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# Official Report of Debates (Hansard)

**Thursday 28 September 2006**

# Journal des débats (Hansard)

**Jeudi 28 septembre 2006**

**Standing committee on justice policy**

**Comité permanent de la justice**

Access to Justice Act, 2006

Loi de 2006 sur l'accès à la justice

Chair: Vic Dhillon
Clerk: Anne Stokes

Président : Vic Dhillon
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

# STANDING COMMITTEE ON JUSTICE POLICY

# COMITÉ PERMANENT DE LA JUSTICE

Thursday 28 September 2006

Jeudi 28 septembre 2006

*The committee met at 1000 in room 228.*

## ACCESS TO JUSTICE ACT, 2006
## LOI DE 2006 SUR L'ACCÈS À LA JUSTICE

Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2006 / Projet de loi 14, Loi visant à promouvoir l'accès à la justice en modifiant ou abrogeant diverses lois et en édictant la Loi de 2006 sur la législation.

**The Vice-Chair (Mrs. Maria Van Bommel):** Good morning, everyone. I call the standing committee on justice policy to order. We are in clause-by-clause of Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act of 2005.

I believe we had passed government motion 114 and we are now looking at section 106, as amended. Is there any discussion?

**Mr. Peter Kormos (Niagara Centre):** Recorded vote, please.

**Ayes**

Balkissoon, Kormos, Zimmer.

**The Vice-Chair:** Thank you very much. That carries.

**The Chair (Mr. Vic Dhillon):** Good morning, folks. We're at sections 107 to 119. Is there any debate? Seeing none, shall sections 107 to 119 carry?

**Mr. Kormos:** Recorded vote.

**Ayes**

Balkissoon, McMeekin, Van Bommel, Zimmer.

**The Chair:** That's carried.

We're at section 120, government motion 115.

**Mr. David Zimmer (Willowdale):** I move that section 120 of schedule F to the bill be struck out and the following substituted:

"Public Accounting Act, 2004

"120. Subsection 19(7) of the Public Accounting Act, 2004 is deemed to have been repealed on November 1, 2005."

**The Chair:** Any debate? Seeing none, shall government amendment 115 carry? Carried.

Any debate on section 120? Seeing none, shall section 120, as amended, carry? Carried.

Sections 121 and 122: Any debate? Seeing none, shall sections 121 and 122 carry? Carried.

Section 123, government amendment 116.

**Mr. Zimmer:** I move that subsection 123(4) of schedule F to the bill be struck out and the following substituted:

"(4) Subsection 24(5) of the act is amended by striking out 'within the meaning of the Regulations Act' at the end and substituting 'as defined in part III (Regulations) of the Legislation Act, 2005 or in a predecessor of that part.'"

**The Chair:** Any debate? Seeing none, shall government amendment 116 carry?

Any debate on section 123? Shall section 123, as amended, carry? Carried.

Sections 124 and 125. Any debate? Seeing none, shall section sections 124 and 125 carry? Carried.

Section 126, government amendment 116.1: Any debate? Seeing none, shall section 126 carry? It's defeated.

Sections 127 to 131. Any debate? Seeing none, shall sections 127 to 131 carry? Carried.

Table 1, part VIII, government motion 116.2: Mr. Zimmer.

**Mr. Zimmer:** I move that table 1 to part VIII of the Legislation Act, 2005, as set out in schedule F to the bill, be amended by striking out the following in the column titled "Provision/Disposition" opposite "Education Act/Loi sur l'education" in the column titled "Act/Loi":

"

| | |
|---|---|
| Education Act/Loi sur l'éducation | 10.1(12) |
| | 10.1(13) |
| | . . . . . |
| | 170.2.1(16) |

"

**The Chair:** Shall the government motion carry? Carried.

Any debate on table 1 to part VIII? Seeing none, shall table 1 to part VIII, as amended, carry? Carried.

Section 132: Any debate? Shall section 132 carry? Carried.

New section, 132.1: government motion 116.3.

**Mr. Zimmer:** I move that part VIII of the Legislation Act, 2005, as set out in schedule F to the bill, be amended by adding the following section:

"Bill 107—Human Rights Code Amendment Act, 2006

"132.1(1) This section applies only if Bill 107 (Human Rights Code Amendment Act, 2006, introduced on April 26, 2006) receives royal assent.

"(2) References in this section to provisions of Bill 107 are references to those provisions as they were numbered in the first reading version of the bill.

"(3) If section 6 of Bill 107 comes into force on or before the day subsection 132(1) of this schedule comes into force, the amendment to subsection 35(5) of the Human Rights Code made by subsection 132(1) of this schedule does not apply."

**1010**

**The Chair:** Any debate? Seeing none, shall the amendment carry? Carried.

Shall section 132.1, as amended, carry? Carried.

Sections 133 to 137: Any debate? Seeing none, shall sections 133 to 137 carry? Carried.

Section 138: Government amendment 117.

**Mr. Zimmer:** I move that section 138 of the Legislation Act, 2005, as set out in schedule F to the bill, be struck out and the following substituted:

"Commencement

"138(1) Subject to subsections (2) and (3), the act set out in this schedule comes into force on,

"(a) the first anniversary of the day the Access to Justice Act, 2005 receives royal assent; or

"(b) an earlier day to be named by proclamation of the Lieutenant Governor.

"Same

"(2) Sections 106 and 120, this section and section 139 come into force on the day the Access to Justice Act, 2005 receives royal assent.

"Same

"(3) The provision in each line of column 1 of the table to this subsection comes into force on the later of the following days:

"1. The day section 130 comes into force.

"2. The day the provision described in the corresponding line of column 2 of the table to this subsection comes into force.

"TABLE/TABLEAU

"

| Column 1/Colonne 1 | Column 2/Colonne 2 |
|---|---|
| subsection 101(2)/paragraphe 101(2) | subsection 287.6(3) of the Education Act/paragraphe 287.6(3) de la Loi sur l'éducation |
| section 107/article 107 | subsection 108(2) of the Funeral, Burial and Cremation Services Act, 2002/paragraphe 108(2) de la Loi de 2002 sur les services funéraires et les services d'enterrement et de crémation |
| subsection 109(1)/paragraphe 109(1) | subsection 10(6) of the Highway 407 East Completion Act, 2001/paragraphe 10(6) de la Loi de 2001 sur le tronçon final est de l'autoroute 407 |
| subsection 109(2)/paragraphe 109(2) | subsection 29(8) of the Highway 407 East Completion Act, 2001/paragraphe 29(8) de la Loi de 2001 sur le tronçon final est de l'autoroute 407 |
| section 114/article 114 | subsection 38(3) of the Motor Vehicle Dealers Act, 2002/paragraphe 38(3) de la Loi de 2002 sur le commerce des véhicules automobiles |
| section 124/article 124 | subsection 46(3) of the Real Estate and Business Brokers Act, 2002/paragraphe 46(3) de la Loi de 2002 sur le courtage commercial et immobilier |
| subsection 128(1)/paragraphe 128(1) | subsection 15(7) of the Safe Drinking Water Act, 2002/paragraphe 15(7) de la Loi de 2002 sur la salubrité de l'eau potable |
| subsection 128(2)/paragraphe 128(2) | subsection 21(9) of the Safe Drinking Water Act, 2002/paragraphe 21(9) de la Loi de 2002 sur la salubrité de l'eau potable |

"

**The Chair:** Any debate? Shall section 117 carry? Carried.

Any debate on section 138? Shall section 138, as amended, carry? Carried.

Any debate on section 139? Shall section 139 carry? Carried.

Any debate on schedule F, as amended? Shall schedule F, as amended, carry? Carried.

Shall the title of the bill carry—oh, is there any debate on the title of the bill?

**Mr. Kormos:** Yes, there is, Chair. I was shocked upon reading this morning's Toronto Star.

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Can't hear you, Peter; sorry.

**Mr. Kormos:** My apologies, sir.

I was shocked, upon reading this morning's Toronto Star, to see the comment made by one Greg Crone, wherein, dumb as a bag of hammers—honest. After all we've been through and in view of the fact that the government has allowed this bill to drag on into this week, for Mr. Crone to make the stupid, irresponsible comment that he did this morning—I've got to tell you, from the government House leader's office, young observer, this government just can't understand victory. The lie was repeated: As soon as this bill, Bill 14, passed—the direct quote is: "'As soon as we get this bill passed, the floodgates will open,' said Crone, adding that Bryant has appointed about 40 new JPs over the last three years."

There has been a scandalous agenda by some quarters to suggest that if somehow opposition members were being diligent in their scrutiny of this legislation, that was preventing the Attorney General from appointing new justices of the peace. What outrageous bull spit. For the government spokesperson to repeat it on the cusp of this legislation being completed in committee is offensive, incredibly dishonest, and I thought Charlie Harnick was the only Attorney General of this province who would have to admit under oath to having lied in the Legislature. It appears I'm mistaken.

This bill has nothing to do with the government's ability to appoint justices of the peace and with the incredible and chronic shortage of justices of the peace across the province. And the news item in which Mr. Crone repeats this dishonest observation is, of course, one by Brennan and Edwards about how cases are being dropped and delayed because of a shortage of justices of the peace.

You see, the government specifically refused to take advantage of any opportunities, many opportunities that were given it during the course of the discussion of the schedule that dealt with JP appointment so-called reform to talk about the hard matter of adequacy of the numbers of justices of the peace. Indeed, the government wanted to engage in precious little debate around that schedule at all and about the whole process.

There is a legitimate debate about whether or not Ontario should maintain its lay bar. It's a legitimate debate. Mr. Runciman, for one, has very skilfully articulated strong support for a lay bar. I have some doubts, because I've made the observation more than once during the course of the committee hearings around Bill 14 that, let's see, people who are to be allowed to be regulated as paralegals are going to have some pretty high educational standards imposed upon them, not inappropriately, to ensure they understand a significant area of the law in which they are going to be practising as paralegals, that it's in the interest of defending the public against ill-educated or untrained paralegals. Why, then, wouldn't this government have the same interest in defending the public against ill-trained or uneducated justices of the peace? If it's okay for laypersons to be justices of the peace, well, what's sauce for the goose should be sauce for the gander. I'm not advocating it in this instance, but I simply point this out to talk about the inconsistencies here. If lay JPs are fine, why, they can learn on the job. Well, then, hell's bells, why don't we let paralegals learn on the job? JPs can put people in jail. JPs can release dangerous people back into the community. JPs can take away the liberty of the person by signing an arrest warrant. Even the most incompetent and untrained paralegal can't do that. Do you understand what I'm saying, Chair?

**1020**

The bill's going to go to a vote in terms of whether the bill shall be reported back this morning. It will; I'll make sure of that. Let me put it this way: I'll make best efforts again. We'll see how well the government manages it today.

I've got to tell you, in my pre-third-coffee moment this morning—when I had just had the first two and not the third—and I read the incredibly stupid Crone comment, I thought, "By God, there are at least a half a dozen more amendments that the government's got to move. With 20 minutes of debate on each one of those and a 20-minute bell, the government will have to wait till next week to get its bill through committee." That's what Greg Crone provoked. But then I had the third coffee. I said, "We have to move this along," not so that the government can get its JP reform legislation, because that has nothing to do with the number of JPs that it's going to appoint or that it hasn't appointed, but because folks out there, paralegals—who by now understand this bill is going to proceed, so now they've got to move to the next stage. People have to work to make the best out of what they may well perceive as a highly undesirable thing.

Those are the realities of it. Opposition parties can't defeat this bill; there are not enough members in the opposition. That's why they're opposition rather than government. It's a majority government. Government members could defeat this bill, but that's highly unlikely, because they wouldn't even agree to deferring clause-by-clause so we could get a few more days in of submissions, remember?

I want to thank the several legislative counsel, who have attended here depending upon which schedule was being debated, for giving us their incredibly competent counsel. That's why they're called counsel, amongst other things, and I appreciate their patience with us—maybe not all of us, but at least with me; I appreciate their patience with me.

Ms. Margaret Drent, our research officer—again, our research officers have been very co-operative and very efficient at producing material on short notice for our frequent requests—was able to provide us with her brief paper on the history and interpretation of the term "officer of the court." This is perhaps what I find most offensive, not about the bill, but about the process. You'll recall, back when we were discussing schedule C, in particular section 26, which would amend sections 29 and 30 of the act, because it was after the government

had its amendment that said paralegals will be members of the law society. I still don't know what that means, but section 26 of the bill, which amends section 29, says, "Every person who is licensed to practise law in Ontario as a barrister and solicitor is an officer of every court of record in Ontario," and that's the way it's always been. I understand that.

But I also found it interesting that, clearly, paralegals were being excluded from that position as officer of the court. Notwithstanding that, like a couple of the other folks here, I've been an officer of the court for a good number of years now and knew what it meant when I was being called upon by a judge in a particular context to do certain things, I couldn't articulate specifically what it meant in its totality to be an officer of the court, nor could anybody else on the committee. And the counsel wasn't immediately available to us in committee. I thought, how can we vote on a section that we don't know anything about? Is that responsible as legislators? Because it was obvious that paralegals were being omitted from the status of officers of the court.

Ms. Drent's material, her memo, indicates that by virtue of being an officer of the court, it's clear that you have a duty, not only to your client, but to the court and to the administration of justice. She explains that's part of what it means to be an officer of the court. That's why—and Mr. Runciman would be quick to raise this type of illustration—lawyers can't, for instance, not only commit crimes in the course of defending their clients or advocating for their clients, but bring the administration of justice into disrepute, if I dare paraphrase Ms. Drent, because they're officers of the court. They have a broader obligation. They have an obligation to pursue their clients' interests fearlessly, with skill, with vigilance and with vigour. But they also have an obligation to the law and to the administration of justice.

I think that's a pretty sound responsibility to impose upon lawyers. Why aren't we imposing it upon paralegals, who, one presumes, may be appearing in courts or tribunals, from even the most modest anticipation of what it is that the law society will determine that paralegals are capable of doing? I remember requesting that the vote on that section be deferred, because the incredibly overworked research staff, who had a long laundry list of papers to prepare, hadn't yet been able to come up with that one.

The government denied that. So the government members now are going to insist that this bill be sent back to the Legislature to be called by the government House leader as he wishes, obviously subject to as he's told by the Premier's office, for third reading without any consideration of the impact of that one section alone. It's just oh so typical of how this bill has progressed. It's been a "trust me" bill.

I've seen too much over the course of the discussion of Bill 14 alone to be lured, lulled into a "just trust me" state. Fool me once, shame on you. Fool me twice, shame on me, huh? I've been around the block a couple of times. Look at me, I'm no spring chicken.

**1030**

This isn't healthy stuff. This is very important stuff we're doing. It's important stuff we're doing when we're talking about a regulatory regime for paralegals. It's important stuff that we're doing when we're talking about the modest amendments that were entertained in terms of the Limitations Act. It's important stuff we're doing when we're amending the Courts of Justice Act to make structured settlements mandatory at the request of either party without guaranteeing indexation on the basis of the CPI, as was proposed so articulately by young Mr. Kolody—you remember him—from Ottawa. We never even really examined that. We heard the conflicting views, we heard different interests being articulated, but we didn't go to the next logical step and say, "Okay, let's take a look at this a little more closely"—not "Vote for it; move on."

I don't think the government's going to have a very full legislative agenda in the year 2007. As a matter of fact, I predict we will not be sitting a great deal at all. I predict we'll be coming back after a very lengthy winter break for a pre-election throne speech budget—maybe not even a throne speech, although that would be a good way to clear the decks of outstanding legislation because of the proroguing—then a budget and then, of course, an election campaign in which cabinet ministers get to make announcements of funding that are all going to occur after the next election, after October 4, without the scrutiny of opposition members by virtue of question period because, of course, the House won't be sitting.

I will, needless to say, be speaking to this bill in the full time slot allowed me.

I regret that, in the instance of paralegals, there hasn't been any reconciliation around that fundamental concern vis-à-vis conflict of interest. I want to make it clear: Is the law society incapable of regulating paralegals? Of course it isn't. The law society would be quite capable of regulating car salespeople—well, it would be. It has the licensing process. It has the disciplinary body. They know how to design and structure educational programs—they do. But there was that fundamental observation by both Ianni and Cory about the conflict of interest, which was never resolved and which was never rebutted. Obviously, in terms of the conflict, who has the concerns? It's the paralegals. There was nothing that I am aware of that was done to give them some higher level of trust and confidence in the proposed regulatory process, and it seems to me there were things that could have been done while the bill was being debated—not "Oh, just wait and see. Trust me." No. In this post-Nixon era—Richard, not Robert—it's just not acceptable to say, "Don't worry. Trust us." That low level of trust in the process is going to create some real difficulties for the regulators and the people being regulated.

I am amazed that there was no interest in discussing or investigating the option of government regulation until such a time as paralegals could be self-regulated. It's an option. I know it's not the current vogue, in-style flavour of the month, because the flavour of the month, for some

number of years now, has been self-regulation. But if it has been self-regulation, how come we're not doing self-regulation here?

I make the point again about dental hygienists: They've got their own regulatory body but aren't allowed to work independently of dentists. The dentist has got to be in the building, in the office, while they're performing the work. Whether that should be the case down the road remains to be seen. That'll be addressed at some point, I'm sure. We know, again, the debates that prevail around that. So here dental hygienists, who have to work under the oversight of a dentist, have their own regulatory body, as compared to being regulated by the regulatory body of dentists. Theirs is a self-regulatory body. Yet paralegals don't.

The argument, of course, is that they're not mature enough as a profession. We saw some wonderfully mature paralegals here who were practising paralegal work well into their mature years. I'm sure the accumulated experience and training is a great asset to their clients. But the profession isn't mature enough. Well, how do you make it mature enough? You regulate it; you state-regulate it. Mark my words: Were that the course, it would only take a few years, because what you're talking about is establishing that minimum standard, making sure that everybody who's in the profession has at least that minimum standard and then bingo, you have a mature profession. It has been very frustrating—very frustrating, very disappointing. I wish it weren't. I find some of these subjects intriguing, fascinating. They're of great importance to the public. The regulation of paralegals, the role of paralegals, the scope of practice of paralegals is of great importance to the public. It really is.

I think most lawyers—it would only be the rare one who wouldn't—appreciate the work of paralegals and use paralegals, employ them or retain them either directly in their offices or as partners in the delivery of "legal services," this new secular language that's being adopted by virtue of this legislation. I, for one, have been very familiar with, for instance, the legal assistant program down at Niagara College, and other people in their own communities with their own programs—great confidence in that program. It has an incredible long-time faculty, brilliant, experienced people who have very high standards in their program—it's a tough course—and who've done an excellent job of producing very well-trained graduates.

Paralegals are important, the paralegal regulation process is important; so is the Limitations Act; so is the Courts of Justice Act; so is JP reform and so is schedule F. I don't want to diminish in any way, shape or form the incredible work that goes into legislative drafting and ensuring that we maintain an appropriate governmental stature in the realm of Her Majesty the Queen. So this is important stuff. I regret that the government felt compelled to rush it through. I don't care about the commentary that that might invite about how many submissions were heard. Yes, a large number of submissions were heard. Unfortunately, it simply wasn't enough. We shouldn't be satisfied, as legislators, with "good enough." We should be pushing ourselves to do the very best.

I will not be speaking to this bill any further—I know we've got the title now—because I don't think it addressed access to justice in a very realistic way at all. There are so many facets of access to justice that the bill simply ignored or, more importantly, not that the bill ignored, but that the committee ignored because the government wanted to accelerate this process.

I will be calling for a recorded vote on the title of the bill. When the Chair calls for the vote on the bill to be reported back to the Legislature, I will be voting against that on a recorded vote because I don't believe we have yet given sufficient consideration to the bill, and certainly we haven't had sufficient debate around some of the aspects of the bill that have not had as high a profile as others. But I'll not be discussing it any further; I'll wait for my opportunity during third reading.

**1040**

**The Chair:** Ms. Elliott?

**Mrs. Christine Elliott (Whitby–Ajax):** The title of this bill is, in part, An Act to promote access to justice, but because in my view it fundamentally does not provide increased access to justice, I'm not able to support it.

As we've gone clause by clause through the bill, I have indicated my concerns with various parts of this legislation, so I won't belabour them at this point, but there are just three main points that I would like to raise which, in my view, are illustrative of the lack of access to justice that this bill provides.

First of all with respect to schedule B, the section dealing with justices of the peace, I would certainly agree with my colleague Mr. Kormos that the Attorney General has always had the ability to appoint justices of the peace and to suggest that he can't appoint any more until this bill is proclaimed is absurd. He has always had the ability—in fact, he has appointed some justices of the peace without this bill being passed.

There are also some issues relating to the retirement age of justices of the peace. We have a real need for them in this province, and if they were allowed to work until they were age 75 instead of age 70, that would immediately free up a number of them who would be able to go into our courts and start working on the backlog of cases and allow the administration of justice in this province to proceed. I don't understand why this has been opposed, because this is the retirement age for judges, and why it should be different for justices of the peace, I'm not sure.

The other thing is the issue with respect to per diem justices of the peace. This would again allow justices to work outside of court hours and outside of court offices and would make them more readily available in situations where they're needed on a daily basis, over the weekends and so on. Again, I can't understand why this hasn't been allowed, because it would allow for the administration of justice.

With respect to schedule C and the whole issue of paralegal regulation, we all have agreed that it's a good idea, but in my view we haven't devoted the time and the energy in this committee to having a really fulsome discussion on these issues. I agree that it's not necessarily to say that the law society can't regulate paralegals, but I think we should have had a fuller discussion around the best way to do it. Whether it's regulation by the law society, whether it's complete self-regulation or whether it's a period of oversight by the government leading to self-regulation, I don't think we've done the law society any justice or the paralegal society any justice by jumping to this conclusion without hearing all of the information that, in my view, we need in order to make a proper decision on this issue. Especially in light of the reports by Justice Cory and Dr. Ianni which specifically indicated that they were not in favour of regulation by the law society because, in their view, there was this inherent conflict of interest, it's still troubling because if this is going to be a relationship that's going to work, everyone has to be in favour of it, and we've heard very strongly from a number of paralegals that they don't want to be regulated by the law society.

I think we really should have spent more time and energy and heard from all of the appropriate parties. Even though I know we had a number of people who made representations before this committee, I think we should have had a more thorough analysis of that point.

The whole issue of paralegals being perhaps officers of the court in the same way as lawyers are, I agree: None of us in this room, including the three lawyers who are here, really knew what that meant until we received the memo from Ms. Drent, but by that point it was after the fact and we'd already voted on it, despite a request to hold it down until we could have had a full consideration of it.

Similarly, I also see no reason why paralegals, following their training, shouldn't also be commissioners of oaths. This is a very practical situation that arises in day-to-day circumstances. When people go to see a paralegal to have documents completed, by and large most of them need to be commissioned, and there's no reason why paralegals shouldn't be able to do this. It means a trip to a lawyer in many cases for a lot of people who are of modest means, and in some cases it prevents them from even having their documents completed properly because they do have to go to see a lawyer and they simply don't have the funds to do that. In my view, it makes sense to allow them to be able to be commissioners but, again, we didn't have a full discussion of that.

Finally, with respect to schedule A and the change to the Courts of Justice Act to allow for a presumption in favour of structured settlements in a situation where a medical malpractice action has been proven by the plaintiff, this overturns hundreds of years of court precedents, which have traditionally allowed plaintiffs to receive their judgment in a lump sum. This shifts the onus and requires the plaintiff to prove that it's basically unreasonable in order to receive a lump sum rather than a structured settlement.

I think you have to have pretty compelling reasons to overturn this. Though it seems like a lawyer-like issue of little importance, in actual fact, when you see these matters coming before the courts, what we're going to see as a result of this is that there's only going to be more money going to lawyers because this is going to be an argument that's probably going to take up several days in court. When you're dealing with plaintiffs of modest means, who are trying to bring forward these medical malpractice actions, this is going to have serious consequences for them and will probably be a deterrent to many of them from bringing these actions in the first place. So I think that there are serious ramifications for this change. It looks to me like it's a half-hearted attempt at tort reform, which isn't going to really achieve its purpose and in fact is going to end up impeding access to justice for many people.

Without going on anymore, these are significant weighty matters that I think we should have dealt with in greater detail before coming to a conclusion on them, and for this reason I'm not able to support this bill.

**The Chair:** Any further debate? Seeing none—

**Mr. Kormos:** Recorded vote, please.

**The Chair:** Recorded vote. Shall the title of the bill carry?

**Ayes**

Balkissoon, McMeekin, Van Bommel, Zimmer.

**Nays**

Elliott, Kormos.

**The Chair:** That's carried.

Shall Bill 14, as amended, carry?

**Mr. Kormos:** Recorded vote.

**The Chair:** Recorded vote.

**Ayes**

Balkissoon, McMeekin, Van Bommel, Zimmer.

**Nays**

Elliott, Kormos.

**The Chair:** Shall I report the bill, as amended, to the House?

**Mr. Kormos:** Debate?

**The Chair:** Any debate on that, Mr. Kormos?

**Mr. Kormos:** As I said, I'm not going to speak to the bill any further, but I do want to thank the various staff. As I indicated, legislative counsel have been very helpful to us, and research, who have worked like dogs in the course of responding to research requests, all of which I can assure them I've read. I appreciate the civil servants

who have appeared here and provided us with assistance, and the numerous people who made submissions and who went out of their way to draft some very well-researched, well-prepared, skilful commentaries. Their contribution, as is inevitable to these processes, is invaluable.

I particularly appreciate some of the personalities who appeared: people like young Mr. Hong, a student, who had no direct interest or involvement in any of the facets of this bill but clearly had done some research in the course of being a student; of course, Mr. Kolody from Ottawa, who came here with a very personal story and tried to explain how elements of this bill, in this case the Courts of Justice Act amendments, applied to him.

Indeed, my gratitude to the members of the committee, who, notwithstanding that this has been, from time to time, a heated debate, have maintained an air of civility, notwithstanding having pursued some vigorous and sometimes even zealous opposition, and to you, Chair, for your management of what, from time to time, has been a rather interesting—process-wise—committee.

**The Chair:** Thank you, Mr. Kormos. Any further debate?

**Mr. Zimmer:** I too would like to offer my thanks to everybody on the staff side of the standing committee on justice policy, legislative counsel and the clerk for the work they've done on these many days of hearings over the last few months.

On behalf of the committee, my thanks to all of those people who presented or gave an oral submission or sent in a written submission. I want to assure them that we considered them carefully. They've all gone into the mix.

Lastly, the staff from the Attorney General's office, who assisted me in providing technical answers and other answers to questions posed by this committee that I was unable to do or that they were able to do better. Thank you.

**Mrs. Elliott:** I would also just like to add my notes of thanks. Being relatively new here and not being completely familiar with all of the procedures, I'd like to thank everyone involved for their considerable assistance, both procedurally and substantively.

**The Chair:** Thank you, Ms. Elliott.

**Mr. Kormos:** Recorded vote, please.

**The Chair:** Mr. Kormos has asked for a recorded vote. Shall I report the bill, as amended, to the House?

**Ayes**

Balkissoon, McMeekin, Van Bommel, Zimmer.

**Nays**

Elliott, Kormos.

**The Chair:** That's carried.

That concludes our consideration of Bill 14. I also want to thank all you folks from the government side, the opposition and the NDP, and everyone who assisted—the staff, ministry staff, legislative counsel, etc. Thank you very much.

*The committee adjourned at 1050.*

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Thursday 28 September 2006



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