an historic day for Ontario. I am pleased to announce to the Legislature that this morning I met with the federal Minister of Human Resources and Skills Development and minister responsible for democratic renewal, the Honourable Belinda Stronach, at George Brown College to sign not one but two labour market agreements with the federal government.

The McGuinty government has signed a labour market development agreement and a labour market partnership agreement with the federal government. These agreements will strengthen training and rapid re-employment services for our people.

Ontario was the only province or territory without an LMDA. Premier McGuinty made achieving an LMDA an important part of Ontario's prosperity agenda. He took a very strong stand. Premier McGuinty has delivered.

Ces deux ententes seront très importantes pour les Ontariens et Ontariennes qui veulent acquérir de nouvelles compétences, perfectionner leurs compétences ou avoir accès à un marché du travail qui leur était auparavant inaccessible.

These two agreements will mean much to Ontarians looking to acquire new skills, upgrade their skills or access a labour market previously closed to them.

We will see more resources to provide more opportunities for people to become apprentices, more resources to help new Canadians and the internationally trained to continue their chosen careers in our province, more opportunities for our children and older workers to access services that will lead to good careers, and more opportunities for those people who face barriers to participating in our current services, such as aboriginal people, people with disabilities and older workers, to find the services and training that meet their individual needs. Rapid re-employment services will be provided to workers facing plant closure.

The labour market development agreement will see the transfer of \$525 million annually in federal employment support programs to Ontario. It means we can now complete the work on our one-stop employment assistance project. When someone needs academic upgrading,

skills improvement or apprenticeship training, no longer will the first words out of the provider be, "Are you eligible for employment insurance?" We will develop a system accessible to all Ontarians.

The labour market partnership agreement means new opportunities for Ontarians. The investments start in 2005-06 and build to an extra \$314 million each year. These investments represent new skills, new hope and new opportunities for Ontarians.

The Reaching Higher plan, \$6.2 billion extra in post-secondary education and skills, is strengthening our foundation for prosperity. These two agreements will enhance our plan.

These agreements will help make our people stronger, better skilled and more ready to compete in the world.

Ontario's progress has long been fuelled by each generation's desire to see the next generation go farther. Today we have many reasons to celebrate as we anticipate the next steps we'll take with our partners to ensure that individual Ontarians can fulfill their potential and help Ontario achieve its full potential.

FIREFIGHTERS

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I rise today to pay tribute to the professional firefighters of Ontario. The McGuinty government is working to build a stronger, safer, more prosperous Ontario. No group is more critical to that undertaking than professional firefighters.

Today is Queen's Park Day for the Ontario Professional Fire Fighters Association. It's the day set aside each year to acknowledge the great contribution that professional firefighters make to public safety. Thousands of firefighters risk their lives every day to protect us from the ravages of fire. They also serve as a resource for rescue operations when lives and livelihoods are threatened by accident or force of nature. Many also work at the equally important job of fire prevention, as inspectors and resource persons, educating the public on fire prevention methods.

Unfortunately, some of these valiant heroes have paid the ultimate price in their efforts to keep us safe. This past June, I was privileged to attend the dedication ceremony at Queen's Park of the Ontario Firefighters' Memorial. Firefighters who died in the line of duty safeguarding their communities are remembered at this memorial. We do this so that no man or woman who dies while protecting the lives and property of fellow citizens will ever be forgotten.

Every day, these men and women toil in the extremes of weather under difficult circumstances to protect us, to save lives, and to prevent loss. And their efforts are paying off. Although every fire fatally represents a terrible loss for a family in the community, Ontario's numbers are encouraging. In 2004, our preventable structure fire death rate was the lowest in the province's history. This achievement is testament to the hard work and dedication of members of the fire and emergency services, and we certainly owe them a debt of gratitude.

Today, Queen's Park Day for the Ontario Professional Fire Fighters Association, I'm proud to salute this association and the men and women it represents. Their courage and commitment reassure us. Their professionalism and competence safeguard us.

I wish to acknowledge the presence in the visitors' gallery of the president of the OPFFA, Mr. Fred LeBlanc; vice-president of the association, Mr. Brian George; and many of their association members. These two gentlemen are outstanding advocates for the interests of their members, and valuable partners for the government in addressing the issues of concern to firefighters. I want to say a special thank you to both of them for their hard work and constructive engagement in helping us deal with these issues.

The government recognizes both the commitment and the contribution of this province's professional firefighters. We appreciate the hazards they face on a daily basis. And that's why last March I was proud to announce the \$30-million Ontario fire service grant to municipal fire departments for training and equipment. The funding means additional resources for fire services to make sure that they have the right tools to do their job. This was the first time in more than 20 years that the Ontario government has relied on such funding, and it's the single largest grant from the province to fire services.

We also recognize that the kinds of emergencies firefighters must respond to can involve anything from fire to chemicals to radiological or even biological or nuclear threats. That's why our government is continuing to fund three key central fire services to maintain their chemical, biological, radiological and nuclear—or CBRN—response units. These specialized units, based in Windsor, Toronto and Ottawa, can be deployed anywhere in the province.

I'm also pleased to say that our government is continuing to fund Toronto's heavy urban search and rescue, or HUSAR, unit. As with the CBRN teams, the HUSAR unit will assist any community in the province that may need its specialized training and equipment. I've seen the resources and expertise this team can bring to a situation, and I can tell you that they are very impressive.

1400

Helping to support firefighters is a part of our government's plan to build on Ontario's greatest strength: our people. One way we do that is by better protecting them. Firefighters, like other emergency workers, put themselves at risk of infection, from diseases such as HIV/AIDS or hepatitis B or C, through contact with members of the public. An emergency worker, however, must sometimes endure quite a long wait before they can get the potential source of the infection tested. The mental stress and lifestyle changes experienced by a person who may have been exposed to infection while protecting us are substantial.

That's why the McGuinty government is working to further protect those who protect us through the introduction of the Mandatory Blood Testing Act. This bill, if passed, would allow emergency first aid providers

and victims of crime to find out more quickly whether they have been exposed to infection from certain viruses. It would give them peace of mind to go about their work with greater confidence, and that's something that benefits all Ontarians.

Queen's Park Day is also about recognizing the relationship between the OPFFA and the government. As legislators, we work and consult regularly with organizations that have special expertise and a particular interest in the various issues that demand our attention. So it is with the OPFFA, representing, as it does, the interests of approximately 9,500 professional firefighters in Ontario.

We value the excellent relationship that exists between the government and the OPFFA. It's a relationship that thrives on mutual respect, on the constructive engagement of persons like Fred LeBlanc and Brian George, and on our government's commitment to building effective partnerships with all our stakeholders. It's a relationship that enables us to better understand the concerns of firefighters across the province and respond effectively. We especially value this relationship because the work of Ontario's firefighters is central to our goal of building a stronger, safer and more prosperous province.

On behalf of the people of Ontario, I say thanks, again, to our firefighters for all they do to keep our communities and our citizens safe.

The Speaker (Hon. Michael A. Brown): Responses?

Mr. Robert W. Runciman (Leeds-Grenville): It's my pleasure to respond to the Minister of Community Safety in recognizing in our presence the professional firefighters. On behalf of our leader, John Tory, and the Progressive Conservative caucus, it's great, Brian, Fred and your colleagues, to see you at Queen's Park today. It's very much appreciated.

One of the most difficult challenges in serving in the role of Minister of Community Safety, or Solicitor General, as it has been called in years gone by, is attending the funerals of fallen firefighters and police officers and seeing the impact that has on their colleagues in the services, on the families and on the communities affected, and really, more broadly speaking, right across the country in those brotherhoods, if you will.

One of the things I am most proud of in terms of my time as Solicitor General in our government was the establishment of the survivors' tuition fund to assist the families of those fallen front-line officers in terms of ensuring that they can have an education, and also expanding that to cover certain living expenses as well.

I'm very proud of the fact that our government initiated the firefighters' memorial at Queen's Park to also recognize the contributions and sacrifices made by firefighters over the years in Ontario.

I'm not sure there was a widespread appreciation of the role of firefighters among governments and the public at large until we all witnessed 9/11 and the huge loss of life by fire services in the city of New York. Then I think we had some real, true appreciation of the challenges a firefighter can face at any time, 24 hours a day, seven

days a week. I think that led as well to the creation of the CBRN teams and the HUSAR teams the minister mentioned.

Ontario is very fortunate indeed to have outstanding firefighters on the professional front lines protecting our communities. But beyond that, I think if you take a look at the public safety arm of the ministry, the fire marshal's office and his staff, the professional firefighters, the chiefs of this province and the volunteer services, the people of Ontario are extremely well served by people who are protecting us, day in and day out. Thank you very much.

LABOUR MARKET AGREEMENTS

Mr. Cameron Jackson (Burlington): I want to respond to the minister's announcement today about the labour market development agreement, and I just have one little bit of advice: We on this side of the House have had experience with Belinda Stronach and loyalty, so I would cash that cheque as quickly as you can.

The minister referred to this as an historic agreement, but his press release may have had a typo in it because, quite frankly, with this being the second multimillion-dollar announcement in a week when both a provincial Ontario by-election has been called to save a Liberal seat and a desperate federal government is about to fold its tent, we now—

Interjection.

Mr. Jackson: Well, you should look at the inside of this agreement, because I can tell you one thing: Your cabinet has not had a look at the details of this agreement. And I will tell you why I can tell. If you look at the details, do you wonder why Quebec has such a gap? It's because they got a much better deal than we're getting. Do you wonder why Ontario hasn't signed a deal like this before?

The media have not been privy to this agreement, but what we do know about this agreement is that the hundreds of millions of dollars that Ontarians pay into the employment insurance fund every year, this multibillion-dollar slush fund that the federal government has had, under this new agreement, we don't have access to those dollars like we had before. In fact the plan, by transferring and downloading this responsibility on to the province of Ontario, has lessened our access to the very dollars that we in Ontario paid disproportionately more of to the federal government.

Secondly, you have a situation now where, in the details of this agreement, every federal civil servant in this province who is displaced by this downloading becomes our responsibility. It's a government that probably isn't going to last very long, but even if it did, how come we only have a one-year agreement? Much the same way the minister was unable to get a multi-year firm commitment on daycare, we were unable to get—

Interjection.

Mr. Jackson: Not a multi-year commitment. It says right in your press release that—

The Speaker (Hon. Michael A. Brown): Thank you.

Mr. Rosario Marchese (Trinity-Spadina): My response is to the Minister of Training. It's amazing what an upcoming election will do to bring about an agreement that has eluded the provincial and federal Liberals for at least two years. It's this pre-election election pinata that grows bigger and bigger every day. It's full of goodies and promises, in return for yet another Liberal mandate.

I tell you, here is a question: Why does it take new immigrants today more than 10 years to catch up with their Canadian peers? Very simply, neither the federal nor provincial governments have concrete plans to deal with immigrant poverty, revamp the settlement sector and allow, in particular, professionals trained abroad to practise their professions in this country. More money will not change the fact that there is no concrete plan to improve the lot of immigrants in this province.

In 2003, your campaign platform, the McGuinty platform, made the following promise: "We will require that all Ontario trades and professions accelerate the entry of qualified new Canadians. If, after one year, any profession or trade has not eliminated barriers to entry, we will act."

Interjection: It's done.

Mr. Marchese: Some Liberal backbencher said, "It's done." It is not done. You have done nothing except to talk and talk, and that's about all you've accomplished.

My point is this: Unless you say to those regulatory bodies, "Open up the doors," until you do that, we will not have solved the problems of poverty and this underclass of immigrants. You now have a labour market agreement. What we need from you is to keep your promise and to have a plan that states, "We will require that all Ontario trades' and professions' regulatory boards accelerate entry of qualified new Canadians." That's what we need from you.

1410

FIREFIGHTERS POMPIERS

Mr. Peter Kormos (Niagara Centre): New Democrats join in welcoming firefighters from across Ontario to this Legislature and in saluting the courage, commitment, dedication and professionalism of these women and men. But the platitudes are simply not enough. If we truly appreciate the contributions that these highly skilled and professional firefighters, women and men from big-city and small-town Ontario, make to public health and safety, then we'd better commit ourselves to a couple of things. We'd better commit ourselves to adequate staffing levels for our fire services—big-city, small-city, small-town and village included. That means the provincial government has to become actively and aggressively involved in assisting the funding of the adequate staffing levels.

New Democrats make it quite clear that the 10 in 10 standard established by the Ontario fire marshal's office,

in itself not met by so many communities in the province, is as well inadequate. We join professional firefighters in calling for immediate implementation plus support for the National Fire Protection Agency 1710 standard. Anything less is a disservice to folks in our communities and an injustice to those firefighters, because inadequate staffing not only puts your neighbours and your family at risk; it puts these firefighters at risk.

As well, we want to make it very clear that New Democrats call upon this government to immediately amend legislation to ensure that there is a recognition of the risk that firefighters undertake on a daily basis by virtue of their exposure to, and increased risk and likelihood of, cancer. We call for recognition of presumptive standards using the significant contributing factor test with respect to things like colon and testicular cancer, multiple myeloma, lung cancer, stomach cancer, esophageal cancer due to asbestos exposure, liver and pancreatic cancer, and malignant melanoma. Anything less makes our words in this Legislature hollow on today's occasion.

M. Gilles Bisson (Timmins–Baie James): Je veux dire, avec mes collègues néo-démocrates, que c'est un gros plaisir aujourd'hui d'avoir parmi nous les pompiers de la province de l'Ontario. Mais je peux vous dire, comme représentant de Timmins–Baie James, que la question faisant affaire avec le nombre de personnel dont on a besoin pour répondre aux besoins de la communauté est quelque chose qu'on connaît très bien dans notre circonscription. On dit au gouvernement qu'ils ont besoin de prendre un rôle plus actif pour s'assurer d'avoir le personnel nécessaire dans nos services de pompiers pour s'assurer qu'eux autres peuvent faire ce qu'ils doivent faire pour assurer la sécurité du peuple.

VISITORS

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): On a point of order, Mr. Speaker: I wonder if you would help me welcome the political science and journalism students from Queen's University who are in the House today under the sponsorship of one of our favourite reporters here, Christina Blizzard.

The Speaker (Hon. Michael A. Brown): Welcome. That is not a point of order.

We have with us today in the Speaker's gallery a delegation from the Kingdom of Bahrain, led by Dr. Fatima Mohamed Al-Balooshi, the Minister of Social Affairs. Welcome.

I would also ask members to join me in welcoming Addie Peterson, who is today acting as a legislative page. Addie attends Williston Central School in Williston, Vermont, and is shadowing our pages here today.

I would also like to introduce in the Speaker's gallery Mrs. Mary Peterson, mother of Addie, who is a state representative from Vermont. Please help me in welcoming Mrs. Peterson.

ORAL QUESTIONS

GOVERNMENT ADVERTISING

Mr. John Tory (Leader of the Opposition): My question is for the Premier. When I first asked your Minister of Government Services about the ad contracts given to your Liberal friends a week or so ago, he mentioned privacy issues as the reason for not releasing all of the information so that all of us could see, as you have claimed and he has claimed, that everything was above-board. My guess is that that has to do with your strong desire to keep the documents private—those are the privacy issues—for reasons very well known to you. But this is \$6 million of public money we're talking about here, so I'll ask you today, Premier: Will you agree to table all documents that led to the decision to award \$6 million in public money—a 6,000% increase—to your friends in a Liberal ad agency during your first year in office? Will you table those documents?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm glad to take the question. I know that my friend will want to remember and look fondly upon Bensimon Byrne, since they were employed in fact by Rogers and worked on campaigns on their behalf. I know he'll want to remember that.

The members opposite have raised some questions in connection with this. Mr. Robert Farnley, an 11-year veteran first appointed by the NDP, acts as the current vice-chair and executive director of the Advertising Review Board. He specifically said, "There was no political involvement in the procuring of these contracts. I can confirm each was awarded on the basis of merit as determined by a panel consisting of a civil service representative from the client ministry and two representatives from the Advertising Review Board." I think we are all of us in this House entitled to rely upon the objective, independent opinion of Mr. Robert Farnley, current vice-chair and executive director of the Advertising Review Board.

Mr. Tory: Let's talk about what we can rely on. I say to the Premier, you have some trouble distinguishing between what goes on in a company, any company, and your responsibilities for public money—\$6 million of taxpayers' money.

Your Liberal Party is the one that said, "Just trust us; we won't raise taxes." Then after that, you said, "Just trust us; we'll balance the budget." Now you're saying, "Just trust us; it's only a coincidence. It's all above-board that our Liberal ad agency got \$6 million of public money in the first year we were in office—a 6,000% increase."

According to a Toronto Sun report on Friday, it was revealed that Marcel Weider, a long-time Liberal operative, was awarded almost \$1 million in contracts from your government during your first year in office, after receiving \$123,000 from the Liberal Party for communications work during the campaign. Look at the optics

here: First, there's Bensimon Byrne and the \$6 million, and then we have Marcel Wieder, the man responsible for a supposedly third-party negative ad campaign, who got \$1 million. What is your explanation for all of this?

Mr. John R. Baird (Nepean—Carleton): Hear, hear.

Hon. Mr. McGuinty: Let me say with all fondness, I'm going to miss Mr. Baird and that rousing cheer.

Again, it's one thing for the leader of the official opposition to question the responses given by members of the government, but I think he goes a step too far when he questions the integrity of Mr. Farnley. He is objective, he is independent, he operates at arm's length to the government, and he's provided an opinion here which I think we are all entitled to and in fact have the responsibility to abide by.

Interjection.

Hon. Mr. McGuinty: It worked for the two governments before us.

Again, he specifically said, "There was no political involvement in the procuring of these contracts." It seems to me that that is very straightforward and very clear. I can understand why my friend opposite would want to create the appearance of something when there is in fact nothing there, but the matter has been settled.

Mr. Tory: If the gentleman is as objective as you say—and I have no reason to believe he's not—I tell you what: Just make the documents public and then we can all see that everything he says is backed up by the documentation. We've asked for them under freedom of information. As you know, that will take months. Just make them public.

Unfortunately, it doesn't end with Bensimon Byrne and Marcel Wieder. We have Allard Johnson Communications, another firm that helped with your advertising on your campaign. It's shown in your filing and through the public accounts tabled by your government that they got \$344,000 in advertising contracts from the Ministry of Community Safety and Correctional Services. They've never been in the public accounts before as having received a nickel. Do you expect us to believe that this too was a coincidence?

1420

Why don't you just release all of the details of these contracts—Bensimon Byrne, Marcel Wieder, Allard Johnson—so then we can all see that it's all above-board, as you say it is? Release the documents.

Hon. Mr. McGuinty: Yes, I do expect you to believe that.

I understand where the leader of the official opposition is coming from. There was an issue of some kind related to advertising that had some political capital on Parliament Hill. He's now trying to find some way to shoehorn in on that story. I understand that. But we have a set of rules in place which are tighter than the rules that were left to us by the previous government. We're proud of those rules, and I can say that in each and every instance, we have stuck to those rules and abided by those rules. So if the member opposite has a concern, I'd encourage him to take it up with the Advertising Review Board. But

the matter has been addressed specifically by Mr. Farnley, the current vice-chair and executive director, and I think that we're all entitled to rely on that advice and that opinion.

HYDRO RATES

Mr. John Tory (Leader of the Opposition): Again, my question is to the Premier. According to the deputy chief economist of the Toronto Dominion Bank, soaring prices for electricity and natural gas are a prime reason for the more than 42,000 manufacturing jobs Ontario has lost over the past year.

As we know, the Cascades coated-paper plant issued layoff notices yesterday to the 375 remaining employees at the company. That plant, as the Premier will know, is the fifth-largest employer in Thunder Bay. They cited the fact specifically, as a main consideration here, that they've been hit with a 25% increase in energy costs on the watch of your government. Do you have anything meaningful to say to the families, to the community of Thunder Bay and to this company with respect to what you're going to do to help them and help their community?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I know that the leader of the official opposition will have had an opportunity to review the press release issued just yesterday by Cascades. He will know that while energy is cited as a factor, there are also five other factors cited. What he may not know is that, thus far, during the past year, Newfoundland has lost two plants in the forestry sector; New Brunswick has lost three; Quebec, where electricity prices are much lower than ours, has lost five so far; Saskatchewan has lost one; and British Columbia has lost two. I know that my friend will want to recognize the fact that there are significant factors at play here that extend far beyond the immediate issue of electricity pricing within the province of Ontario. I know that in his supplementary he's going to want to make it clear to all concerned that there are a number of factors at play in globalization—

The Speaker (Hon. Michael A. Brown): Thank you.

Mr. Tory: I'm happy to make that clear, and also make clear that I'm sure it really makes the people in Thunder Bay feel a lot better to hear you stand up and say, "Don't worry about the job losses in Thunder Bay; everybody else is losing jobs too." What an incredible abdication of responsibility. The fact is, your energy policies are mentioned in the press release. Whether it's on a list of one or a list of five, they're mentioned as a specific contributor.

The McGuinty skyrocketing hydro bills and the irresponsible promise to close the coal plants without an alternative are a major contributing factor to the uncertainty affecting manufacturing jobs in this province—42,000 jobs so far. Then we have the 3,600 more jobs from General Motors, where they too said that energy was a consideration. They've complained that their energy costs have almost doubled. Cascades said

that they've seen a 25% increase. North American Palladium Ltd., at their Lac des Iles palladium mine—60 full- and part-time jobs are gone because of high fuel and energy costs.

What explanation do you have for these families, these communities and these companies who say that your energy policies are one of the considerations that's causing these jobs to be lost?

Hon. Mr. McGuinty: There's no denying that the Conservative government left our province in a mess when it comes to our electricity.

Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): A horrible mess.

Hon. Mr. McGuinty: A horrible mess. We're pleased that we've been able to get on-line 2,300 new megawatts of generation. We're pleased that we've got more than 9,000 megawatts in the pipeline at the present time. But I'm not nearly as bleak and as gloom-and-doom and as dark-minded and as pessimistic as the leader of the official opposition when it comes to the economy.

Let me quote Mr. Ted Carmichael with J.P. Morgan, who told 680 News earlier this month something about the economy. He said, "The economy seems to still be creating jobs at a good pace, and I think the early good news for workers is that their hourly earnings are rising. They are up almost 4% from a year ago." So more jobs and higher pay: It's a pretty good story for the labour market. That's the real story. Beyond that: 214,000 net new jobs; the unemployment rate at its lowest level since 2001; we have a brand new labour market development agreement that—

The Speaker: Thank you.

Mr. Tory: The painful part is that you leave out of the real story the fact that there are these huge numbers of job losses taking place at the same time, and it doesn't end with the ones that have been mentioned so far.

Your Minister of Finance heard first-hand at his pre-budget consultation meeting that Lamb Technicon in Windsor and Fleetwood Metal Industries in Tilbury are shutting down and moving to the United States. Some 200 families will be without paycheques as a result. Halla, one of Belleville's most successful manufacturers, announced recently it's laying off 50 full-time employees and an undisclosed number of part-time workers. All three of these companies were involved in supplying the Big Three manufacturers—at least 250 men and women added to the ripple effect of the layoffs announced so far, starting in September.

Do you have anything meaningful to say? Do you think these 250 families are part of the real story, as you put it? And what are you going to do for them and for the communities in which they live? You've had nothing to say so far; not an ounce of responsibility, not an ounce of compassion. What are you going to do for them?

Hon. Mr. McGuinty: Apparently, the champion of the working people here has undergone some kind of a conversion on the road to becoming leader of the official opposition. But, again, in 2002, when he presided over a

company that laid off people by the hundreds on an annual basis, he said at that time, "It's a sign of the times. Most businesses today are finding that they have to reduce their costs and that includes, unfortunately" what he characterized as "people costs."

We have a real concern for the people of Ontario, particularly those in the manufacturing sector, who are being displaced as a result of contractions and consolidations. What we are doing, and what we have done today—we made an announcement that our government has been able to do on behalf of the people of Ontario what no other government in the history of our province has ever been able to do: We've entered into a new labour market development agreement that will ensure we have hundreds of millions of dollars to provide better training and upgrade skills and get people back on their feet and back in the workforce as soon as we can.

Interjections.

The Speaker: Order. I can wait.

New question. The leader of the third party.

Mr. Howard Hampton (Kenora-Rainy River): To the Premier: Some 3,900 job cuts at General Motors and 525 job cuts at the Cascades paper mill in Thunder Bay in one day: These job losses are in addition to 42,000 manufacturing jobs lost in Ontario over the last year.

Your government will make a bad situation worse if you scrap the revenue cap on Ontario Power Generation's so-called unregulated generating assets, a move that experts warn could mean an absolutely drastic jump in hydro rates and more lost jobs.

So my question for you is this: Will the McGuinty government commit to the people of Ontario, here and now, to extend the Ontario Power Generation rate cap for at least another two years so that we don't see another huge jump in hydro rates and thousands more jobs lost?

Hon. Mr. McGuinty: I'll refer this to the Minister of Energy.

1430

Hon. Donna H. Cansfield (Minister of Energy): As I indicated to the member when he asked this question the other day, those discussions are currently underway.

Mr. Hampton: As the McGuinty government discusses and dithers, more corporations are announcing more job cuts in Ontario. This may not mean much to the McGuinty government, but I can tell you that for the thousands of auto assembly jobs, and the tens of thousands of auto parts jobs, and the thousands of pulp and paper workers who have been laid off already, this is the difference between having a job and not having a job at all.

My question, again, is this—don't dither. Companies are making the decisions as you dither, just as Cascades did. They looked at your so-called package to help the pulp and paper sector and said, "There's nothing here for us." It doesn't address electricity costs.

Will you announce, here and now today, that you're going to scrap your plan to end the Ontario Power Generation revenue cap? Will you do that so that we don't have thousands more jobs—

The Speaker: The question has been asked.

Hon. Mrs. Cansfield: It's fascinating: This question keeps coming from a government that actually collapsed from 11,700 to 6,600 jobs in northwestern Ontario in, guess what? The forestry, mining, oil and gas industries. We have done more in two years to address the issues in this province than they managed to do in five years, except, again, in northeastern Ontario they reduced their jobs from 27,700 to 21,700 and they closed 14 mills at the same time.

Mr. Hampton: Minister, your answer betrays the fact that you don't know much of the history. I was part of the government that repositioned 600 jobs.

Interjections.

The Speaker: I need to be able to hear the leader of the third party. Minister of Finance, order.

Leader of the third party.

Mr. Hampton: I was part of the government that repositioned 600 jobs at the Cascades mill in Thunder Bay in 1993 so they'd continue to have jobs until now, and 1,000 jobs at Kapuskasing—

Interjections.

The Speaker: Look, we're not going to do this. We need to have some respect for each other and for the Legislature. I need to be able to hear the leader of the third party.

Mr. Hampton: —and 600 jobs at St. Marys Paper in Sault Ste. Marie, and 22 sawmills, accounting for more than 4,000 jobs. Those were mills and jobs that were repositioned so that people continued to have work.

Now, what the pulp and paper sector particularly—I think also the steel sector—wants to know, is, is the McGuinty government going to continue the hydro rate cap, or are you going to scrap the hydro rate cap, see hydro rates go up another 20% and kill thousands more jobs? Quit dithering. Answer today: Are you going to extend it or not?

Hon. Mrs. Cansfield: A thousand people a week lost their jobs under this government. I can't believe that these questions are coming, when you look—do you call that reconstruction? I lived through that social contract. The education system lived through that social contract. That may be reconstruction to you, but I assure you that it was a loss to a lot of other people.

Three billion dollars' worth of new construction and new investment and employment in this province through our initiatives in 9,000 megawatts alone: That's 5,000 construction jobs. We even had DML, who just came from North Dakota to set up a new manufacturing plant for the wind industry in Fort Erie. I indicated to this member not once, not twice but three times that those discussions are underway, and they are underway.

LOW-INCOME ONTARIANS

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Today, the Ontario Association of Food Banks said that a growing number of Ontarians are hungry for change: 338,563 Ontarians used food banks this year, an increase of 4.8% since last year;

144,234 of them were children. That's an increase of 11.7% since last year—a rising number—and 14.5% of all food bank users are the working poor.

Premier, this is unacceptable. Child hunger in Ontario is growing. You were the Premier who said, "Choose change." Poor children are hungry for change. Where's the change, Premier?.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I want to remind my friend opposite that when the NDP were in office, one in five children were on welfare.

Interjections.

Hon. Mr. McGuinty: They don't want to hear that. We lost 1,000 jobs every single month—every single month.

We have made significant investments in improving quality of life for our least fortunate. We've raised the minimum wage twice, on its way to \$8 per hour. We've increased rates for people who find themselves on social assistance and ODSP by 3%. We've increased student assistance for over 135,000 Ontarians. We established a \$10-million rent bank. We put in place a \$2-million emergency hydro assistance fund.

There is more work to do. I can say that those kinds of concerns that the member is raising weigh heavily on us. We look forward to breathing more life into those at the time—

The Speaker (Hon. Michael A. Brown): Thank you.

Mr. Hampton: Premier, while you're congratulating yourself, this is what the report says. The report is entitled the Ontario Hunger Report, and it identifies seven factors, some of which you pat yourself on the back for: decreasing incomes; employment cutbacks; rapidly rising household expenses, particularly energy cost; erosion of benefits; poverty among single parents and children; inadequate social assistance relative to the poverty line; and a continued increase in new Canadians in poverty.

These are the people to whom you said, "Choose change." These are the people whom you told a McGuinty government would produce change for them. What they're asking is, where's the change? Where's the plan from the McGuinty government?

Hon. Mr. McGuinty: To the Minister of Community and Social Services.

Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues): We appreciate very much the organizations that were here today that represent hard-working volunteers and staff, who work every day for the benefit of people who struggle in Ontario today. We applaud them for the work they do. They do it sincerely and with meaning.

The other day I was in Sudbury speaking to an individual who runs the food banks for the Sudbury areas. It is a growing trend and a concerning one that more people are working two minimum wage jobs and still the families need to go to food banks.

But let me remind this party, whose federal cousins are busy trying to take down the government that just

tabled tax relief for these same families—things that would benefit low-income Canadians, and yet you stand here like some kind of hero while your party is busy hurting these same people. I think you need to get back to the table and join with us as a party when we try to benefit low-income Ontarians.

Mr. Hampton: The McGuinty government must be referring to those pre-election promises. I think people in Ontario know what to expect from Liberal pre-election promises.

This is what the food banks say: “Government programs designed to assist children living in poverty in Ontario have not met their intended aim; 119,066 families in Ontario were eligible for the national child benefit this year. All of these families had that benefit clawed back” By whom? By the McGuinty government. Then, in a move out of the Harris Conservative playbook, you cut off malnourished people’s access to the special diet supplement.

During the election, Premier, you told these families you would end the clawback of the national child benefit. You said it was immoral to claw back money from the lowest-income people. When are you going to—

The Speaker: The question has been asked. Minister.
1440

Hon. Ms. Papatello: Let me say right off the bat, you are dead wrong. Number one, when we clawed through over \$37 million on the national child benefit, you voted against it. When we more than doubled nutritional programs for children in schools, you voted against it. When we increased the minimum wage for low-income working Ontarians, you voted against it.

You need to have more credibility to be asking questions about poor people in Ontario. Instead, join with us as we work together. We acknowledge that more work needs to be done. We are determined to help people in Ontario, especially those who need help, especially low-income Ontarians.

AGRICULTURE FUNDING

Mr. Toby Barrett (Haldimand–Norfolk–Brant): To the Minister of Agriculture: Yesterday morning at the Ontario Federation of Agriculture convention, you did leave enough time for one question. I’d like to ask that question again: When will Premier McGuinty, with an elected majority government, empower you to fund the grains and oilseeds proposal? Please don’t tell us you’re waiting for the federal government, because we know the federal government won’t be acting any time soon.

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): First of all, I’d like to say to the honourable member that I did indicate to the OFA folks yesterday that I would be prepared to come back. I was going to rearrange my schedule so I could come back and answer their questions, and they were not able to accommodate that. I was very sorry about that because I did want to have the opportunity to address the important issues they did bring to our attention.

With respect to the grains and oilseeds proposal, the unified voice proposal, I would say to you that integral to that proposal, in their ask, is that we work together as partners to address the issue of all grains and oilseeds and other sectors that are in need. Their needs are not being met by the business risk management program that’s in place at the present time. They’ve made it very clear that the producers, the provincial government and the federal government all have to be at the table in order to make this work.

Mr. Barrett: Minister, we know the feds aren’t going to be doing anything soon. And you’re right: Other sectors are in trouble, not only cash crop but also beef, tobacco and hort. They all have funding proposals on your desk. We know the feds aren’t part of this co-operation right now. Again, why would the federal government ante up to a plan that you don’t really seem committed to? Farmers don’t have time to wait. Minister, the question remains: Will you take action? Will your government take unilateral action, find the funding now for cash crop, beef, tobacco and fruit and vegetable, and then meet with the federal government later and negotiate their share or their co-operation?

Hon. Mrs. Dombrowsky: We are listening to those in the agriculture sector, to our agriculture partners, who have made it very clear to us that we are looking for a long-term plan to bring stability to this very important sector in our society. I have committed to them to work with them and the federal government, but make clear that the participation of the federal government is absolutely essential. The producers in the province know that and expect it. I would suggest that perhaps the honourable member might want to check his e-mail, because I am of the understanding that the federal government actually did make an announcement this morning.

AFFORDABLE HOUSING

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Municipal Affairs and Housing. Minister, last night I had the privilege and honour of spending an evening with the people in the Jane-Finch community and I had the honour of sleeping under their roof that same night. I understand from them that the night before, you were in another public housing development and that you too spent the evening under their roof.

I want to tell what you I witnessed. I witnessed apartments in shoddy condition. I saw air circulation that didn’t work. I saw dirty carpets. I smelled urine in the hallways. My shower didn’t work in the morning. But most disgusting were the bars on the window in the recreation centre that the youth had to use. I have a simple question to you: Would you want your family to live in conditions like this?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Let me first of all say that the member is quite correct; I too spent an evening—at Moss

Park, actually. I want to thank the people there whom I met with both on Monday night and during the evening for their hospitality. I certainly got a much better insight into the kind of issues that they face on a day-to-day basis. I also sensed a sense of community and camaraderie amongst the people that I met.

There's no question about the fact that something has to be done about upgrading the social housing that currently exists out there. We have already made advances to the federal minister of housing on a number of occasions to make sure that there is going to be enough funding available to upgrade these housing communities, especially with respect to the legacy funding that is available as the mortgages get paid down, to leave the balance of funding there so that there is a steady stream of money available in order to make sure that the public housing—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Ms. Marilyn Churley (Toronto–Danforth): Minister, I also spent last night in Toronto community housing. People told me directly that when they leave work, they want to come home to a place that is safe, secure and livable, just like you and me. The province downloaded aging social housing to municipalities without funding for maintenance and upgrading, and you know that. Across Toronto, that's 164,000 people living in 58,000 units that are falling apart. Now, there's an ever-increasing \$224-million repair bill that morally, Minister, you cannot ignore. You have seen it yourself. We want answers today, Minister. I'm returning to my unit tonight. Can I tell them that you will be cutting the cheque immediately to fix up their homes?

Hon. Mr. Gerretsen: This government has done more than has been done over the last 15 years when it comes to affordable housing. As you know, last April we signed an agreement with the federal government in which over \$300 million of provincial taxpayers' money was made available to match the same amount of money that the feds have put in for affordable housing. That money is both for housing allowances and for new affordable housing that is being built and has been built already.

Returning to the issue that the member has raised, there's no question about it: If we want to maintain the social housing stock that's out there, it's going to be necessary to upgrade that. We're working on that on a day-to-day basis, both within our own ministries and with the federal government as well, to make sure that there's sufficient funding available in due course so that these buildings can be made secure and safe and so that they can be great places to live for the people who actually live there.

POST-SECONDARY EDUCATION

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): My question is to the Minister of Training, Colleges and Universities. First, congratulations on today's announcement of the Canada-Ontario labour

market agreements. Once again, you have succeeded in ensuring that the concerns of Ontario's workers and businesses are not only heard but addressed as well.

Minister, you recently announced this government's Ontario trust for student support program. This program will provide \$50 million every year to post-secondary institutions, providing bursaries to assist those students in financial need. Congratulations to you and the Premier on this initiative.

Due to massive tuition increases and student assistance cuts by the previous two governments, it has become more difficult for students and their parents to afford post-secondary education—education essential for successful career opportunities. There are businesses and individuals in the community willing to donate money for bursaries, but they want guarantees that students will get the greatest benefit from their dollars. Minister, can you tell us how our government's plan will ensure this?

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): I would like to thank the member for Stormont–Dundas–Charlottenburgh for the question and for his advocacy on behalf of the students and families in his riding. He speaks often at his beloved St. Lawrence College, and to the students who go to other post-secondary institutions. The Ontario trust for student support is \$50 million a year, every year, to leverage individual and corporate donations. This is how it works: For the institutions that get donations, the government will match the dollars one for one, but for some it gets even better than that. For some institutions, and St. Lawrence College happens to be one of those, they've had challenges over the years in raising funds, so the government will provide them additional three-to-one matching for those dollars. What will this do? These monies go into an endowment. We'll have another 4,000 to 5,000 bursaries made available every single, solitary year for students, to assist them in their educational needs. That's good for access, good for the constituents in Stormont–Dundas–Charlottenburgh and good for the students of Ontario.

1450

Mr. Brownell: Thank you for the explanation. I know there are students across this province applauding this message of hope, knowing this government is providing another tool to assist them in furthering their education. The McGuinty government has shown time and time again its commitment to student success and achievement in this province. I know my caucus colleagues believe all students should have access to higher learning opportunities based on their abilities, not on the size of their pocketbooks. Minister, could you explain to my constituents and to those in this House some of the other innovative measures this government has taken to allow students from across Ontario better access to our post-secondary education system?

Hon. Mr. Bentley: First of all, what we did in the last budget was to make an additional—extra—\$1.5 billion available over the next five years for student assistance, after many years when student assistance hadn't been

increased. What have we done in the first year? We restored the access grants for low-income families that the NDP cut in the early 1990s. We're giving up to 32,000 access grants to first- and second-year students—not loans; grants for access.

Secondly, you heard about the Ontario trust for student support, but additionally, we started to recognize additional student costs in the OSAP program. For example, you didn't have any allowance in calculating the need for a computer. Virtually every student needs a computer. We've recognized the cost. We raised the weekly loan allowance limits for the first time in a dozen years. That was time. There is more to do and we've got four more years of extra money to do it. It will be good for students, good for the students in your riding and good for the people of Ontario.

WATER QUALITY

Mr. Bill Murdoch (Bruce–Grey–Owen Sound): Mr Speaker, my question was going to be for natural resources, but I think he's missing in action today. I think he had to go somewhere, unfortunately. He's not on the list as being away. Since he's not here, I guess I'll send my question to the Premier, since he's the boss and he'll be able to answer this.

Premier, while you were away in China on your last trip, we had a problem here. One of your ministries made a mistake and sent an order to the wrong people. It should have gone to the Minister of Natural Resources. They ended up sending it to a municipality, wanting the municipality to fix a river that belongs to the province. I asked the Minister of Natural Resources the other day and he tried to put it off to the Ministry of the Environment, which can't answer the question. He sent me a letter. In his letter, he states that the rivers aren't really under the mandate of natural resources.

I would like you, Premier, to explain to us when that was taken out of the mandate for natural resources.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): That should be sent to the assistant to the Minister of the Environment.

Mr. John Wilkinson (Perth–Middlesex): We'll try to give the member opposite all the action he needs. I happen to have a copy of the letter from the minister, the same one he gave to you. It seems to me to be very clear. "With regard to erosion," which is the issue that was raised, "conservation authorities have responsibility for erosion control and have considerable experience dealing with watercourse erosion problems. I encourage the municipality to continue to work with the Saugeen Valley Conservation Authority in this matter."

It seems to be very clear that it's an issue before the conservation authority. I know you're sending this over to the Minister of Natural Resources. I think his answer is very clear. We continue to note that the community of Neustadt, as part of West Grey, has failed to apply for COMRIF, round 2, funding for what we consider to be a very serious matter. We note that, given the fact that the provincial order has been stayed for the temporary period

right now, there should be a willingness on all sides to come together to resolve this very serious problem.

Mr. Murdoch: I guess we can't get someone to really answer the question. We got a lot of ramble there, and yes, I agree with Mr. Ramsay's letter where it says that the conservation authorities are much brighter than natural resources. We've known that for a long time.

The conservation authorities are funded through natural resources. So now, after hearing from the parliamentary assistant for environment that they want to fund this, I wanted to ask the Minister of Natural Resources, then, would he consider today funding this project? That's where conservation authorities get their money: from natural resources. Since rivers, as I understand it, should still be under the mandate of natural resources, even though you people don't want to agree with that, fish, I think, are still under the mandate of natural resources. There are a lot of fish in this river.

I guess it would still have to go back to the Premier: Will you fund this project if the Saugeen Valley Conservation Authority asks you for the funding?

Mr. Wilkinson: Let's just try to get the history straight on this. The reason that community has the sewage lagoon in question is because your government downloaded it to the community. That's what started it. When you had the same job that I have today as the parliamentary assistant to the Minister of the Environment, what did you do about that for the good people of Neustadt? Absolutely nothing, other than the fact that you have rhetoric.

Interjection.

The Speaker (Hon. Michael A. Brown): The member for Bruce–Grey–Owen Sound will come to order.

Interjection.

The Speaker: Order. I'm going to have to name the member for Bruce–Grey–Owen Sound. Please come to order.

Interjection.

The Speaker: The parliamentary assistant.

Mr. Wilkinson: I agree that the member opposite has the right to ask a minister of the crown a question. It doesn't seem that you want to accept his answer, as Minister of Natural Resources, where he writes clearly, in plain English, that it goes to the conservation authority. It's that simple.

Mr. Murdoch: It's your river. You should be paying for it.

Interjections.

The Speaker: I name the member for Bruce–Grey–Owen Sound, Mr. Murdoch.

Mr. Murdoch was escorted from the chamber.

MINISTER OF HEALTH'S COMMENTS

Mr. Peter Kormos (Niagara Centre): A question to the Premier: Premier, are anger management classes covered by OHIP?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm not sure they are, but I might be able to make an exception for the member.

Mr. Kormos: Last night, a popular television show mocked Ontario's optometrists because your Minister of Health called optometrists a bunch of terrorists. The Comedy Network's Colbert Report put Canadian optometrists at number 4 on its "threat down" list of North America's most clear and present dangers. Said host Stephen Colbert, "Bravo, sir. Optometrists are a menace."

1500

I know the Minister of Health considers himself a media star, but surely this is the kind of media exposure that Ontario and Ontario optometrists can do without.

Premier, before your minister says something else he regrets and causes Ontario and our health professionals more international embarrassment, will you commit today to ensuring that your Minister of Health himself is enrolled in anger management classes?

Hon. Mr. McGuinty: Let me just say how proud we all are, here in government, of the wonderful work that is being done by George Smitherman, our Minister of Health. There is no doubt about it: There is no shortage of enthusiasm that Minister Smitherman brings to his work, but I can tell you it all is informed by a spirit and a sentiment of commitment to improving the quality of health care for all Ontarians. He will proceed, I know that, as enthusiastically as he possibly can to ensure that we can improve the quality of services for all Ontarians.

IMMIGRANT SERVICES

Mr. David Oraziatti (Sault Ste. Marie): My question is to the Minister of Citizenship and Immigration. I want to congratulate the minister and the Premier for securing this week a historic immigration agreement for the province of Ontario that will see \$920 million in new funding to assist newcomers, something neither of the two previous governments were able to deliver.

I know that you and our government have recognized the economic advantages that highly educated and skilled immigrants represent, and have negotiated this historic agreement with the federal government to ensure that those who choose Ontario as their new home receive the important services that they need.

While the north does not receive nearly as many immigrants as the GTA, I want to say that we welcome their talents and skills and hope more will choose to settle in northern Ontario.

Minister, what does this immigration agreement mean for those newcomers who have chosen northern Ontario as their home?

Hon. Mike Colle (Minister of Citizenship and Immigration): As you know, this unprecedented groundbreaking agreement, which all Ontario governments have been trying to get for over 25 years, is going to mean that newcomers are finally going to get the resources that they need to integrate and be part of a successful Ontario.

The interesting part of this agreement is that one of the strategies in here is to have a partnership with our municipalities so that we'll be able to highlight the attrac-

tive features in all Ontario communities, especially the north—great places like Sault Ste. Marie, with affordable housing and welcoming people. They'll be able to showcase why newcomers, when choosing to come to Ontario, should look at the north—at Sudbury, at Sault Ste. Marie—as a great place to bring their investments and to bring their creativity. It's very much part of our plan.

Mr. Oraziatti: I know that the newcomers who have selected the north as their new home will appreciate the additional funding for settlement and language services from this agreement.

As you know, helping to create economic opportunities in northern Ontario is a constant challenge, but we've recently heard from the Minister of Northern Development and Mines about a major mining announcement that will bring millions of dollars of new investment to Ontario and hundreds of new jobs.

However, as a province, we continue to experience shortages of people with specific training and education. The birth rate is not increasing, and growth now depends on immigration in the north, as it does for the rest of the province.

Minister, what will the immigration agreement do to help northern communities attract immigrants with the skill sets and training that we need?

Hon. Mr. Colle: One of the things that this new immigration agreement will enable us to do is to profile different communities to prospective immigrants overseas who are looking to come to Ontario, so that they can choose and be more familiar with the opportunities.

Traditionally, we know the great impact immigrants have had in Mississauga and Markham, but along with the federal government, what we're saying is, there are incredible opportunities in communities all across Ontario, whether it be Cornwall in the east, where you can do business in French or English, or whether it be in Sault Ste. Marie, Thunder Bay or Sudbury. You can have university for your children. The infrastructure is already there: hospitals are there and schools are there. The people of the north are so welcoming. This investment of \$920 million will mean more successful immigrants will make Sault Ste. Marie their home and will be welcomed in the north. It's great news for the north and it's great news for our newcomers.

FOREIGN INVESTMENT

Mr. Ted Chudleigh (Halton): My question is to the Minister of Economic Development and Trade. Ontario is reeling. Over 40 companies have either shut down or are laying off significant numbers of employees. You've been back from China for one week. Minister, when you were in China, did your missionaries write any business while they were there? Is there any ray of hope for Ontario in that area?

Hon. Joseph Cordiano (Minister of Economic Development and Trade): I'm very proud to announce that the trip to China, with the leadership of the Premier,

was a huge success for Ontario. We met with many different groups. There were in fact a number of signings. Some 30 contracts were signed while we were there. But more importantly, we were seeking to reach out to the Chinese and say that we are open for business, that we're interested in two-way investment. We met with many diverse companies that are interested in investing in North America. I think that will prove to be very successful in the months to come.

Mr. Chudleigh: After a week, I would have thought the minister may have reported to the House on the success of this mission and may have had a dollar figure associated with how much business was written. If there's a dollar figure associated with how much business was written, Ontarians could make a determination as to whether this was a successful trade mission or not.

In talking about how successful this trade mission is, I wonder if you could tell me how much this trade mission cost the taxpayers of Ontario.

Hon. Mr. Cordiano: This comes from a member who was part of a government that for the longest time did nothing about attracting foreign investment to this province. In fact, during that government's time in office, direct foreign investment as a percentage of world share dropped in half. So you had a pathetic record when it comes to attracting investment from abroad.

What we are doing is reversing that. You were missing in action on the foreign front, and we're moving forward. We're expanding our in-market centres to four additional in-market centres—these will be happening very shortly—one in London, one in Tokyo, one in New Delhi and one in Los Angeles. Indeed, there are going to be additional investments being made by the Chinese in Canada.

We don't have a figure for you today, but you can FOI that. I'm sure you've already considered doing that. That will be made available in due course in terms of its costs.

COMMUNITY-BASED MENTAL HEALTH SERVICES

Ms. Shelley Martel (Nickel Belt): I have a question to the Premier. The Ministry of Health has targeted some 30 hospital-based crises and treatment programs run by St. Joseph's Health Care in London to be divested to community-based agencies in southwestern Ontario. The hospital says the decisions were made without any consultation, clinical input or assessment of the staff and expertise in the community to deal with patients who suffer from serious, persistent mental illness. Doctors and psychiatrists at St. Joseph's confirm that the decision to divest 11 ACT teams from the hospital to the community run counter to recommendations made by the South West Mental Health Implementation Task Force. Neither staff from the targeted programs nor the patients and their families who have an association with St. Joseph's have been consulted or involved in this process.

Premier, what is the government's plan to deal with these very serious concerns about these proposals and the divestment process?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I've just received some information about this. I am not personally familiar with the issue, but I can undertake to look into it on behalf of the member in the absence of the minister.

Let me say that our government has always been very clear that we support community governance and the shift to non-institutional community mental health. This is an ongoing process. Lots of work has been done over the past two years. We will continue to work to ensure that the shift to community governance will not compromise client needs.

Ms. Martel: It's that very compromising of client needs that the Premier needs to review. Let me share some more concerns with you. The hospital has said, "The ministry regional staff do not appear to appreciate the clinical and human resource implications for this move, particularly as it relates to the ACT programs." The doctors and psychiatrists at St. Joseph's have said, "These new actions on the part of the ministry are not in keeping with appropriate clinical care and, in the particular case of ACT services, will have serious negative consequences for patients and the mental health system."

1510

Your own colleague from Elgin–Middlesex–London, Mr. Peters, has written to the minister on four occasions now and said, "Over the past months, I have met with various stakeholders who have different perspectives on this matter and I have come to the conclusion that the serious nature of the concerns brought to me and my London-area and southwest region MPP colleagues deserve to be fully addressed by our government as soon as possible."

Premier, where's the plan to deal with the serious concerns associated with this divestment?

Hon. Mr. McGuinty: Again, our intention is to ensure that patient needs are in no way compromised by this initiative. I think that patients in particular and their families can draw some confidence from the fact that our commitment in this area has been very significant. We've invested \$185 million over four years to allow 78,600 more Ontarians to receive care in the community. I understand the concerns raised by the member opposite, but I would ask her to have some confidence in our intention, in our determination to ensure that we complete this initiative in a way that does not compromise, but indeed enhances, quality of care for patients.

ALTERNATIVE ENERGY SOURCES

Mr. Kim Craiton (Niagara Falls): My question is to the Minister of Energy. The public has seen report after report which shows the negative effect coal has on the health of Ontario's people and its economy—increased asthma attacks, increased hospital visits, increased sick days, and many of these are linked to the burning of coal. In fact, I've had a number of parents who have come into my office with their children who have health effects because of this, and they have asked me, is our gov-

ernment still committed to the closure of coal-burning plants? I've said, "Yes, we are."

Minister, you made an announcement this week about wind energy. I'd like you to share with the House and the people of Ontario how that announcement will benefit all of us.

Hon. Donna H. Cansfield (Minister of Energy): I'd like to thank the member from Niagara Falls for his question. I'd also like to thank him for his dedication to his community and his commitment to clean, renewable energy. As you know, within the member's community we have invested \$1 billion in a new tunnel for Niagara, which will create 1.6 million kilowatt hours of new, clean, renewable energy for the Niagara region.

I reiterate that our commitment to coal is firm. There is no such thing as clean coal, and there is no question that there is a significant increase in smog-related respiratory issues, in addition to the climate change challenges that face us. We had 1,000 megawatts that we asked for; we actually received proposals for 2,200 megawatts. Out of that, we accepted 975 megawatts, eight of which were wind and one was hydroelectric. It adds to the 9,000 currently under way, in addition to the 2,200. We are delighted with our opportunity to build in this province new generation of clean, renewable energy.

Mr. Craitor: Not only was the announcement a positive step toward replacing coal-burning generation, which will help air quality in Ontario, it's also good news for our economy. I know that jobs are being created in the Niagara region to help support the need for wind turbines. This proves that we don't have to choose between the environment, our health and the economy. This proves that we can achieve a balance that will help all three of these areas. Minister, how is our commitment to clean energy creating new jobs and industries in Ontario?

Hon. Mrs. Cansfield: Our first 394 megawatts of clean, renewable energy brought in \$700 million to this economy; our second request for 975 brought in just under \$2 billion to this economy. That's a creation of approximately 5,000 construction jobs and obviously a number of permanent jobs. In addition to that, as I mentioned earlier, DMI from North Dakota will be locating one of their wind turbine manufacturing plants in Fort Erie. That's 100 jobs, and they are already talking about expansion. We know they've invested in Ontario because it's a good place to invest, and it's a good place to invest because we have a strong strategy on how we're going to build new generation, maximize our existing generation and transmission, and create that culture of conservation.

PUBLIC HEALTH

Mrs. Elizabeth Witmer (Kitchener–Waterloo): In the absence of the Minister of Health, I'm going to direct my question to the Premier. On October 25, we asked your Minister of Health to guarantee that not one cent of provincial taxpayer money would go to fund drug-consumption sites. He refused to answer the question, saying, "There is no such proposal before any municipi-

palities in Ontario," and, "There is no ongoing discussion in any jurisdiction in Ontario" that he was aware of.

These discussions are in fact going on in at least two Ontario municipalities. Ottawa is currently conducting a study, and on December 5, Toronto city council will be considering a request from the board of health to prioritize a needs assessment and feasibility study for consumption sites. Premier, once again, will you guarantee today that not one cent of provincial money will go to funding these so-called drug-consumption sites?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I appreciate the question, and I'm happy to take it in the absence of the Minister of Health. My understanding is that this issue is one that falls under the purview of our municipalities and it's up to them to consider these issues. I would fully expect that they would weigh the advice they get from the police against the advice they might get from community and social workers, and that they would use their very best judgment when they make a call on this. But it is not the kind of thing over which we have immediate responsibility; it's the kind of thing that fundamentally rests with our municipalities.

PETITIONS

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I have this petition signed by many people in my riding:

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I support this petition, I sign it and I send it down.

Mr. Mario Sergio (York West): On a point of order, Mr Speaker: During question period, the member from Beaches–East York made a reference to the area of Jane and Finch because he found a dirty carpet and no hot water in the morning. I would like to say that I take this as a personal—

The Speaker (Hon. Michael A. Brown): That is not a point of order.

Interjection.

The Speaker: The member for York West will come to order.

Interjection.

The Speaker: The member for York West—stop the clock.

Petitions: the member for Scarborough Southwest.

1520

SKILLS TRAINING

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas the McGuinty government has committed to a new multi-year increase of \$6.2 billion in colleges and universities;

“Whereas 178,000 new jobs have been created since the McGuinty government took office;

“Whereas the McGuinty government introduced the apprenticeship tax credit in order to encourage employers to participate in developing a highly skilled workforce; and

“Whereas the McGuinty government has invested \$12.5 million this year to assisting internationally trained individuals gain recognition in order to join the workforce;

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

“To support the McGuinty government’s commitment to ensure that Ontario has the best skilled workforce and the strongest economy.”

I support this petition. I affix my signature to it and give it to page Zoë.

HYDRO RATES

Mr. John O’Toole (Durham): I have a petition from my riding of Durham.

“Whereas electricity is an essential public commodity that must be assured to all residents, including the elderly and people on fixed income;

“Whereas the citizens of the province of Ontario pay more for electricity under Dalton McGuinty’s government since they broke their promise to preserve the price cap on electricity;

“Whereas in April 2004 the Liberals increased the electricity rate to 4.7 cents per kilowatt hour for the first 750 kilowatt hours in a month, and 5.5 cents for additional hours, and prices are estimated to increase in 2005 to reflect the true cost of electricity,” which is more;

“Whereas it is important that the electricity price remain affordable for residential consumers, especially those with low and fixed incomes;

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

“That the Liberal government commit to enacting income-contingent legislation that will protect residential

consumers, especially seniors and individuals on fixed incomes, from further outrageous price increases” for electricity.

I am pleased to support this on behalf of the vulnerable people in my riding, and present it to Kumail.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Michael Gravelle (Thunder Bay–Superior North): “To the Legislative Assembly of Ontario:

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

Therefore, “we, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I support this petition and I’m happy to sign it.

Mr. Ernie Hardeman (Oxford): I have a petition to the Legislative Assembly. It’s similar to a lot of the petitions that have been presented to the Legislature on behalf of the intellectually disabled community. Hopefully, as more of these petitions come forward, the Minister of Finance will be listening.

“To the Legislative Assembly of Ontario:

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I affix my signature.

MACULAR DEGENERATION

Mr. Bob Delaney (Mississauga West): I’m pleased to join with my colleague the member for Niagara Falls

in this petition to the Legislative Assembly of Ontario, signed by a number of people in the Niagara area. It reads as follows:

“Whereas the government of Ontario’s health insurance plan covers treatments for one form of macular degeneration (wet), and there are other forms of macular degeneration (dry) that are not covered;

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

“There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most constituents and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program.”

It’s my privilege to support and sign this petition and to ask page Laura to carry it for me.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Toby Barrett (Haldimand–Norfolk–Brant): “Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I affix my signature to this.

Mr. Peter Kormos (Niagara Centre): I have a petition addressed to the Legislative Assembly of Ontario.

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure

that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I have affixed my signature with enthusiasm and send this to the clerk’s table with Alexandre Lafontaine.

GO TRANSIT TUNNEL

Mr. Tony Ruprecht (Davenport): I keep getting petitions about the dilapidated bridge at Old Weston Road. It’s addressed to the Parliament, the minister of infrastructure services and the Minister of Transportation, and reads as follows:

“Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West ... making it easier for GO trains to pass a major rail crossing;

“Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair Avenue-Old Weston Road bridge;

“Whereas this bridge ... will be: (1) too narrow for the planned TTC right-of-way, since it will have only one lane for traffic; (2) it is not safe for pedestrians (it’s about 50 metres long). It’s dark and slopes on both east and west sides creating high banks for 300 metres; and (3) it creates a divide, a no man’s land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

“Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow.”

I agree with this petition 100% and I’m delighted to sign it.

HEALTH CARE SERVICES

Mr. John O’Toole (Durham): “To the Legislative Assembly of Ontario:

“Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services; and

“Whereas abandoning support for these services will place greater demand on other health care sectors such as physicians, emergency wards and after-hours clinics; and

“Whereas no Ontario citizen should be denied access to necessary medical care because of lack of funds;

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

“To reverse the delisting of eye exams, chiropractic and physiotherapy services and restore funding for those important” services as soon as possible.

I’m pleased to support this on behalf of those persons who can’t afford those services that the McGuinty government has delisted.

1530

DIABETES TREATMENT

Mr. Bob Delaney (Mississauga West): I'm pleased to join with my colleague the member from Peterborough in this petition, signed by a number of people from the Peterborough area. I certainly urge the people in Peterborough to make their petitions with a little bit larger type so that some of us with aging eyes can read them.

It is a petition to the Legislative Assembly of Ontario, and it reads as follows:

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

"We are suggesting that all diabetic supplies as prescribed by an endocrinologist or medical doctor be covered under the Ontario health insurance plan.

"Diabetes costs Canadian taxpayers \$13 billion a year and increasing. It is the leading cause of death and hospitalization in Canada. Many people with diabetes cannot afford the ongoing expense of managing the disease. They cut corners to save money. They rip test strips in half, cut down on the number of times they test their blood and even reuse lancets and needles. These cost-saving measures often have tumultuous and disastrous health consequences. Persons with diabetes need and deserve financial assistance to cope with the escalating cost of managing diabetes.

"We think it is in all Ontario's and the government's best interest to support diabetics with the supplies that each individual needs to obtain optimum glucose control. Good blood glucose control reduces or eliminates kidney failure by 50%, blindness by 76%, nerve damage by 60%, cardiac disease by 35% and even amputations."

This is a good petition. I am pleased to affix my signature to it and to ask the page, Stephen, to carry it for me.

SCHOOL BUS SAFETY

Mr. John O'Toole (Durham): "Whereas four-year-old Allyceea Ennis died while travelling on a school bus on February 12, 2004;

"Whereas the safety of children in the province of Ontario is of utmost importance;

"Whereas Ontario school bus drivers are not required"—at the present time—"to have cardiac pulmonary resuscitation (CPR) or first aid training;

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

"That the Ontario Liberal government implement MPP John O'Toole's Bill 162, which would make it mandatory that all applicants for school bus drivers' licences in the province of Ontario complete a practical examination on CPR and first aid" to put our children's lives in safety.

I'm pleased to sign this on behalf of my constituents and those children in Ontario who need our support.

BUSINESS OF THE HOUSE

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): On a point of order, Mr. Speaker: I seek unanimous consent to move a motion respecting the business of the House for this evening.

The Acting Speaker (Mr. Michael Prue): Is there unanimous consent? Agreed. Proceed.

Hon. Mr. Caplan: I thank the members.

I move that, notwithstanding any standing order, the House continue to meet beyond 6 o'clock for the purpose of completing consideration of the motion for second reading of Bill 210, An Act to amend the Child and Family Services Act and make complementary amendments to other Acts, following which the Speaker shall adjourn the House until Thursday, November 24, 2005, at 10 a.m.

The Acting Speaker: Mr. Caplan has moved that, notwithstanding any standing order—

Hon. Mr. Caplan: Dispense.

The Acting Speaker: Dispense. All those in favour? Carried.

ORDERS OF THE DAY

FAMILY STATUTE LAW
AMENDMENT ACT, 2005LOI DE 2005 MODIFIANT DES LOIS
EN CE QUI CONCERNE
DES QUESTIONS FAMILIALES

Mr. Bryant moved second reading of the following bill:

Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access / Projet de loi 27, Loi modifiant la Loi de 1991 sur l'arbitrage, la Loi sur les services à l'enfance et à la famille et la Loi sur le droit de la famille en ce qui concerne l'arbitrage familial et des questions connexes et modifiant la Loi portant réforme du droit de l'enfance en ce qui concerne les questions que doit prendre en considération le tribunal qui traite des requêtes en vue d'obtenir la garde et le droit de visite.

The Acting Speaker (Mr. Michael Prue): Mr. Bryant.

Hon. Michael Bryant (Attorney General): I'm pleased to begin second reading of the Family Statute Law Amendment Act, 2005. I'll be sharing my allotted speaking time today with the minister responsible for women's issues, the Honourable Sandra Pupatello, and the parliamentary assistant to the Attorney General and member for Willowdale, David Zimmer.

Let me begin by thanking, applauding, acknowledging and recognizing the great work done by the minister responsible for women's issues, Sandra Pupatello, with whom I've worked on this particular issue for some time now.

The Family Statute Law Amendment Act would, if passed, make changes to the way family law matters are arbitrated in Ontario. The bill would, if passed, amend and improve the existing Arbitration Act and Family Law Act to ensure that all family law arbitrations are conducted exclusively under Ontario and Canadian law. That would mean resolutions based on any other laws and principles would not be family arbitrations. They would have no legal effect. They would amount to advice only.

Our government is proposing these changes because we believe that here in Ontario, diverse as we are as a society, we are all equal before the law and under the law.

Notre gouvernement agit aussi parce qu'il veut mieux protéger ceux qui choisissent de soumettre leurs litiges familiaux à l'arbitrage.

We know that, while these new rules and regulations would make a real difference, it is very important that they be effective. The way they are effective is to ensure that the people of this province know about them and understand them. So our government is also developing a community outreach and education program to ensure that all Ontarians will better understand their rights and their choices under Canadian and Ontario family law and family law arbitrations.

The Arbitration Act was introduced on March 27, 1991, by my colleague across the way, the leader of the third party, Howard Hampton, back when he was the Attorney General. The Arbitration Act, 1991, changed the way arbitrations were conducted in Ontario. It was passed unanimously on November 20, 1991—with all-party support. Mr. Hampton stated the purpose and thinking of the bill when it was introduced. Attorney General Hampton, back then, said this: "Arbitration is a good and accessible method of seeking resolution for many kinds of disputes. It can be more expedient and less costly than going to court. The parties can design their own procedures and select appropriate arbitrators."

During second reading, future Attorney General Charles Harnick also spoke to the bill. He spoke in favour of the bill, saying, "The effect of the bill will be that it will take private disputes, civil actions, out of the court system. I think it will offer litigants a faster and less costly solution to their problems, ... free up the courts to do the work the courts must do and ... give the courts the opportunity to engage in matters that are not conducive to arbitration."

I went through the debate at the time to consider what the purpose of it was. I note that the justice critic for the New Democratic Party did speak against a part of the bill with respect to labour matters and arbitrations. Mr. Kormos had a concern with the bill—at least in the version that was before the House, and perhaps it was

amended to Mr. Kormos's satisfaction—as it affected labour arbitrations. He spoke to that. But I didn't see any of his remarks on family arbitrations, which, to be fair, was because Howard Hampton was the Attorney General of the day.

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The 1991 bill introduced by Mr. Hampton had no regulation-making powers in it. The power to pass regulations was not in the bill. So the suggestion that has been made recently by the leader of the third party that we could have effected this by way of regulation is not accurate. There were no regulation-making powers in the bill.

Secondly, the leader of the third party now says that the 1991 bill somehow envisions certain protections that we are now bringing forth here today. If those protections were in that 1991 bill, I don't think we would have had the No Religious Arbitration Coalition, the no shariah law arbitration coalition, and the concern expressed by people around the world about how the 1991 act was being used.

If that were the case and those protections were in that bill, then we would not have asked Marion Boyd, a former Attorney General under the New Democratic government, someone who's a former minister responsible for women's issues and someone certainly with some expertise in terms of vulnerable women in her pre-political life, during her political life and after that. So I don't think it's fair to say that the 1991 bill had those protections in it.

Then the question becomes, what new protections do we need? The proposed changes that we've put forward have been considered closely by many of the people who have engaged in this issue in a very meaningful way. Since we introduced the bill on November 15, we've received some very esteemed support, and I thank those people for their support and for the time that they put into this issue.

The No Religious Arbitration Coalition, comprised of over 100 agencies and groups, and a number of individuals have told us that they welcome the proposed changes. I should also point out that the coalition includes the Canadian Council of Muslim Women, which was one of the leaders in expressing concerns about family arbitrations under the existing laws. Pamela Cross, the coalition co-chair, says that the coalition is pleased to find substantive legal changes in our bill, which will go a long way to ensuring that women's rights are protected. Many of the province's top family law lawyers have told us that they support the bill, and have suggested that it is the right way to go.

The Muslim Canadian Congress has also put out a release and indicated their support for this new legislation, calling on both the opposition and the third party to permit the bill to go to an up-and-down vote in an expeditious fashion.

The Metropolitan Action Committee on Violence Against Women and Children and the Ontario Women's Justice Network believe this is strong and positive law

reform. They say, "This legislation will make a material difference to women and children involved in the resolution of family disputes." They urge all members of the Legislature to support this bill and ensure that it passes in a timely fashion.

Many of our stakeholders applaud the fact that our proposal would allow for arbitration to remain a cost-effective, timely and accessible dispute resolution method for Ontarians to use when dealing with family law matters. They tell us they're pleased that our proposal would make a meaningful difference when it comes to protecting vulnerable Ontarians, namely women and children of this province.

I want to take a moment to address some of the concerns raised, particularly those that have been raised from across the floor. I know that the official opposition has indicated that they support this bill, but that they feel that the government should have resolved this in a more timely fashion. I hope that same spirit of moving along with due dispatch applies to their position with respect to the movement of this bill through the Legislature.

It is true that we've been examining this issue very closely. Marion Boyd's review was all in, I believe, some six months long. She heard from almost 50 groups and dozens of individuals, and presented us with a report containing no less than 46 recommendations. We obviously took the time to review Ms. Boyd's recommendations in her report to create amendments to the Arbitrations Act that would be effective, address the issues at hand, and make a real and significant difference. A number of her recommendations, at the behest of the advice that she received in her report, are found in this bill, but we also took the time to review and analyze and consider the input we received from Ontarians subsequent to our receipt of the Boyd report. We took the time to get it right.

I don't want to let this moment pass without thanking Marion Boyd for not only the time and energy she put into it, but for the public service she put into it. This, as far as I'm concerned, was a vintage effort from someone who has dedicated herself to these issues her entire life, and I thank her for putting her name in the public arena and taking the time she did to hear from the people she did in providing the usual exhaustive and thoughtful approach to this issue that she has brought to many others.

We don't believe that banning family law arbitrations is the answer. I should say that we're not alone.

The family bar, including a number of women's advocates, have told us that they want to be able to arbitrate family matters. They say that prohibiting all forms of family law arbitration would do a disservice to their clients and set family law back some 15 years.

In the Boyd report, and I'm quoting from page 36 here, she writes this: "In one consultation with representatives of the family law section of the Ontario Bar Association and the Advocates' Society, the review"—that is her review—"was told that removing the option to arbitrate family law matters would, 'be a disaster,

pushing the development of family law back 30 years.'" I believe it was Philip Epstein who said that, acknowledged by many as being one of the leading, if not the leading, family lawyer in the province.

During the consultation with the Law Society of Upper Canada, one lawyer made the point that with arbitration, the parties, with the advice of their lawyers, can choose an arbitrator who is an expert in family law, and pointed out a number of benefits to the family law process.

It's our position that removing family law arbitration altogether would in fact leave our system in a situation where people were not getting appropriate access to justice. That was the very purpose of the 1991 bill in the first place. The very purpose of the bill was to build upon the principles of alternative dispute resolution and to recognize that the court was not the only place that could deliver justice to Ontarians.

It was in the name of that that the leader of the third party, then-Attorney General Howard Hampton, introduced that bill, and sold that bill to the Legislature. Certainly, that was not with respect to just any arbitration; that includes family law arbitrations. I agree with Howard Hampton when he said that "family law arbitrations do provide a just and appropriate and flexible and timely and accessible way to achieve a result at the end of the dissolution of a relationship that is in the best interests of Ontarians and their children."

I look forward to the comments from the justice critic and Mr. Hampton as to how they feel about the 1991 bill now, and how they feel about family law arbitrations altogether.

We have no evidence that family law arbitrations are rendering injustice; no evidence at all. There's nothing in the Boyd report and no one has come forward and said, "Here are the injustices being visited upon people as a result of family law arbitration." That's why those who work in this area say that getting rid of family law arbitration altogether would set back our family law system some 15 years. I take that advice.

Some people have expressed concern that this bill, if passed, would allow for the reopening of many cases where spousal support or child custody have been resolved, sometimes for years. They say our courts will be flooded, the concern is, with people looking to change what's been settled. I want to assure Ontarians there is nothing in this bill that in fact would effect that, and that this simply will not happen. The bill preserves the right to appeal a family arbitration award, and the parties would not be able to waive that right. They have to exercise that right within 30 days of the arrival of the arbitration itself. There's no retroactive provision in this bill for appeals or otherwise.

What would change is that family arbitration agreements would be able to be challenged in the courts in the same way that domestic separation agreements can be challenged under the current law. That's not the way it worked under the 1991 bill. We're bringing the arbi-

tration system under the protections under the Family Law Act.

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Arbitration agreements, in that sense, would not be completely and unnecessarily final but could be subject to court review under certain prescribed circumstances in the same way that separation agreements can. For example, an arbitration agreement could be subject to review by a court if there has been a material change in circumstances in the support cases, if the amount provided for the arbitration support is unconscionable or if it's revealed at a later date that full financial disclosure was not made by a party before the arbitration. These are the protections that are in place for separation agreements, and they should be in place for family law arbitration agreements. If this bill passes, they will be in place.

Most people who have entered into such arrangements in the past comply with arbitrations and awards just as they comply with their separation agreements. I would submit to you that the McGuinty government's proposed legislation strikes the right balance of allowing a useful dispute resolution process to continue while ensuring that it occurs only under Canadian law and all of its protections. We need to make it clear that when it comes to family matters, arbitration can be a useful dispute method.

I urge members to heed the call from many that this legislation is needed; heed the call that we need to put this matter forward in an expeditious fashion to ensure that, yes, it gets the debate it is getting here today, but also ensure that Ontarians are better protected when it comes to family law, so that we can ensure that family law matters in this province are governed exclusively by one law, and that is Canadian law.

The Acting Speaker: The Minister of Community and Social Services.

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): Thank you, Speaker, and today as well minister responsible for women's issues.

I'm delighted to join the Attorney General in speaking to this bill that has been tabled before this House. I will also be joined by his parliamentary assistant, Mr. Zimmer, who has also been working diligently on this issue. I want to thank them for allowing me some of their time.

As the minister responsible for women's issues, I am pleased with the tremendous support that women's groups have given us in terms of how they have closely watched the government dealing with this issue, since it certainly has become one in the last several months.

We have heard from those seeking greater protections for women.

I am happy to say that in addition to the proposed legislation, we, through the Ontario Women's Directorate, will be working with women's groups to develop new community outreach and education programs to better inform Ontarians about family law and arbitration. We want to make sure that vulnerable people in com-

munities across the province understand that only the decisions conducted exclusively in accordance with Ontario and Canadian law are enforceable, if in fact this legislation is passed.

Les Ontariennes et Ontariens méritent d'avoir un système judiciaire qui soit facilement accessible et facile à comprendre.

Our government wants to make sure that all people, especially vulnerable women, have the information they need to make the best choices offered to them by Canadian family law.

I've met with women from marginalized communities. Some of these women are susceptible to coercion; some of these women are subject to family and community pressures; and some of these women, either out of fear or lack of information, may make decisions that go against their best interests and the best interests of their children. By increasing the availability of accurate legal information, we are reaching out to these women.

This proposed legislation gives us the opportunity to reflect on the importance of the rights that are guaranteed to all Ontarians and to all Canadians. The proposed legislation is one specific case, but it points to a greater, much more fundamental truth: It reminds Ontarians that our government is firmly and completely committed to equality principles and women's rights as guaranteed by the Charter of Rights and Freedoms.

Et elle nous permet de renouveler notre engagement consistant à faire tout en notre pouvoir pour garantir ces droits.

Section 15 of Canada's Charter of Rights and Freedoms holds, "Every individual is equal before and under the law." Section 15 guarantees all individuals "the right to the equal protection ... of the law without discrimination." In particular, no discrimination may be "based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability." It's important that we remember that these rights belong to every Ontarian.

The best way our government can guarantee that people take possession of the charter is through appropriate legislation and public education. That's why we will work in partnership with women's groups and community groups to make sure we develop materials best suited to reach target audiences in vulnerable communities. Individual communities often know the best way to transmit information to reach their members. We want to make sure that the materials are culturally and linguistically appropriate.

Ce matériel est disponible dans plusieurs langues et sous différents formats. Il est écrit dans une langue simple—the availability in fully accessible formats for those with low literacy and those with disabilities, so that it serves all members of the diverse communities across the province.

The public education program I'm speaking of actually means empowerment. It is a means of allowing all residents to be full and active participants in the economic, social and cultural life of this province. The entire community benefits when a woman has the knowledge

and the confidence to make the choices that allow her to lead a life of her choosing. The entire community equally benefits when a woman can make choices that are in the best interests of children.

En tant que ministre déléguée à la Condition féminine, je suis heureuse que notre gouvernement prenne les mesures nécessaires à ce propos pour veiller à protéger les droits des femmes.

I will continue to look for the support of women's groups as our government continues to build an Ontario where all women are able to take full advantage of the rights afforded to them.

Mr. David Zimmer (Willowdale): I'm pleased to speak to second reading of the Family Statute Law Amendment Act. I want to thank the Attorney General for sharing his time with me.

As the Attorney General said, this bill would, if passed, ensure that all family law arbitrations are conducted exclusively under Ontario and Canadian law. That would mean resolutions based on any other laws and principles would not be arbitrations; they would be advice only. Under this proposed legislation, Ontarians would still have the right to seek advice from any source in matters of family law, including religious leaders, but such advice would not be considered an arbitration and would not be enforceable by the courts.

This bill makes it clear, then, when it comes to arbitrating family law matters, that there is only one law, and that is Canadian law. You see, in a province with a mosaic as diverse as ours, we need to highlight and build on our common ground. That common ground, at least in part, is our law, our legal system. We need to ensure that when it comes to family law arbitrations, everyone who participates is equal and is protected by the same law. The McGuinty government believes that no matter where we have come from or how long we have been here, we must all be subject to the same law.

During our extensive consultations with Ontarians, which the Attorney General has outlined for you, we heard loud and clear from women and from people seeking greater protections for women and children. We have included a number of amendments in this act that, if passed, would better protect the vulnerable. For example, this legislation, if passed, would require that each party receive independent legal advice before making a family arbitration agreement. Right now, there is no such safeguard.

With this proposed legislation, we would ensure that the right to appeal cannot be waived, so that anyone who is not satisfied with the end result of the arbitration could take it before an Ontario court for review on a question of law. Currently, that right can be waived, which can only leave participants with little choice if they believe the end result to be unfair.

Our proposed law would also, for the first time, authorize the regulation of family law arbitrators. If this legislation is passed, we would make regulations so that all arbitrators would have to be members of a recognized dispute resolution organization. They would have to set out all of the arbitration agreements in writing, and they

would have to keep records and submit regular reports to the Ministry of the Attorney General.

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And, better to protect women from power and gender imbalances, our proposed legislation would insist that these regulated arbitrators be trained to recognize—

Mr. John R. Baird (Nepean–Carleton): On a point of order, Mr. Speaker: The government doesn't even have a quorum to hear this speech, and I think it's an affront to the member for Willowdale. I wonder if you could check.

The Acting Speaker: Could you check for quorum.

The Deputy Clerk (Ms. Deborah Deller): A quorum is present, Speaker.

The Acting Speaker: The point of order is not well taken.

Please continue.

Mr. Zimmer: And, better to protect women from power and gender imbalances, our proposed legislation would insist that these regulated arbitrators be trained to recognize and screen for power imbalances and situations of domestic violence when the two parties come together to arbitrate.

This legislation would also prohibit advance agreements to arbitrate any future family law disputes. This would ensure that people would be able to deal with the family law issues, if and when they arise, using any method they choose. This would change the current system and mean that people would no longer find themselves locked into particular methods of resolution when family law matters arise.

Under this proposed legislation, all family arbitration decisions would have to be made in the best interests of the children. All arbitration awards relating to child custody and support could be reviewed by the court and set aside if they are found not to be in the best interests of the children involved.

Also, under our proposal, arbitrators would be held to the same standard as other professionals when it comes to reporting children in need of protection. Our legislation would amend the Child and Family Services Act to make it an offence for arbitrators not to report child abuse. And while we are talking about better protecting Ontario's children, I should point out that this act, if passed, would also amend the Children's Law Reform Act to ensure that violence and abuse are considered by the court when determining the best interests of a child when it comes to custody and access matters.

In order to ensure that this legislation is effective, we are developing new community outreach and education programs so that all Ontarians will better understand their rights when it comes to family law arbitrations in this province. The minister responsible for women's issues will provide the House with more details on these programs in a few moments.

As the Attorney General pointed out, our government is not alone in believing that this proposed legislation is needed and would be effective. We have heard from stakeholders, including the Muslim Canadian Congress,

the Canadian Congress of Muslim Women, the Ontario Bar Association, the Ontario provincial council of the Canadian Federation of University Women, and the No Religious Arbitration Coalition, which in itself is composed of a further 100 groups, agencies and individuals. All of these organizations support our proposed legislation. They say it would make real, significant and much-needed change to our current arbitration system.

I urge all members of this House to support this bill. The McGuinty government's Family Statute Law Amendment Act strikes the right balance. It allows a useful dispute resolution process to continue, while at the same time, it makes use of trained practitioners and ensures that all participants are protected and treated equally under one law: the Canadian law.

The Acting Speaker: Questions and comments?

Mr. Baird: I am pleased to respond to the speeches. I would have thought that the Premier would be the lead-off speaker on this bill, because it was Dalton McGuinty who cut my good friend the Attorney General—who I like and admire—off at the knees. He had a rather long process to come to a solution, and I think the Premier woke up one Sunday morning and had become terribly impatient that this bureaucratic process had gone on and dilly-dallied for far too long. The Premier, rather than picking up the phone and phoning his Attorney General or phoning his press secretary about setting up an announcement, just called Keith Leslie on a Sunday morning and made the announcement. He didn't have a press conference. There was no opportunity for the minister or the Premier to be available to make this sort of announcement, and that surprised me. It surprised me greatly.

I thought the Premier, since he had taken charge of this file—and I've seen this happen to a number of ministers, where the Premier takes charge of the file for them. My friend from Leeds–Grenville has seen that as well, hasn't he?

Mr. Robert W. Runciman (Leeds–Grenville): Yes.

Mr. Baird: I would have thought the Premier would have wanted to lead off the bill, because it really should be his name on the front of this bill.

Interjection.

Mr. Baird: If the Attorney General wants to discuss the previous Premier, I'm certainly happy to do that on any occasion. But I will tell you, I was surprised.

I was also terribly surprised that neither the minister nor the Premier would have consulted the big Jewish community in Ottawa. Why wouldn't they have consulted them before this decision was arrived at, or the Christian community, in which a considerable amount of arbitration had gone on over the years? In some respects, they threw the baby out with the bath water, and that was a big surprise to me.

Maybe in the answer period, the Attorney General could answer that question of why he or the Premier was not available at a Sunday morning press conference to speak to this issue.

Mr. Peter Kormos (Niagara Centre): I'm not going to be able to start my comments to this bill until later this afternoon. I'm looking forward, of course, to Bob Runciman from the Conservative Party, their critic. He will be speaking for the one-hour lead-off on behalf of the Conservative caucus.

Look, New Democrats have made it very clear: We are very troubled by this legislation. There are problems that have been spoken about and written about over the recent past around arbitration of family law matters. New Democrats were and continue to be eager to find a resolution to those problems. Indeed, in the very latter part of spring of this year, New Democrats made it clear that we believed that section 2 of the Arbitration Act, 1991, should be utilized to exempt family law matters from consideration under the Arbitration Act. We were influenced in reaching that decision in no small part because that's the course that Quebec took. In their civil code, they exempt family law matters and similarly related matters.

There's going to be a whole pile of observations made, but I want to highlight a couple right now. This bill does not exclude the consideration of estate law matters by arbitrators of any sort or any ilk. It only excludes the arbitration of matters under part IV of the Family Law Act, and that is something that should be of great concern to all of us, because the concern around biases in certain religious philosophies and perspectives has a great impact on that.

As well, while this Arbitration Act attempts to address the problem, it fails miserably. It contemplates the utilization of the law of Ontario or of any other province in Canada, but what about a couple of French citizens who happen to be in the province of Ontario who would want the law of France applied in the course of an arbitration? This law effectively denies them that right.

Ms. Kathleen O. Wynne (Don Valley West): I hope at some point I'm going to have an opportunity to speak at length to this piece of legislation, because it's a very important one. As a member of the women's caucus in the government, we felt that it was very important that we look at the issues raised by the issue of faith-based arbitration at all in family matters.

That's what this legislation does. It says that faith-based arbitration in family law matters is not going to—the agreements that would come out of such an arbitration process are not going to have any legal standing. In doing that, this legislation strikes the balance, because what we've said is that we need to put in place the protections that should be there anyway for all arbitrations on family matters: the regulation of arbitrators and the mandatory independent legal advice. Those are protections that should be in place. So I'm very happy that the legislation includes those and will make arbitration on family law matters a much more protected process especially, from my perspective, for women who enter into it.

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On the issue of faith-based arbitration, this government has looked at what happened in 1991, we've looked at the Arbitration Act, and we've said, "You know what? Something was missed here." We believe that faith-based arbitration doesn't have any place in family matters. If people need to or want to go to their place of worship to get advice, that's fine. That's informal advice, and everyone is free to do that. That religious freedom is intact. But in terms of having an agreement that has legal standing, this legislation makes it clear that those faith-based arbitrations will no longer have the weight of law.

I'm very happy we've come to this solution, and I applaud the minister for his legislation.

Mr. Runciman: I appreciate the opportunity to ask a question or two here as well as to make some observations.

The Attorney General in his opening comments talked about some of the processes involved in going down this road, but I'm not really sure, in terms of the public, who expressed concerns which I think drove the government to finally make a decision, whether he has in a fulsome way explained how we got into this situation initially. I think it would be helpful for all of us to have a better understanding of what drove the initiative in the first place. Was this a commitment made during an election process? Was there some promise made to a group in society that would suggest that this was a process that should be undertaken by the government of the day? I think it would be helpful for all of us to have some understanding of that and, as well, an understanding of what's happening with respect to this government. I think that's an important issue. It may not deal specifically with the legislation itself, Mr. Speaker, so I'll be looking to you for some understanding, but how this all came about and how this government goes about making decisions—I think we can clearly tie that into the process that took place here.

It should be of concern to all Ontarians. When they look at the government of the province of Ontario and look at the decision-making process, I think what occurred here is an eye-opener, to say the least: the fact that so many people were shut out of this process, with no opportunity for input or involvement whatsoever. I think that's something that I will be expanding upon in my remarks, which will be coming very shortly.

Certainly, I think if the Attorney General or the minister of women's issues could expand a little more fulsomely with respect to the origins of this initiative, that would be helpful.

The Acting Speaker: The Attorney General or the member from Willowdale has two minutes.

Hon. Mr. Bryant: What got us into this in the first place, I say to the Attorney General critic for the official opposition, is a bill introduced by Howard Hampton and supported by Charles Harnick, and supported by this party. As a result of the 1991 Arbitration Act, some people expressed some serious concern about religious tribunals taking place.

With respect to consultation, I'm surprised. I don't think the official opposition sought or obtained any appearance before the Marion Boyd review, but she held a review for six months. She heard from more than 50 groups. She considered written submissions from a wide variety of people. It was certainly open to everybody, and we encouraged everybody to participate in the review. So any suggestion that there wasn't consultation—there was enormous consultation that went into this. We had a review. We had Marion Boyd review this and hear from people, and then we sat down with people.

At the end of the day, the issue here is that the Canadian Association of Elizabeth Fry Societies, the Canadian Council of Muslim Women, the Canadian Federation of University Women, the Canadian Labour Congress, the Metropolitan Action Committee on Violence Against Women and Children, the Muslim Canadian Congress, the Women's Legal Education and Action Fund, YWCA Canada, YWCA Toronto, yes, Margaret Atwood, yes, June Callwood, and yes, John Tory all say that we need to make these changes. I agree. The government agrees.

We feel that removing family law arbitrations altogether would be a disaster. That was the view of those who work in this business every day. I understand that that's what the third party is now counselling, that we in fact bring forth this disaster by removing family law arbitrations.

I look forward to the debate on that, and I look forward to the debate on the specifics, should the members have specific concerns about specific provisions, because obviously this is an important matter that affects women and children and all Ontarians. We want to make sure that we hear from members during this debate, and I certainly will be listening very closely.

The Acting Speaker: Further debate?

Mr. Runciman: I want to indicate that I will be sharing my time with Mr. Baird, the member for Nepean-Carleton.

That was an amazing response we just heard from the Attorney General with respect to why we are where we are today and what really prompted the McGuinty Liberal government, nine, 10 or 11 months ago, to start down this road. He's suggesting, "John Tory made me do it." That just doesn't stand up to scrutiny.

It's regrettable that perhaps we'll never get to know—unless someone is going to be a little more forthcoming during this debate and perhaps during committee hearings—why this occurred and why the government put its toe in this water. Perhaps it's from the Attorney General's friends in the legal community, who make a few good bucks with respect to arbitration. Perhaps that's the reason why. Who knows? Certainly we're not getting an answer in any adequate way from the Attorney General with respect to this issue. I think it would be important and helpful to all of us to understand why we entered this arena. When you take a look at what's transpired over the past nine or 10 months that this has been lingering and festering—I think that's a fair word to use—it's been hurtful to the community, and I'm talking

about the broader community here, not one specific community.

We heard from the minister for women's issues earlier, talking about the Liberal government's belief in support for minorities and equality. Well, what I think happened here—and we saw this festering and festering, and more remarks being made by a variety of people in different faith communities and beyond—is that it deepened divisions within society in Ontario. I think that was the ultimate result of the fumbling and mishandling of this issue by the Attorney General and his colleagues. I think that almost incessant and constant fumbling—and a slap in the face to people who believe in faith-based arbitration—is why the Premier was ignoring all of the consultations, and the Attorney General gets on his feet today and has the gall to talk about it in a positive way.

He said there were 50 submissions, six months of hearings, and was criticizing me personally because I didn't appear before the Boyd commission. I wasn't the Attorney General critic at the time, or I may have had an inclination to make an appearance. He uses that in the debate today as some sort of suggestion of how they listen to people, how they pay attention to interventions and concerns. Well, it's the exact opposite. That is an argument for the other side of the coin: that they don't listen to people or pay attention to submissions and interventions.

Ms. Boyd wasted six months of her time and that of the groups who came before her. I'm not sure how many of them were supportive of extension with respect to faith-based arbitration or expressed concerns about it, but clearly at the end of the day, Ms. Boyd reached a conclusion which the government, for a variety of reasons, decided was not something that was going to be palatable to a majority, perhaps not of Ontarians but a majority of individuals, groups and organizations that are sympathetic to the Liberal cause or historically and traditionally have been sympathetic to the Liberal cause. If that's not the case, we certainly haven't heard a persuasive argument otherwise.

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I have to say that the groups and individuals that appeared before the Boyd commission—I'm going to call it a commission, the Marion Boyd commission—feel a sense of significant betrayal by the Liberal government; significant betrayal. I think they have every right to feel that way. I'm not just talking about the Jewish community, and I don't know if Mr. Patten has any members of the Jewish community in his riding, but perhaps they might want to give him a call and talk about his interventions here and being critical of my raising their concerns here today.

I think they have every right to feel betrayed by the Liberal government with respect to what occurred in this situation. They went and appeared before Boyd; they put their case forward with respect to how they feel faith-based arbitration has worked for the Jewish community in the province of Ontario. Ms. Boyd comes out and makes her recommendations in terms of extending it, and

then, all of a sudden, the Premier, on a Sunday afternoon, in one conversation with one journalist out of Queen's Park, says, "No, we're rejecting that."

What happened to those 50 submissions that the Attorney General boasts about here today? What happened to the six months of hearings that the Attorney General boasts about today? They were thrown out the window in one phone call made by the Premier of the province of Ontario on a Sunday afternoon. That not only reflects badly on the Premier, on the government, on the Attorney General, on the minister responsible for women's issues; I think it reflects badly in terms of the way this government operates on so many issues. I guess you could describe it perhaps as a signature piece of the way this government conducts itself in terms of significant issues.

I've had an opportunity to talk to some members of the Jewish community. Certainly, they're upset. They are demanding public hearings—and I know that my friends in the third party, the NDP, are very supportive of public hearings. They feel it's an absolute necessity with respect to this legislation, given the government's high-handed, heavy-handed treatment of their community, and certainly, they want to have an opportunity to put their concerns on the record, not only with respect to the lack of consultation in the way they were led down the path with respect to potential changes here, but also because of the fact that they feel this was a terrible, terrible slap in the face; not just blindsiding, but a slap in the face to their faith. That's the reality. That's how they're feeling. This sort of the smearing—I don't think they have used that word but they've used other very descriptive language to suggest that this is really a reflection on their faith and the conduct of their faith and the individuals who've participated in these faith-based arbitration processes over the past number of years.

I understand that it has been primarily the Jewish religion that has utilized this. I'm not standing here as an advocate for any particular group or organization of the province, but it was raised with me by an individual with respect to how this evolved over the past number of the years since the original legislation was adopted by the Legislature. This was during the midst of this debate and the growing public furor, and he indicated to me that when the legislation evolved into faith-based arbitration, there weren't concerns in terms of the broader public, because there was consensus within the different faith communities that were utilizing this; with the Christian community, which has, I guess, moderate usage, and within the Jewish community, which has certainly utilized it to a much greater degree—but there was consensus; there were no divisions within those communities.

When we looked at the Muslim community, that was a different situation. We certainly had concerns. I had a delegation representing Muslim women come to see me, who were very, very concerned about what the impact would be on Muslim families and especially Muslim

women and their children. Clearly, we had that division; we didn't have consensus within that religion itself.

That, again, may have been—in this lawyer's and former Attorney General's view—reason enough not to go down that road. That's why I asked the Attorney General earlier, "What got you on to this path other than, perhaps, your friends in the legal fraternity who are looking for bigger bucks?" I think we have a right to know what drove you in this direction.

It would have been nice if he had gotten up and said, "We had delegations appear before us from the Muslim community who were, I think, making real demands on us to move in this direction." If that's the case, he certainly didn't make that clear; I think it was from other communities and other individuals. As I said, the Attorney General is clearly not going to be more forthcoming with respect to what really drove this initiative.

Of all the people this reflects badly on, it is the Attorney General. We know his attraction to the limelight, the cameras and the microphones. It has certainly been a feature of his tenancy in the Attorney General's office. Both the House leader for the NDP and myself—we're both justice critics as well—have attended many of these very vacuous press conferences that the Attorney General holds at every possible opportunity to make non-announcements but to have his face on camera, his voice on air and his words in print.

Here we have a situation which I think he initiated. I believe that the Attorney General initiated this for reasons known best to him. Where do we go from here? We have this thing going back and forth within the Liberal caucus. It was out in the public domain. We had concerns in the so-called women's caucus within the Liberal caucus. We have the stalwarts like June Callwood and others who tend to be supportive of the party that currently governs the province of Ontario, historically, and all of that concern and lobbying activity building to a pressure point where not only did the Premier act on a Sunday afternoon—I think precipitously and in an unfortunate way—but we also created, I think, greater divisions within society in Ontario.

Take a look at the Muslim community. As I indicated earlier, there's clearly no consensus within the Muslim community with respect to whether this was the appropriate way to go in terms of extending faith-based arbitration into the Muslim community. But putting that aside, the portion, if you will, of the Muslim community that supported this initiative, that believed in this initiative, were as blindsided as everyone else who made submissions to Ms. Boyd. They were left twisting in the wind for eight months while the government dithered on this issue, and divisions within society were allowed to fester and to grow in the last few weeks into the public domain, where it became a very heated issue in terms of the press.

I suspect that all of us, as members of the Legislature, were receiving phone calls and e-mails on this issue. That's a situation that should never have developed, but it's a situation that the government has to take complete

responsibility for, and, I believe, especially the Attorney General. This is laid at his doorstep.

I feel that this is a matter that of course we're never going to get to the bottom of, unless someone leaks it to the press at some point in time. I suspect that he initiated this, was the catalyst for this, for reasons known best to him. He dragged the government into this issue, he dragged all of these faith-based groups into this issue, and he dragged in others who took time to be involved in submissions. We then had a situation where people who had made an effort to participate were, I felt, blindsided by the government. Perhaps we'll see this in the next shuffle, but I think that was a situation where the Attorney General should have stepped aside, should have stepped down, and someone else should have filled that seat. Perhaps we'll see it in the next shuffle. I suspect that there are a number of issues where the Premier is less than happy with the actions and the words of the Attorney General in his efforts to be in the media at every opportunity.

1630

I do want to talk about a couple of things. We've indicated that we are supportive of the principle, with respect to family law arbitration, that there is only one law in Ontario, and that's Canadian law. We indicated at the outset that that's where we come from as well. I know my friend the member from Welland-Thorold is very concerned about some of these implications with respect to the legislation itself, and those concerns may be growing, amongst others. We'll certainly learn, as time moves ahead and as we get into public hearings, that there may be other implications with respect to this legislation. This is not having the same impact that the initiative undertaken by the government of Quebec had with respect to clearing the air in simply saying that family law is not going to be a part of this arbitration process. This has, in some respects, muddied the waters, and I think we're going to need increasing clarification with respect to all of the implications. Hopefully, we'll be able to get clarification as we get this more out in the public domain and get the legislation forwarded to a number of groups and individuals who can provide input to us informally and then through a formal process through the Legislature during committee hearings.

I do want to put a couple of points on the record with respect to concerns that the Jewish community has. We'll be dealing with these in a more substantive way, but I just want to have them on the record at this point in time. I'm quoting from notes that I took during my conversations: "Regardless of the relative merits of the legislation, there's been an egregious lack of process in the form of a failure to consult" that will be directly affected by a change in the law.

I've spent some time talking to that issue. I don't think there's anyone who disagrees with that, but we haven't heard anyone get up on the government side—and hopefully, during the course of this debate, they will get up and explain—and give us an explanation as to why this happened in the way it happened. It's still mind-boggling

that the Attorney General can get up here and boast about six months of hearings and 50 submissions, which they in effect ignored, in one phone call ignored. I'm asking any member on the government side to get up at some point during the process of this debate and explain to the good people who in good faith made an appearance before the Boyd commission and made their submissions, and explain to us why that was just tossed aside in one phone call to Mr. Leslie. I think that's important to hear, and certainly we'll be pressing that issue as we go forward. Certainly, during the committee, we will be pressing government members. Hopefully, one of the ministers, if not both, will appear before the committee to explain—in a more fulsome way, in a direct-questioning way, rather than the forum we have here—what happened in this situation.

Again, the Canadian Jewish Congress from the Ontario region supports the Progressive Conservative Party's call and the NDP's call for public hearings. They believe it's absolutely essential that, at long last, they will have input. It's a little late in the day, but perhaps there will be opportunities for clarification, modification and perhaps even a withdrawal of the legislation if there are certain serious impacts that perhaps many of us are not aware of at this point in time, as more and more people are analyzing the legislation.

As pointed out in the note, one of the concerns here is the fact that the legislation has a number of vague concepts, where we have to have some specification in order to allow all of us, let alone the groups affected, to have a fuller and hopefully a complete understanding of the implications. That's certainly one of the areas of concern.

There's no question that equality and the protection of women's rights are paramount considerations, and I'm going to speak to that a little later on. But at the same time, it's crucial that we don't focus on issues that effectively have the state controlling matters of conscience while doing nothing to advance protection against the abuses we all agree must be prevented. We have seen a number of issues in terms of the family courts. We saw one recently in Windsor, where a physician went into the workplace and murdered a nurse who had been, apparently, according to press reports, attempting to get a Family Court date to have a restraining order, a peace bond, placed upon the individual who ultimately murdered her in the workplace. That's the sort of real dilemma facing so many, I think, in this province, especially women and their children.

The backlog in family courts, where someone has to wait eight months to have a hearing, to have a peace bond issued, is the sort of issue that is not being dealt with in an effective way, and is a concern to many when we talk about women's rights and the protection of women's rights as paramount considerations.

Again, in terms of the Canadian Jewish Congress, they want to put on the record as well—we'll be elaborating on this a little more later on during the debate—that they are particularly concerned that Ontarians not be treated

unequally with respect to arbitration decisions that have been voluntarily entered into and are fully consistent with Ontario law, just because they also draw on concepts informed by faith, conscience or religion.

I mentioned earlier the vague nature of a number of provisions in the legislation. The regulations will be decisive. We don't have a review of regulations. There's no such process in this province. Although some jurisdictions do provide committees of the Legislature the opportunity to review and comment on regulations, that's not a matter of course in this Legislature, in this government, so I think that's an area we have to pursue during committee hearings. I think that in anyone's view, given the vagueness of the wording of this legislation, the regulations are going to be decisive in terms of how this is implemented.

I haven't heard any opposition to public hearings, although the government would like to see this legislation passed before the Christmas break. The opposition is going to be demanding public hearings, and fulsome public hearings. We'll be contacting as many people as we can to ensure they're given an opportunity to sit down and give their views.

1640

Over the short period of time that I've been involved in this issue, we did try and get a better handle with respect to the Christian community, but it's my understanding, to the best of our knowledge, up to this point in time, that arbitration has not been a commonly used process within the Christian community. Usually in that community, any faith-based involvement consists of advice, which is not, as we understand it, inconsistent with the bill. In any event, at this point in time, that's what we're hearing from members of the Christian community whom we've been able to contact to date.

We have another series of questions that I'll put on the record tonight which we'll be looking for answers to as we proceed into committee, because I'm not confident that we're going to hear them during the debate. Certainly, we're not hearing them from the Attorney General. The rules and regulations of the process are not clearly laid out. So again, as I mentioned earlier, there are a significant number of unanswered questions.

Can religious aspects be incorporated into the arbitration process while the decision remains based on federal and provincial law? That was a question that was raised during conversation earlier this week. If a rabbi, as an example, is also a lawyer, recognized as an accredited arbitrator, can he even open the process with a prayer? Those are basic questions which need to be answered. The Jewish community, the Hebrew community, doesn't have those answers to date. They don't know, because, as I said earlier, no one from the government, including the Attorney General, bothered to consult with them.

I think if they had been responsible with respect to how they approached this decision, they would have clearly laid out what they wanted to accomplish and allowed the public to respond, rather than simply making a Sunday afternoon announcement and then making an

effort to fast-track the legislation. That's why we believe we have to take the time to get this right, and, again, our emphasis is on public hearings.

The fact is that members of the Jewish community have benefited, in their view—and we haven't heard anything to the contrary—from arbitration on family law issues. Members of the Jewish community whom I've spoken with—I know the name of the former Attorney General, Mr. Harnick, was raised here earlier, and certainly all of the feedback he's received from that community has been positive with respect to how this process has worked for them. As my colleague from Nepean–Carleton mentioned earlier, this perhaps can be described as throwing the baby out with the bathwater with respect to how this was arrived at.

You have to wonder with respect to these 50 submissions, and I go back to process here. We know what was happening within the Liberal caucus. They were getting a lot of calls, e-mails and contacts with respect to this initiative. I suspect there was some sort of an analysis, not just of what they were hearing from their supporters but they took a look at the submissions and the people who made those submissions and then did some sort of political calculation. I think that's the bottom line here. This was a political calculation, and not a calculation that should have been based on Ms. Boyd's submissions.

It would have been nice to have been a fly on the wall during the discussion around the retention of Ms. Boyd to conduct this submission. It would have been nice to have access to the minutes of that meeting, what the intent was, what they hoped to conclude from Ms. Boyd; whether they were assuming, because of her track record with respect to women's issues, that they would have a completely different conclusion emanating from her hearings. Who knows?

I think Ms. Boyd did her best and conducted extensive hearings—she's that kind of individual—and came up with what she felt was an appropriate response to the request and the assignment given her by the government. That may have thrown a curve into the government's plans. They felt, “Well, we're going to have an NDP women's rights advocate who will tell us this isn't the way to go,” then they were thrown a curve, didn't know how to deal it, and dithered and dithered and dithered.

Finally, the heat got so bad that they had to do something; they had to reach some conclusion. The Premier, through his political advisers, said, “Let's get this out the door on a Sunday afternoon. We've got an interview with Keith Leslie. Let's give him the scoop.” It's as simple as that, as callous as that and cold as that, and a terrible affront to all the groups who believe that this was a legitimate process that they were engaged in. Maybe that's the answer: This was never a legitimate process.

Of course, because we don't know what really drove this from the outset, it's difficult to arrive at an answer, whether there was some commitment made during an election campaign—and then we go down this road and hire Ms. Boyd: “She'll give us an answer that the NDP

won't be able to object to because it's a former Attorney General from the NDP government time, and we can fly through this.” Then they found themselves in a quandary and dealt with it in an extremely unfortunate manner.

I just want to put a number of other things on the record, because we've had the bulk of the feedback from the Canadian Jewish Congress. They know our position with respect to supporting the principle with respect to one law—Canadian law—having application here. But at the same time, what they're talking about is the process again. The fact that their community has benefited, in their view—and I haven't heard anyone from arbitrators on family law issues disagree. One of the other points that was made by them is that native justice healing circles are not impacted, but that's a similar example of how alternatives to court can be very valuable.

We have to agree that the purpose of any justice system is to mete out justice and have all concerned agree that justice has been done. With respect to the healing circles, when native elders punish their own there's greater respect for the outcome because the process assumes a higher level of understanding and sensitivity. The justice meted out in that process, one can argue, carries more weight because it's administered by people that the victim—and, in most circumstances, the perpetrator—respect.

The argument for the folks who have used faith-based tribunals is that similar principles have applied in those processes. They've also had the advantage in the sense that participants who are both being religious and being in a religious setting are highly motivated to tell the truth and arrive at a compromise in the best interests of all parties.

The concerns we heard expressed by the public were not that faith-based arbitrations were unjust. Public expressions for the most part were of fear and worry based on a specific concern that Ontario might allow certain extremist applications of some versions of shariah law. To some degree, those were very well-founded in terms of talking to women of Muslim faith who shared those concerns and felt that enough assurances weren't being provided to give them comfort. Certainly, I think the role they played in this was a significant one in terms of changing views, perhaps. Again, we have to make assumptions here, because we do not know the real motivation behind this initiative from the outset, if it was purely political with a goal in mind from the beginning, which I suspect might have been the case, but we do not know that.

1650

But I want to put their views—I think they have to be heard, because the government hasn't given them an opportunity to be heard, and their arguments with respect to how the system worked for them in the past have to be put on the record. Respect for the faithful, if you wish to describe them that way, for their religion, to facilitate the resolution of disputes that might otherwise prove to be intractable, was the basis for many parties to seek arbitration, and the McGuinty Liberals' heavy-handed ap-

proach to decision-making without consultation has not only offended them; I think it's hurt them. I think many in that community were supporters of that party in the last election, and I think "betrayal" is not too strong a word with respect to the very significant sentiment that's throughout that community today with respect to how this matter has been handled by the McGuinty Liberal government.

I don't think anyone would disagree with the right to take steps to safeguard the arbitration process to ensure that civil disputes first and foremost have to be consistent with Canadian law and the charter, through independent counsel, legal counsel, and through voluntary attendance. However, in our view—one, I think, shared by so many—it has been and is entirely irresponsible to enact this legislation without consultation. We have to ensure the details are appropriate and will address the needs of communities right across this province.

Again, I think this is a further indictment of the McGuinty Liberal government with respect to the management processes within the current provincial government. We've suggested on so many occasions that it seems to be government by the seat of the pants, or government on the back of a napkin. We've seen so many of these situations occur. You have to wonder. I know that the cabinet doesn't meet—as a former member of the executive council for over a little over eight years, nine years if you count my time with Premier Miller—

Mr. Baird: Previous, previous, previous, previous.

Mr. Runciman: Previous, previous; yes. We met on a very regular basis. This cabinet does not meet on as regular a basis. Again, you wonder about the processes that are used by this government to make decisions. The lack of respect, especially on an issue as sensitive as this one—

Mr. Baird: —in respect to the Attorney General.

Mr. Runciman: Well, that as well. And I think I can see, in the next shuffle, that we may see a change of face in that particular chair.

Mr. Kormos: Who could become Attorney General?

Mr. Runciman: I'm sure there will be all sorts of efforts in terms of competing for that seat.

Mr. Kormos: Who would be good?

Mr. Runciman: Well, we'll leave that discussion to my colleague.

I think there's no question that this is a black mark on the government. It's another in terms of this series of decisions that are clearly indicating on a growing basis what we frequently describe as incompetence: their inability to think things through before they get themselves into situations that not only create difficulty for the people of Ontario but offend a great many in our province. This is one of those. It's a very, very sensitive issue. Regardless of your view of the initiative, this deepened divisions within society at a time when they are certainly least needed, given what's happening on a worldwide basis. It was truly unfortunate, and a day the government will rue, I'm sure.

My colleague will now join the debate.

Mr. Baird: What a great speech by the member for Leeds–Grenville.

This is one of the most tricky issues that I think I've seen in my 10 years in this place. It's not an easy one. It's not an easy one with respect to the substance of it as a public policy issue, and the politics of this are prickly, I say to the member for Niagara Centre.

Mr. Kormos: Do you want to spell that for Hansard?

Mr. Baird: I will not.

Shariah law—family law arbitration—can still be used in Ontario whether this bill is adopted or not. If two people want to come together on a voluntary basis and use an arbitration mechanism of their choice, whether that be shariah law or any law, they are of course free to do so. The issue is whether the state will enforce the results of that arbitration.

I heard from a huge number of constituents in eastern Ontario, in Nepean–Carleton and Ottawa West–Nepean, about this issue: a huge respect for diversity, to recognize that people's religious values inform a lot of their thinking.

We are not like the United States, where it was a big deal to have faith-based institutions get involved in public programs and public services. In Canada, the political culture is very different from that in the United States. While in the United States it was a big deal when the now President first announced that policy, in Canada a lot of social services are offered by religious-based groups. I think of Christian Horizons, which does good work with respect to those with developmental disabilities. I think of the Salvation Army, which operates a lot of homeless shelters and even does a number of other types of social services. We have a Jewish children's aid society, which gets funding and has the authority of the state when it comes to child protection here in Toronto. I have visited with those folks; they do a good job. We have our Catholic separate school funding, support from the state and various legal authorities.

So we have a tradition of working with religions in this province. There was a significant concern with respect to shariah law. Many Muslims and Muslim women's organizations had significant concerns with it. Many Muslims, again, had a great deal of support, and if they were here they would probably argue that it was a Canadianized version of shariah law that they were hoping to use.

But I think the public hearings in this are going to be very important. Does the bill do what the government purports it does? Is this really one law for all, as the communications lines out of the Premier's office tried to suggest? People have an expectation that this is removing state-sanctioned, state-sponsored and state-enforced shariah law in Ontario.

I'm going to be listening with great interest to the member for Niagara Centre, who's an accomplished lawyer; a legal theorist, a trained, seasoned legislator; who brings a lot of background knowledge. He was here in this place around the cabinet table back in 1991, I think—

Interjection.

Mr. Baird: Not around the cabinet table—when they did arbitration changes. So he brings a huge amount of expertise to this.

Mr. Kormos: But I had that broader backbench perspective.

Mr. Baird: The “broader backbench perspective.” Of course, the member for Niagara Centre isn’t on the backbench any longer; he’s on the front bench—

Mr. Kormos: Of the third party.

Mr. Baird: —of the third party. I’ve been in the third party, so I know what it’s like, I say to the member for Niagara Centre.

There are going to be real, substantial questions as to why we’re throwing the baby out with the bathwater. I haven’t heard a single concern with respect to the Jewish family arbitration processes; not a single one. I’ve been here for 11 years. I understand from some that it has worked, and worked well. I have heard no complaints in my office. I try to keep my ear to the ground and listen.

1700

There was a very strong article written in one of the Toronto dailies which reflected on how this decision was made with no consultation, and how 10, 20, 30 years ago the Jewish community, like a number of other faith-based communities, would have had a better relationship with the government. I say to the Attorney General, on behalf of the Jewish community in my constituency—just to note—that it is a huge concern for the community that they were not involved, consulted, discussed or even heard out.

Hon. Mr. Bryant: They appeared before the review.

Mr. Baird: They were not happy. I say to the Attorney General, the Jewish community is not happy with you. He may think that appearing before a review with a former NDP cabinet minister was enough, but it wasn’t, and there was a significant amount of concern.

Mr. Runciman: They rejected the recommendations.

Mr. Baird: They rejected the recommendations, and that’s something that causes some greater concerns.

I understand some Christian arbitration takes place. Again, I haven’t heard a single complaint on that in my 10 or 11 years here, but the government is throwing it out with the bathwater.

Someone said, “You couldn’t do it for one religion and not for the others. It wouldn’t be fair.” We know that this Dalton McGuinty government doesn’t care about that. They provide funding for one religion—the separate school system—but refuse to provide the equity-in-education tax credit, whether it’s for parents who want to send their children to a Muslim school or a Jewish day school or a Christian school like we have in my part of the province. So we know that this government has already made exceptions based on religion in the past, yet they’re refusing to do it in the future. The Minister of Finance and the Minister of Community and Social Services, as I mentioned, fund a Jewish children’s aid society, fund various Christian-based social service agencies. We have the Tamir Foundation in Ottawa, an organization run by the Jewish community to help people

with developmental disabilities. That doesn’t bear the scrutiny of what the reality is, and I think that’s a terrific concern. As the member for Leeds–Grenville said, I know the official opposition will be wanting committee time so that those folks who have been left out will have their opportunity to have a voice.

I say to the members opposite that the way this was announced—on a Sunday morning or Sunday afternoon, no ministers available, no public scrutiny—caused a huge amount of concern. Sometimes when you make a controversial decision—and I’m not even objecting to the fundamental decision they made with respect to shariah law—you’ve got to look people in the eye and explain why. This government didn’t subject itself to any accountability.

I say to the House leader for the third party, I hope the third party will be onside with the opposition House leader in asking for public hearings. I would like to see public hearings on this in Ottawa. Shariah law is very controversial, both for and against. I would like to suggest they have the hearings in Ottawa South, which has a particularly large Muslim community. We’ll see whether the Premier wants that type of consultation in his own constituency. We haven’t had any public hearings go to Ottawa South, and that would be a good place to start.

This also demonstrates quite clearly that this government is run by the Premier’s office. This has been a trend which has gone on over the years. When I was in government, the opposition members, who now sit in the government benches, used to decry the growing power and centralization—which certainly did take place, but this is like centralization on steroids, I say to the member for Leeds–Grenville. No longer is power wielded in the cabinet, as it might have been years ago. They’re even shutting out the Attorney General.

I expect that the Premier saw the well-orchestrated public relations campaign. I saw Maureen McTeer, who is one of the authors of that letter, speaking out to people in Ontario in a message to this Premier. I congratulate her for her work on that. I expect they saw that letter; they saw the concerns and the growing public debate. They saw the fact that the process adopted by the minister had not worked and was not yielding an expeditious result, so they just did it on the fly. Whether it was on the back of a napkin or on the seat of their pants, I don’t know. I wasn’t there; I couldn’t tell you—but I expect that was the result. We’ve certainly seen that.

People will want to know that this bill does what the authors suggest it will do. I’ll want to see the many prominent women in Ontario who wrote that public letter come before the committee and tell us whether they think the bill meets the concerns which they expressed. I’m not entirely sure that it does. That’s something that’s important.

Interjection.

Mr. Baird: I would say to the member for Leeds–Grenville, yes.

This is a significant issue. We’ll want to hear from the Muslim community. I know that in Ottawa there will be a

number of members of the Muslim community who will want to appear. That's something that's important.

We'll want hearings at Queen's Park. We'll want to hear from some legal theorists, for them to decide whether this bill does what the member said it would do.

We'll want to see hearings. I don't know whether this government is expecting to get this bill passed between now and Christmas. As usual, with the break, I expect the government will want the House extended. It hasn't managed its legislative agenda properly. Jim Bradley, while a nice guy, is no Dwight Duncan, and we've not had as fruitful efforts passed.

I say to the member for Leeds–Grenville, is there—
Interjection.

Mr. Baird: That's what I thought. So we'll wonder whether they have the courage of their convictions to get out and listen to and hear the concerns people have, and not try to ram this bill through without proper public input.

I also want to speak to the government's process. I have read Ms. Boyd's report. The government asked Ms. Boyd to look into the issue. She's a well-respected individual. She certainly has one of the most unique backgrounds to approach this file. Obviously, one of the central concerns about this issue is an imbalance of power, particularly among those who might be vulnerable with respect to the arbitration of a family law dispute with respect to shariah. Ms. Boyd, of course, has a tremendous background, with the work she has done with vulnerable women in London with the London Battered Women's Advocacy Centre—which I have visited, by the way, with Ms. Boyd—but also as a former Attorney General.

The 40- or 50-odd recommendations in her report really were the delight of any person who liked a lot of red tape, rules and regulations. I expect that if you took all the religious values out of shariah law, it was a stretch to think that you could actually implement the Boyd report, whether the Muslim community would find it acceptable. Could the safeguards that she envisaged and advocated in her report to the government even be accomplished? I'm not even sure this bill will accomplish them.

They basically took her report—a report written by somebody, like I said, who's a competent individual—and just threw it out the window. The Premier said, "I've had enough. This has gone on too long." I don't like to see the Premier cut off his ministers at the knees.

Mr. Kormos: It's not a pretty sight.

Mr. Baird: "It's not a pretty sight," the member for Niagara Centre says. There are plenty of examples of that over the last 25 years in this place.

Mr. Kormos: Thirty.

Mr. Baird: Thirty years, the member for Niagara Centre says.

I would say to all those people watching on television, don't adjust your TV set. The member for Niagara Centre will be coming up to speak in short order. He has done a terrific amount of research, and he's shared it with me. I don't want to steal his thunder, because he's one of the

few people who not only has done his homework but has actually read the bill, and he has a number of—

Mr. Bob Delaney (Mississauga West): On a point of order, Mr. Speaker: My point of order pertains to standing order 23(b)(i). The debating merits of the member for Niagara Centre notwithstanding, I'm wondering if the member for Nepean–Carleton is actually going to speak to the bill and tell us whether he supports it before he begins to campaign.

1710

The Acting Speaker: I have listened intently to the member from Nepean–Carleton. I don't think he has deviated one minute from the bill. I don't think he has talked about anything else except the bill. I don't know the point of order.

The member from Nepean–Carleton.

Mr. Baird: I want to say very directly to the member: I am campaigning for something. I'm leading a campaign to get the federal government to rent the land to the Queensway Carleton Hospital for a dollar a year instead of trying to raise the rent, which could be in the hundreds of thousands and even millions of dollars. So I am leading, I am campaigning, I say to the member opposite.

We could arbitrate our differences here, but here's an example where the McGuinty government has stood up for our hospital. George Smitherman, the Minister of Health, has had the courage to stand up and support the Queensway Carleton Hospital against the federal government, and I want to acknowledge that today. This could be a dispute resolution, but there's no dispute here. The Minister of Health has done a heck of a job in his standing up for the Queensway Carleton Hospital, and I want to publicly acknowledge that.

Mr. Phil McNeely (Ottawa–Orléans): Talk about the Montfort now.

Mr. Baird: The member opposite talks about the Montfort. Well, I was the minister who went to the Montfort and announced that the government wouldn't close the hospital.

Mr. Delaney: On a point of order, Mr. Speaker—

The Acting Speaker: We have another point of order from the member from Mississauga West, which this time may be in order.

Mr. Delaney: The merits of the hospital notwithstanding, the matter under discussion is Bill 27.

The Acting Speaker: I think the member's point is well taken. I would ask the member from Nepean–Carleton to address the issue at hand.

Mr. Baird: Maybe we could use one of the arbitration mechanisms that the Attorney General talks about in this bill to arbitrate the fight between the Queensway Carleton Hospital and the federal government. I wonder. Maybe we could tack on an amendment to this arbitration bill, which would help all three political parties, because, I should mention, Shelley Martel, the NDP health critic and member for Nickel Belt, is also supporting the hospital, as is Ed Broadbent, the well-respected member. If we had some arbitration sections—

Mr. Kormos: Jack Layton.

Mr. Baird: Jack Layton voted for the hospital. Jack Layton stood up. That would be an excellent way to deal with this, but I don't think they have an arbitration process to take federal Liberals who want to steal money from Ontario hospitals. I don't think there's any federal arbitration in the system. But I understand there are other arbitrated matters, that Jack and Gilles have talked about to Stephen and there will be some potential news coming out of Ottawa over the next amount of time.

I hope that before that happens this government will agree to do the right thing and agree to look the people who will be affected by this bill in the eye and explain why they're throwing out, for all intents and purposes, I understand, a Jewish arbitration process which has worked well, and other Christian ones which I haven't heard a single concern about, I say to the member for Leeds–Grenville. We'll want those people to have a voice, and we'll want government members there—maybe the very competent parliamentary assistant—to be able to look at these folks in the eye and explain why.

I know the government House leader's office—Bill Wrye is with us here. Bill will want to schedule a week or two of hearings in the intersession to be able to listen to people. We should have some legal experts come and explain whether they think this bill meets its title, whether it really is going to lead to one bill for all, or whether it's going to try to legislate the 45 or 47 recommendations in the Boyd report, which I think would be an administrative nightmare for all concerned and would not do the accomplished goal that has been set out. I do support the goal, the intent, of the government in this regard with respect to the one area of concern, but we'll see whether they will allow public hearings so that people will have a meaningful opportunity to contribute to this process.

The Acting Speaker: Questions and comments?

Mr. Kormos: It was a pleasure to listen to the official opposition House leader, Mr. Runciman, and then to his sidekick—it was like Batman and Robin, really—John Baird, who of course, in the riding of Ottawa–West Nepean, people expect over the course of the next 45 to 50 days to elect as their federal member of Parliament. I'm looking forward to seeing John Baird in Parliament in Ottawa. I'm looking forward to seeing the face of Stephen Harper when Baird is at his finest, sitting with his Conservative caucus colleagues.

But I want to make this point with respect to the Conservative comments around this legislation: I bemoan those who would somehow suggest that this debate should not be held; I bemoan that perspective. We have concerns about the bill that are far different, quite frankly, from many, but not all, of the Conservatives' concerns about the bill. But the failure, let's say, to speak candidly about what this bill is really about is a disservice to the people of this province. I hope that during the course of the debate there is clear, straightforward talk rather than a mincing of words and an avoidance of some obvious issues. Similarly, New Democrats are very clear: This bill calls for public hearings. There is a debate

that has to be conducted, both in this Legislature and in the committee room and out in the community. To avoid that debate—and I fear the government's intention is to attempt to avoid it—is a serious failure.

Hon. Mr. Bryant: In listening to the speeches from the official opposition, you wouldn't know whether and why they were supporting this bill, but just so everybody at home knows this—of course, the official opposition has an important job to do to hold the government's feet to the fire and ask many of the questions they're asking—they support this bill at the end of the day, and I'm glad they support this bill.

The issue of public hearings: I'm confident that House leaders will work this out. I'm confident that we will see an understanding around this debate. The official opposition said the debate was divisive, but they still want to have public hearings. I'll be interested to hear whether they are concerned that public hearings might be divisive too.

The official opposition said that we didn't consult enough, but that we took too long. The official opposition said that we should have consulted with religious communities. I know they wouldn't want to suggest that didn't happen, when of course it did. Joel Richler and Rabbi Roth, on behalf of the Canadian Jewish Congress, made very helpful and informative submissions to the Boyd review, and B'nai Brith appeared before the review and also provided written submissions. The suggestion that there wasn't appropriate consultation, I think, is simply inaccurate. There was significant consultation, at a scale I never saw when the official opposition was in government, but in any event, it happened here.

I look forward to hearing why the official opposition supports this bill, given their comments today. I hope Mr. Tory doesn't read the Hansard of the speeches today, and I'm sure the Premier will take the official opposition House leader's recommendation on a shuffle under advisement.

Mr. Ted Arnott (Waterloo–Wellington): I am pleased to follow the Attorney General in this series of questions and comments relating to the speeches presented this afternoon by the member for Leeds–Grenville and the member for Nepean–Carleton. I was pleased to hear the Attorney General indicate that apparently he is not opposed to this bill going to a standing committee for further discussion and deliberations. I think he said something to the effect of, "The House leaders will work it out." I gather from that he is indicating he would not stand in the way of public hearings. I would certainly echo and support the call of the member for Leeds–Grenville and the member for Nepean–Carleton, and the member for Niagara Centre as well, that there should be extensive public hearings on this bill. There are a number of public policy questions that have to be answered. The member from Leeds–Grenville questioned what the government's real motivation is behind this legislation—that's something that needs to be explored—how the decision was made and how it was announced, something that needs to be given further consideration and discus-

sion, because I don't think the government would stand today and defend exactly how it played itself out in that respect.

1720

The member for Leeds–Grenville also made a comment that the Attorney General, in his leadoff speech, had chastised him or criticized him or in some way suggested that the member for Leeds–Grenville should have made a presentation to Marion Boyd while she was undertaking her study of faith-based arbitration. I find that rather remarkable. It's not the role of an MPP to talk to Marion Boyd about this issue; it's our job as legislators to discuss, debate and challenge the government on a bill or proposal that comes before the Legislature. The member from Leeds–Grenville is doing exactly what he should do as a member of the Legislature in this respect. It's not his role or responsibility to go and talk to a government appointee who is given the task or charged with the responsibility of making a recommendation to the government. Clearly, the Attorney General has that a bit mixed up, I'm afraid to say.

This may very well be the last presentation in the Ontario Legislature by the member from Nepean–Carleton before he goes off to Ottawa to represent his constituents in the House of Commons, and I want to wish him all the very best in that respect. I look forward to being out on the campaign trail with him some time in the new year.

Mr. Delaney: Last summer, several dozen people contacted my constituency office by letter, telephone and e-mail regarding a proposal for faith-based arbitration that would be enforceable under Ontario civil code. A good many of those who contacted me had well-reasoned, thoughtful points, and all of those who contacted me—every one of them—were against having faith-based family mediation enforceable in Ontario's courts.

What I discussed with the people with whom I spoke last summer was that a western democracy is like a four-legged table: Each of the legs is independent, and all of them are needed for the table to stand securely. In a democratic society, those four independent legs are the government, the media, the judiciary and the church.

In democratic societies, the trend has always been toward greater separation between church and state, but in 1991, in Ontario, a review of the Arbitration Act brought church and state closer together rather than further apart. It did so, I believe, in error. This bill fixes that error and affirms the essential separation between church and state in our society.

People in Mississauga celebrate their rich, multi-cultural neighbourhoods. We're a living example of how a society's best and brightest can live and prosper side by side, equal in every respect and under the same set of laws. It's for this reason that Bill 27 is needed. It fixes a potential for problems that was likely not foreseeable when the Arbitration Act was revised some 14 years ago.

Being equal under one set of laws is why so many newcomers to Canada have chosen to call Ontario their home, and remaining equal under one set of laws—

Ontario and Canadian laws—is why people choose to stay and build their lives and families in Ontario.

The Acting Speaker: The member from Leeds–Grenville or the member from Nepean–Carleton has two minutes.

Mr. Runciman: I want to join with my colleagues in extending best wishes to the member from Nepean–Carleton. It's really Parliament's gain and the Legislature's loss, which was even endorsed by the leader of the Liberal Party today. We're all going to miss his presence in this assembly and we wish him well in the Parliament of Canada.

Responding to some of the comments that were made, the Attorney General was suggesting that we have indicated that we support the legislation. I want to say that we have indicated from the outset that we support the general intent of those initiatives but we have not said that we support the legislation. We will support the bill in principle on the basis that it is going to have extensive public hearings and the people who were shut out of the process will have an opportunity to be heard.

The Attorney General raised the issue of whether this would be divisive. That's ironic, to say the least, coming from the Attorney General, who participated in this process, where they went through the process of allowing the public to have input through a variety of submissions, had a decision, a recommendation from the commissioner they retained to give them such a recommendation, then left all of those people twisting in the wind, to the point where we saw this onslaught, as all of us did as members of the Legislature, from the public, with concerns that were in some respects not based in reality. Some were legitimate; some were not.

I think it fed on what's happening internationally, and I think it created or added to divisions that already existed. For him to talk about us creating divisions is, as I said, somewhat ironic. We think it's important now that these people, who had been rebuffed once they made submissions, have their day to be heard and to express their concerns.

The Acting Speaker: Further debate?

Mr. Kormos: On behalf of New Democrats here at Queen's Park, I'm going to begin our leadoff participation in this debate around Bill 27. Obviously, I won't be able to finish them today. I'm going to be here for around half an hour. I'll be back the next time the bill is called, hopefully some time next week.

New Democrats have some very serious concerns around this legislation, first in terms of the inadequacy of its response to the concerns held by so many people, the fears around so-called faith-based arbitration. That's number one. The second is that while the government would say it wants one law for all, this bill very much creates a two-tiered justice system here in the province of Ontario, and that's not something that I think, when it applies to the resolution of family law matters, is in the interest of litigants involved in those disputes or the interest of the general public.

It's been a debate where the disingenuousness of some of the participants has been frankly overwhelming and

very regrettable, because it doesn't add to the quality of the discussion for there to be that low, base level of discourse. It doesn't at all, especially when, as you know, the public discussion around this matter, whether it's by self-appointed leaders of communities or well-established leaders of those same communities, has not always, and perhaps not even more often than not, but certainly from time to time been vindictive, hateful and spiteful.

I regret that the public part of the debate, the public debate, the debate out there in communities as presented to people in the media—newspapers, radio and television—has nurtured some racism and some hateful commentary. I hope everybody here joins in condemning that part of the public discussion.

One of the first things I believe has got to be addressed is the fact that you don't need an Arbitration Act to have arbitration. Let's understand that; let's make that perfectly clear. Indeed in Ontario, and in Canada, it was the Arbitrations Act of 1889—the British Arbitrations Act of 1889—that prevailed for so many years, but that Arbitrations Act didn't create arbitrations. There's a valuable summary in the text *Commercial Arbitration*, by Mustill and Boyd, on page 43 that says, "The essence of a private arbitration, of the kind with which this book is concerned, is that the power of the tribunal to bind the parties by its decision derives from the consent of the parties themselves, and not from some external source."

1730

Do you understand what I'm saying? The arbitration that people participate in has nothing to do with some sort of legislative authority, the "external source." It's basically a contractual matter, an agreement between two people, two parties, to submit to a particular kind of dispute resolution—nothing more, nothing less. Indeed, even the very Arbitration Act of 1991, which is the act being amended in section 2 and which warrants some further discussion, says that this act, the Arbitration Act, "applies to an arbitration conducted under an arbitration agreement." The act applies to arbitrations. The root of the arbitration, the source of it, is the arbitration agreement. That's the statute. That's got to be understood very clearly and very carefully, and there's nothing the government can do, I believe, let's say constitutionally, to tell people that they can't make decisions or agreements around submitting to the authority of a third party for the purpose of resolving a dispute.

Which means, and let's make this very clear, nothing that the government is doing in the course of the progress of this Bill 27 can ever stop parties, spouses, from going to anyone, or to any religious leader of any particular faith. Nothing in this bill will stop, has the power to stop, any two parties, any two spouses, from going to any religious authority of any faith and asking that religious authority to resolve their dispute by adjudicating, by hearing the respective sides and making a judgment. Bill 27 doesn't stop people from doing that. In my view, one would be hard-pressed to design a law that could tell people not to do that.

For so many years, the prevalent law had been the British Arbitrations Act of 1889. Let's understand, because there has been some less than fair and candid commentary about the Arbitration Act of 1991. I was here. The act was being written in the Liberal bureaucracy before the New Democratic election of 1990. You will of course remember—and I was fortunate to have been in this Legislature—Attorney General Ian Scott, who was a strong promoter of alternative dispute resolution. It was during that same Ian Scott reign as Attorney General that the civil service in this province began work on what became the Arbitration Act of 1991. It's not to say that they drafted it, because they didn't. The Arbitration Act of 1991 was the Uniform Arbitration Act adopted in 1990 by the Uniform Law Conference of Canada. "The model legislation"—I should give credit, because I'm quoting from Julie Macfarlane, *Dispute Resolution: Readings and Case Studies*, page 538. This is her statement:

"The model legislation was based upon the United Nations Model Law on International Commercial Arbitration, the 1986 reform arbitration statute of British Columbia, and the law reform commission work in British Columbia and Alberta. The Uniform Arbitration Act (Uniform Law Conference of Canada, *Proceedings of the Seventy-Second Annual Meeting (ULCC, 1990)*, at page 86) was adopted in Alberta, Saskatchewan, Ontario, New Brunswick, and Prince Edward Island. Parallel legislation is in force in Canada and Quebec. Similar legislation is in force in British Columbia. At the 1996 annual meeting of the ULCC, the justice department representatives of all Canadian jurisdictions"—including Ontario—"agreed to the modernization of their commercial law legislation, including implementation of the Uniform Arbitration Act, by the end of the century."

Of course, Ontario was already onside. The Attorney General of Ontario, a member of the Conservative government, as he was in 1996, joined other justice ministers in urging the balance of Canadian jurisdictions to similarly adopt the Uniform Arbitration Act, which is our Arbitration Act, 1991.

To somehow suggest, however inaccurately, that the Arbitration Act, 1991, served to bring church and state closer together is not only inaccurate but is a commentary that reveals a failure to understand what's written in the Arbitration Act, 1991, and the Uniform Arbitration Act. Howard Hampton's 1991 legislation, in section 2, very specifically indicated that the Arbitration Act "applies to an arbitration conducted under an arbitration agreement unless, (a) the application of this act is excluded by law," which is precisely what Quebec did in their civil code, where they excluded family law matters from the application of the Arbitration Act.

What does the application of the Arbitration Act mean? It certainly doesn't create the ability for two parties to contract to have a third party resolve their differences. The Arbitration Act means that that adjudication by the third party, if the arbitration is conducted in compliance with the act, can then be enforced by public

courts, that a private adjudication can be enforced by the public courts.

The Attorney General, from time to time, is of two minds. When he's under pressure in a scrum, he'll angrily refer to the Arbitration Act, 1991, as being "that bill of Howard Hampton's that caused the problem we're dealing with today." So you see, when the Attorney General is under pressure, he'll either misidentify pit bulls on a sheet of mug shots of pit bulls or he'll go after Howard Hampton and the New Democrats for the Arbitration Act, 1991, which of course all parties supported.

Let's take a look at what Robert M. Nelson, author of Nelson on ADR, Thomson Carswell, 2003, has to say about the 1991 Arbitration Act. Page 148: "The Arbitration Act, 1991 is a marked improvement over the previous act which had been in force in Ontario for almost 100 years. Its enactment, coupled with the International Commercial Arbitration Act of Ontario, means that the province of Ontario has implemented legislation which enables it to take its place as a jurisdiction friendly to domestic and international arbitrations. The act has many important features, and arbitral tribunals are given many important powers. The act codifies many common law principles and in doing so clarifies the role of the court in overseeing the arbitral process."

1740

What Hampton's Arbitration Act of 1991 did, contrary to the almost supercilious comments of some, was specifically permit the exclusion of family law from the application of the Arbitration Act. Do you understand what I'm saying? Because at common law, two parties, spouses, could agree in a far less restrained way to have anybody adjudicate their dispute, including a faith leader, including somebody from the church, mosque, temple or faith community. If I have omitted any places of worship for any particular faith, I apologize.

So Robert M. Nelson, Nelson on ADR, praises the Arbitration Act, 1991. I, quite frankly, found it pretty impressive myself. New Democrats are dismayed at the inability of this government to respond to the concerns around faith-based arbitration by anything other than invoking the power under section 2 of the Arbitration Act, 1991, to exclude family law matters from arbitration.

Further, take a look at what Mr. Justice Blair said in his judgment in Ontario Hydro v. Denison Mines Ltd. in January 1992, Ontario General Division. Mr. Justice Blair said this:

"The Arbitration Act, 1991 came into effect on January 1, 1992. It repealed the former Arbitrations Act ... and enacted a new regime for the conduct of arbitrations in Ontario. This new regime is more sophisticated than that of the former act and more consistent with international commercial arbitration practices. It is designed, in my view, to encourage parties to resort to arbitration as a method of resolving their disputes in commercial and other matters, and to require them to hold to that course once they have agreed to do so.

"In this latter respect, this new act entrenches the primacy of arbitration proceedings over judicial proceedings, once the parties have entered into an arbitration agreement, by directing the court, generally, not to intervene, and by establishing a 'presumptive' stay of court proceedings in favour of arbitration."

Let's also understand that arbitration, as a word used commonly by so many, effectively describes two processes. One, as described by Mustill and Boyd in the text Commercial Arbitration, page 4, is to regard arbitration as an aspect of public law. "The arbitrator is a delegate of judicial powers which are essentially the property of the state. The powers of enforcement or control are attached to the arbitral process because that process belongs to the state, even if called into existence by a private bargain. The state has the right and duty to ensure, through the medium of the courts, that the reference is conducted in accordance with procedural norms which the state itself lays down."

The Ontario Labour Relations Act, labour arbitration, is an example of that public arbitration. But we're talking here about the Arbitration Act and the utilization of private dispute resolution mechanisms with public arbitration; we're not talking about statutorily based arbitration. As I said, don't forget, you don't need the Arbitration Act to initiate an arbitration.

Similarly, that's where on page 4 Mustill and Boyd say, "Alternatively, the legal system may treat arbitration as a branch of private law. Recognizing the value of the institution, the state will lend its own coercive powers to reinforce the process at points of weakness. Nevertheless, the formulation of the rights, duties and powers of the arbitrator, and the mutual obligations of the parties in relation to the conduct of the reference, are created and regulated by the private bargain between the parties, and are no concern"—no concern—"of the state."

Further, on page 43 they say this, and this is very important: "The essence of a private arbitration, of the kind with which this book is concerned, is that the power of the tribunal to bind the parties by its decision derives from the consent of the parties themselves, and not from some external source."

New Democrats have been very clear: There is such a strong, overwhelming societal interest in how family law disputes are resolved, especially as they pertain to children and protecting their best interests, and especially in consideration of the power imbalances that oftentimes exist in spousal relationships, that it should only be the public law, as administered by the public courts, which can adjudicate these matters with coercive authority. We believe that very, very strongly. Our concern is that here the government has created a creature which is neither fish nor foul; it's a little bit Boyd, a little bit not. I say this to you: This bill does nothing to prevent a member of a faith community, such as a priest, a rabbi or an imam, with all of the biases—and I say that in a perfectly neutral way—that that faith presents from conducting arbitrations, and, furthermore, from conducting arbitrations that are covered under the Arbitration Act, because

they will purport to conduct those arbitrations and apply the law of the province of Ontario.

The law is not a mathematical thing; it's not a mathematical formula. An illustration of that is perhaps the family support guidelines. When you look at the chart, this is the income, this is the amount of support payable and this is the number of children. That's pretty mathematical. With the Family Law Act, any statute which calls upon parties to adjudicate disputes that fall within the scope of that statute obviously gives power and authority to the person making the decisions and provides parameters. So in this country of ours, where our courts are secular courts, we expect our courts to display no bias whatsoever, no bias based on any consideration—the ethnicity of the presiding authority, the adjudicator or judge; the gender or sex of the presiding authority, man or woman; or the religious beliefs of the presiding authority—Christian, Muslim, Sikh, Hindu and on and on.

These amendments to the Arbitration Act create a regime with its own bureaucracy, wherein the state will legitimize, by virtue of its purported regulation of these arbitrators and their faith-based arbitrations—the law that will be applied, according to the statute, is going to be the law of the province of Ontario and the law of any other province in Canada. But if there are people who have concerns about faith-based arbitration and the establishment of alternative court systems, Bill 27 doesn't address or deal with those concerns. Indeed, in many respects it should aggravate those concerns. Do you understand what I'm saying? There's nothing the government is doing in Bill 27 or that it can do to prevent people of any faith from going to their religious leader and asking who were to reply—for instance any law, including their faith-originated law, their faith-based law, however much any one of us might disagree with it.

1750

Look, most family differences, I believe, I suspect, are resolved without utilization of adjudication. Even when a marriage breaks down, most people—maybe not most, maybe many, I don't say more than 50%, but a whole lot of people may see lawyers to be advised of what their legal rights are but don't spend the thousands of dollars, and never mind the incredible emotional cost, of litigating, whether it's in a private court or a public court.

I want to refer you to the remarkable observation by Owen M. Fiss. In a response by him to advocates in the early to mid-1980s of that growing movement of alternative dispute resolution, including mediation and arbitration, Fiss had a very striking observation and comment to make. I'm referring now to Julie Macfarlane, *Dispute Resolution*, page 524: "Fiss believed that the leaders of such institutions were primarily motivated by concerns of efficiency in politics, by reduction of the caseload of the courts, and by insulation of the status quo from reform by the judiciary." I quote this comment of Fiss's: "Adjudication is more likely to do justice than conversation, mediation, arbitration, settlement, rent-a-judge, mini-trials, community moots or any other con-

trivance of ADR, precisely because it vests the power of the state in officials who act as trustees for the public, who are highly visible, and who are committed to reason." We're talking about judiciary now: "officials who act as trustees for the public, who are highly visible, and who are committed to reason." That's the public judiciary. Those are members of the bench. And understand that I'm not condemning ADR. I think I have a fairly good understanding of alternative dispute resolution processes and, similarly, a pretty good understanding of when and where they're desirable.

Let's take a look at arbitration in and of itself. The origins of arbitration are with the commercial world and the resolution of commercial disputes. You go down checklists. Any number of texts and authors have devised checklists of arbitration versus public court. Arbitration is private. There's no public disclosure. There's no public scrutiny. Nobody can go, like you can to the courthouse, and pull the statement of claim or statement of defence or documents filed on discovery. Do you understand? It's behind closed doors. You don't even have to have written reasons in the determination of an arbitration, and you can devise whatever process you want. You can even opt out of the law of the land, which is of course the concern around faith-based arbitrations, isn't it?

But there shouldn't just be a concern around faith-based arbitration; there should also be a concern about arbitration in the resolution of family law matters, for the very reasons that Fiss spoke to in the text that I just read you. "Adjudication"—he's talking about public adjudication in public courts by public judges—"is more likely to do justice than conversation, mediation, arbitration, settlement, rent-a-judge, mini-trials, community moots or any other contrivance of ADR, precisely because it vests the power of the state in officials who act as trustees for the public, who are highly visible, and who are committed to reason."

Why would the government want to create a system of regulated, private family law courts? Is it going to make it cheaper for litigants? I don't think so. Do you, Speaker? We're talking about private courts in the same way that we've regrettably had occasion to talk about private health care. There is a huge backlog in our family courts in this province, both in the family court provincial division—I know I've misnamed it, because the name has been upgraded—as well as in the superior courts and in the rare Unified Family Courts—no longer called Unified Family Courts, I believe. Huge backlogs.

Go to one of them. In these musty hallways, you've got people lined up. You've got husbands and wives and partners angry with each other, afraid of each other, frightened by each other, on opposite sides of the hallway. They're sitting in the courtroom pews. Their kids are there, their in-laws are there, their support groups, their friends—not inappropriately. They're sitting and waiting for hours and hours and hours until that exhausted judge and courtroom staff say, "Look, folks, the balance of today's docket is going to have to be adjourned for three more weeks." That's the problem.

So this government is addressing the problem by saying, “Oh, we’ll create a regulated family court system that will let rich litigants have their family disputes adjudicated by private arbitrators in thickly carpeted offices on the umpteenth floor of some Bay Street high-rise.” You see, people who are going to be entering into the arbitration regime proposed by this government are going to be hiring lawyers. They’re going to be paying for the arbitrator. They’re going to be paying out of pocket, just like private health care. They’re going to be paying for a courtroom reporter if they want the proceedings recorded. And they could be paying for the imam, the rabbi, the priest or the minister to incorporate his or her, each and every one of them, religious values into their application of Ontario law. That isn’t what the concern is about, is it? The concern was about faith-based arbitration, wasn’t it? Regrettably, Bill 27 does not outlaw faith-based arbitration.

Speaker, I see by your desperate hand movements that you want me to cede the floor until next time. I do so with hesitation, because this is an incredibly important debate, it’s an incredibly important discussion, and I urge all members to participate thoroughly. As well, New Democrats repeat their concern about this bill and their call upon this government to ensure there are adequate public hearings.

1800

The Acting Speaker: It now being 6 of the clock, and in accordance with the motion of the House, orders of the day.

CHILD AND FAMILY SERVICES
STATUTE LAW AMENDMENT ACT, 2005
LOI DE 2005 MODIFIANT DES LOIS
EN CE QUI CONCERNE LES SERVICES
À L’ENFANCE ET À LA FAMILLE

Resuming the debate adjourned on November 3, 2005, on the motion for second reading of Bill 210, An Act to amend the Child and Family Services Act and make complementary amendments to other Acts / Projet de loi 210, Loi modifiant la Loi sur les services à l’enfance et à la famille et apportant des modifications complémentaires à d’autres lois.

The Acting Speaker (Mr. Michael Prue): Further debate? The member from Niagara Centre.

Mr. Peter Kormos (Niagara Centre): Thank you kindly, Speaker.

I’m certainly going to be the last New Democrat speaking to Bill 210. There has been extensive participation in this debate by my colleagues and other members of the Legislature.

I again want to caution the government, with real concern, about one particular aspect of this bill, and that is the statutory incorporation of mediation and other alternative dispute processes into determinations around the protection of children.

I first, though, want to speak to the openness orders, which begins at section 36 of the bill. These open

adoptions, because that’s what they are—let’s understand why a government would contemplate these and why we would be debating them.

I want to commend Sheila Volchert from down in Pelham. Jim Bradley knows her well and has done as much as he can to help her advance the interests of grandparents raising grandchildren. Let’s be very careful, then, about what we contemplate by virtue of open adoption. Sheila Volchert, speaking for herself and for so many others—grandparents raising grandchildren—has advocated for open adoption. I was with her when she met with the Minister of Community and Social Services for the Conservative government, Ms. Brenda Elliott. When Ms. Volchert, on behalf of that huge community of grandparents raising grandchildren, pleaded for open adoption, I am confident that the bureaucracy in Ms. Elliott’s ministry when she was minister—I am equally confident; much the same bureaucracy now as it was then—responded to that plea with the open adoption considerations in this bill.

Why were grandparents in particular advocating open adoption? Let me explain for those who might not understand what grandparents raising grandchildren go through. As often as not, it’s a child of the grandparents, the parent of the children who are being cared for, who falls into a state of despair—drugs, alcohol, a totally off-the-track kind of lifestyle. The grandparents then, loving their grandchildren, rush in and take those kids from that natural parent, their own daughter—more often than not their daughter—and care for them. This is why the open adoption provisions are welcome, but there’s so much more that has to be done to finish this picture. Those grandparents, then, many of them retired, many of them living on modest incomes because they’re their fixed incomes, their pensions, undertaking to raise those grandchildren are the alternative to foster parents, yet find themselves with no financial support from family and children’s services.

I support and endorse the call by grandparents who went—look, nobody is suggesting that merely by virtue of being the grandparent, you should be the person who has care and control of that child in need of protection. But I suggest to you that it goes a heck of a long way to determining that, and the only determinant that should rule against it would be a demonstration that that grandparent, in their own right, would not be a safe custodian. But, whereas foster parents, and not inappropriately—nobody is disputing the support that foster parents receive from family and children’s services in terms of the allowance. Grandparents get nothing, and that is an incredible injustice. That’s yet another, albeit a companion, piece to open adoption.

With respect, and I don’t speak for all of my caucus colleagues in this regard, I am of the view that there should be termination of parental rights probably far more often than there are now and with far more certainty. The welfare of the child is far too important for that child to be ping-ponged back and forth between the grandparents or foster parents and—let’s be candid here—a mother who’s got a bad alcohol problem, a real

bad drug problem, who maybe goes into a 30-day program, cleans herself up and then shows up, wants the kids and gets her kids back. One understands her love for her kids, but then she falls back into the cycle and is back on the drugs, back on the booze, and then the kids go back to the foster parents and the grandparents.

Look, you know what happens. We just went through a major debate around adoption. The children who need adoptive parents in this province tend to be kids this old rather than kids this old because they've been ping-ponged for the first six to 10 years of their life. Sorry, but by the time that poor kid is this old, there are some serious problems there, hard-earned by that kid, let me tell you, and through no fault of his or her own.

I want to say very clearly what we need, and I'd be pleased to debate with this government's legislation around a process whereby there can be a more abrupt termination of so-called parental rights so that grandparents can have care and control, also custody, of a child or children without fear of that child being ping-ponged, without fear of the mother or father showing up six months later and the kid's back out again, and three months later they've got to go and protect the kid and pull the kid out of a crack house or what have you. It happens. I'm not making this stuff up. This is real life, people's real-life stories, however sad and sordid that is.

Why do these grandparents want open adoptions? It is essentially this, and it's as simple as this: They see this as a means whereby they can persuade a daughter or son to consent to the adoption by the grandparent of the grandchildren, with the understanding that that natural parent is going to have visitation rights or that there's going to be some form of contact as determined by—and again, this is where you look at the bill and you look at the sorts of contact orders that are made, and things get pretty fast and loose and uncertain around them.

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Open adoption isn't what most adoptees of infant children, whether those infant children are from Ontario, Canada or other parts of the world—it is not what they contemplate or want, or what the natural parents of those children have any right to expect, in my view. It's all about grandparents raising grandchildren, and it is a technique whereby parents can be encouraged to relinquish custody of their children so that grandparents can adopt them. Andrea Horwath, who is our critic on this matter, has asked—and I repeat her call—for this bill to go to committee.

New Democrats see a whole lot in this bill that warrants it being passed, but we also see some things in this bill that cause us great concern. One is the lack of completeness in that part of the bill around open adoption. It doesn't honestly or accurately address the real problem, because there are other pieces of the puzzle, like support for grandparents at the same level of the per diems paid to foster parents; like a prima facie preference for grandparents for custody of those grandchildren, subject to those grandparents clearly being demonstrated as being—you've got loving, caring grandparents who

have to compete with strangers to raise their grandkids. To me, that's just nuts. It's simply not right, it's not just, it's not fair, and it's not healthy. It's not good for the kid or kids.

I'll take you back, then, to section 5. That's the addition of some new sections to the act. There are a number of them that make reference to the ADR. I'll read the first one: "If a child is or may be in need of protection under this act, a society shall consider whether a prescribed method of alternative dispute resolution could assist in resolving any issue related to the child or a plan for the child's care."

I find that thoroughly objectionable. We're talking about the welfare of kids here. You and I both know that this is all about reducing the caseload in our family courts, the courts that have to deal with these matters. Judges—and presumably, we all know them or know of them—have got dockets that are page after page after page. Judges are working extremely hard, very hard. I think of Judge Lloyd Budgell, a family court judge down in Welland who I've known for a lot of years, and Wilma Scott up in St. Catharines. These are the family court judges. They have caseloads that are enormous. These people put in double-duty days and are making incredibly important decisions and, quite frankly, under the circumstances do a pretty darned good job of making those decisions and applying the law. But this is all about reducing their dockets. The judge says, "Look, family and children's services, why don't you utilize the new section 20.2 of the act and talk about maybe some mediation with the parent"—the parent whose child has been seized because that parent is doing whatever it is that that parent is doing that that child is a child in need of protection.

That's where I want to take an occasion earlier today to refer you to Owen Fiss. Let me tell you what he says about this sort of thing. Again, there are going to be people who disagree with Owen Fiss's analysis. I'm not saying that Owen Fiss is the be all and end all, but I'm saying we'd better listen carefully to what he had to say.

This was an essay by Fiss called "Against Settlement," 1984, 93 *Yale Law Journal*, page 1073: "I do not believe that settlement as a generic practice is preferable to judgment or should be institutionalized on a wholesale and indiscriminate basis. It should be treated instead as a highly problematic technique for streamlining dockets. Settlement is for me the civil analog of plea bargaining: Consent is often coerced; the bargain may be struck by someone without authority; the absence of a trial and judgment renders subsequent judicial involvement troublesome and although dockets are trimmed, justice may not be done. Like plea bargaining, settlement is a capitulation to the conditions of mass society and should be neither encouraged nor praised."

In the context of protecting children and finding solutions and setting up care plans for children in need of protection, nothing could be more appropriate. This government, Dalton McGuinty's Liberals, has continued to maintain courtrooms and courthouses and their staffing

in a dismal state of abandonment. The backlogs in family courts and civil courts make the criminal courtroom backlogs pale. While the criminal courtroom backlogs are provoking orgies of plea bargaining and Askov-provoked withdrawal of charges, in the civil courts, in the family courts, the huge backlogs are promoting entirely inappropriate settlements which are the farthest thing from justice being delivered or achieved. This government now wants to see it being done with, among other things, children in need of protection.

The solution isn't to legislate the utilization of, let's say, mediation, or perhaps you're thinking of arbitration—dare I say it? The solution isn't to legitimize and, by statute, impose alternative dispute resolution. The solution is to adequately staff our courts, to make sure there are adequate numbers of judges—I'm talking about the judges the province can appoint, provincial judges—serving in the family division and that there are adequate numbers of court staff. That means everything from the court clerks who organize the dockets and organize trial dates and set up the process, to courtroom stenographers who keep transcripts, as well as translators. Mr. Patten, you read recently about the crisis with translators here in the Toronto area and the miscarriages of justice that it caused. Those translator services—you are hard pressed to find a part of Ontario that is unilingual, or even bilingual, in the year 2005.

These are direct responsibilities of the provincial government. What could be more important when it comes to ensuring the adequate staffing and resourcing of our courts than when it comes to courts that deal on a daily basis with the protection of children? I say that to delegate plans for the future of children in need of protection to a settlement process that may be mediated or negotiated is beyond irresponsible, and is nothing more than this government's refusal to fulfill and meet its responsibilities in the delivery or the administration of justice in Ontario.

This is the very same as the amendments to the Arbitration Act, where once again the government is going to delegate these things, is going to pass them off into privatized arenas, and—

The Acting Speaker: Order, please. There are three conversations in here. There are people who are standing. Perhaps they would like to take a seat. Thank you. Please continue.

Mr. Kormos: What is the matter with those people? Can't they abide by the rules for just a few more minutes? Thank you for chastising them and taking them to task. I say to you, Speaker, I'm proud to see you seize the moment and take control of this chamber.

Andrea Horwath, our critic, has already indicated our need for public hearings. She has already indicated concern of northern aboriginal communities about this bill and its impact on them and their children.

I, on behalf of New Democrats, tell you that we are eager to participate in that committee forum and the debate that takes place there to move amendments as needed, and, should this bill require a third reading debate, to then further attempt to influence this government to do the right thing, the fair thing, the just thing for kids and for their grandparents who take care of those grandkids, people like Sheila Volchert, before this bill becomes law, should it ever in fact pass third reading.

The Acting Speaker: Are there any questions and comments? Seeing none, further debate? Seeing none, the minister has two minutes in which to respond if she so chooses.

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): think there's really no reason for a response at this point in time. I'd like to follow through on the next steps here.

I will perhaps just take this opportunity to thank all my colleagues on all sides of this House for their thoughtful contributions to this debate.

The Acting Speaker: Mrs. Chambers has moved second reading of Bill 210, An Act to amend the Child and Family Services Act and make complementary amendments to other Acts. Is it the pleasure of the House that this motion carry? Carried.

Shall the bill be ordered for third reading? I heard a no, very definitely.

To which committee shall the bill be referred?

Hon. Mrs. Chambers: I would ask that the bill be referred to the standing committee on social policy.

The Acting Speaker: Accordingly, the bill shall be referred to the standing committee on social policy.

It now being well past 6 of the clock, this House is adjourned until tomorrow at 10 o'clock.

The House adjourned at 1823.

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