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(Hansard)**

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des débats  
(Hansard)**

**Tuesday 21 November 2006**

**Mardi 21 novembre 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 November 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 21 novembre 2006

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### CONSIDERATION OF BILL 107

**Mr. Frank Klees (Oak Ridges):** The decision by the McGuinty Liberals to invoke closure on Bill 107 committee hearings is an undemocratic and draconian dismissal of conscientious criticism that groups representing concerned, vulnerable Ontarians had expected and deserved to bring forward.

In its arrogance, the McGuinty government has decided it doesn't need to hear from the following: Catherine Dunphy and David Lepofsky of the Accessibility for Ontarians with Disabilities Act Alliance, Avvy Go of the Metro Toronto Chinese and Southeast Asian Legal Clinic, and Margaret Parsons and Royland Moriah of the African Canadian Legal Clinic.

The McGuinty Liberals' decision to prevent these and many others from expressing their views on human rights is neither democratic nor respectful of their rights as citizens and as stakeholders on this important issue. If this is the Liberal agenda for democratic renewal, then the very foundation of our parliamentary democracy and legislative traditions are in serious jeopardy indeed.

The people of Ontario are watching this process, and they will judge the McGuinty Liberal government accordingly.

#### PRESCRIPTION DRUGS

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** I would like to tell you today about how Ontarians are gaining access to drugs faster and at lower costs. On June 20, the McGuinty government passed the Transparent Drug System for Patients Act. This legislation will create a stronger, more effective and patient-focused drug system for Ontarians.

Part of our plan includes the provincial government becoming the second-in-line payer for the federal public service health care plan and for working seniors with private insurance plans. This may sound complicated, but what it really means is that the federal plan will be the first to pay for the cost of their retirees' prescription drugs, and the ODB will cover the rest. There is no net cost to the pensioners for drugs covered by the ODB. In

fact, the federal government covers a broader array of drugs than the provincial plan.

We also support plans by the federal government to introduce a drug benefit card for its public servants, just as we have with the Ontario drug benefit. This will eliminate any paperwork required by federal public service pensioners, even with our changes.

We are surprised that John Baird is suddenly not in support of provinces getting their fair share. As a former provincial cabinet minister, we would expect more from him. The citizens of his Ottawa West–Nepean riding, many of whom are retired federal employees, certainly expect more from their—

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

#### CONSIDERATION OF BILL 107

**Ms. Lisa MacLeod (Nepean–Carleton):** The McGuinty Liberals have spent \$106,000 to advertise public hearings that won't now take place because they don't think it is important for MPPs to hear from the people.

I'm speaking out on behalf of the people when the McGuinty government has decided to shut out of the debate on Bill 107, the human rights act. The following people are:

—Emily Noble, president of the Elementary Teachers' Federation;

—Noulmook Sutdhibhaslip of Asian Community AIDS Services;

—Marilyn Oladimeji of the Ontario Coalition of Rape Crisis Centres;

—John Argue of the Ontario Coalition for Social Justice;

—Raj Dhaliwal of the Canadian Auto Workers;

—Maria York of the Canadian Institute of Workers;

—Barbara Anello and Lina Anani of the Disabled Women's Network.

The people won't be heard. The McGuinty government, by arbitrarily deciding to prevent them from testifying at public hearings, has just told these people and organizations, as well as approximately 200 others, that it doesn't care what they have to say. We on the Conservative side of the Legislature are appalled by that. We believe that Bill 107 should be open to public consultation and that the people of Ontario have a right to be heard. We will be doing everything we possibly can to make sure that that is the case.

## COMMUNITY LIVING OAKVILLE

**Mr. Kevin Daniel Flynn (Oakville):** I've got a good-news announcement today. I stand before the House to recognize an organization that has played an important role for individuals with challenges who live in Oakville.

Community Living Oakville is a self-advocacy organization that firmly believes, as we all do, that every member of our society has a right to live a meaningful and dignified life within their community. To that end, Community Living provides families and individuals with the tools necessary to ensure they can live independently and participate fully.

Recently, at the fifth annual veterans appreciation luncheon hosted by MEDiChair, a local Oakville company owned by Kristen and David Courtney, I had the pleasure of presenting a certificate of appreciation to World War II veteran and founder of Community Living Oakville, Mr. Roy Keller.

Community Living has done amazing work in my riding, including promoting local businesses to provide employment to individuals who could really benefit from that experience. I'm a proud supporter of this program. Since my election in 2003, I've had the privilege of having Mr. Steven Muir working in my constituency office in Oakville. He has proven to be a fantastic addition to the Oakville team. Today I'm proud to also welcome to the House, along with Mr. Muir, four other members of Community Living: Catharine Thomson, Kim Schrochonk, Kerry Bat and Tony Garcia. Please give them a warm welcome.

## CONSIDERATION OF BILL 107

**Mr. Ernie Hardeman (Oxford):** The McGuinty Liberals have decided that they know better than the people and the groups who deal with human rights concerns on an ongoing basis. Today, the McGuinty Liberals plan to shut their ears and muzzle anything the following groups may have to say about human rights:

—Orville Endicott and Dawn Roper of Community Living Ontario;

—Nancy Schular and Seema Shaw of the Ontario Disability Support Plan Action Coalition;

—Malcolm Buchanan of Civil Rights in Public Education Inc.;

—Steven Adler of the Canadian Jewish Congress;

—Rosalyn Forrester of Canadian Transsexuals Fight for Rights.

These are among the 200 people who thought they would have a chance to share their experiences, insight, concerns, criticisms and suggestions, some of whom have already been scheduled to speak.

In fact, the Liberal government spent \$160,000 to advertise for people to appear at hearings. They spent staff time scheduling these meetings. Now the McGuinty Liberals, if they proceed with cutting off public hearings on Bill 107 prematurely, are telling these people and

many more to go away. The McGuinty government doesn't think they have anything worth saying.

Every member of the McGuinty caucus should be ashamed of themselves. Many people whose voices are being ignored are in the gallery today. If you have any integrity left, you will publicly apologize to them and withdraw your closure motion.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. Member for Oxford. Minister of Education.

*Interjections.*

**The Speaker:** Order. The member for Simcoe North. The member for Oak Ridges.

*Interjection.*

**The Speaker:** The member for Oak Ridges will come to order.

The member for Hamilton East.

1340

CHILDREN'S MENTAL  
HEALTH SERVICES

**Ms. Andrea Horwath (Hamilton East):** This morning, Children's Mental Health Ontario was here at Queen's Park trying to get the ear of members to talk about the dire straits that children with mental health problems and the agencies that serve them are in. It is no surprise that the challenges in children's mental health are becoming more severe and the problems more acute, having had no base funding increase in that sector for 14 years.

Next week, the McGuinty government will be unveiling its policy framework document for the future of children's mental health in Ontario. It's at least a year overdue, but many were holding out hope that it would offer greater support to the children with mental health issues, their families, caregivers and service providers.

This morning, the frustration and helplessness these agencies are feeling was palpable. Unless the McGuinty Liberals back up their policy framework with the resources to fund children's mental health services appropriately, helping children overcome their difficulties will be as challenging as ever. There are compelling reasons for ending the funding deep-freeze. Funding these agencies appropriately means preventing problems in our troubled children and youth from spinning out of control. It means early enough intervention that kids don't end up in places where nobody wants to see them, like on a coroner's slab, for example, or stuck in the spiral of the criminal justice system as young people.

Today, as mental health agencies have clearly made their case for increased support, I say to the McGuinty government, quit starving these agencies and quit pretending that better coordination is going to solve everything. Everyone knows that resources for programs and treatment are what will make a difference in these children's lives. Preventative action is essential. Better funding will be a step forward that has been a long time

in coming. Anything else continues to erode services, close beds and forsake our fragile children.

#### SKILLS TRAINING FOR ABUSED WOMEN

**Ms. Monique M. Smith (Nipissing):** Yesterday, my community received some very good news as the minister responsible for women's issues, Sandra Pupatello, announced a \$4-million training program that will help women who have experienced or are at risk of experiencing domestic violence find employment.

As part of that announcement, the minister advised that the Nipissing First Nation, as the lead agency in my area, will receive \$500,000 to help 60 women, including aboriginal women, women with disabilities and women from rural and isolated communities. I am delighted that the Nipissing First Nation has taken the lead on this and that they have been chosen as one of 10 pilot projects across the province.

Yesterday's announcement will provide the tools to the women of Nipissing who want to rebuild their lives by seeking freedom from an abusive situation. This new program will offer them education and training to find jobs that will put them on the road to financial independence.

Each program has been developed through a partnership with three different sectors: a violence-against-women group, a training organization and an employer. In our area, we have a number of partners that have signed on to this great initiative: Canadore College, YES Employment Services, Disability Employment Opportunities Committee, Ojibway Family Resource Centre, People for Equal Partnership in Mental Health, Ontario Northland Transportation Commission, the OPP and Tembec, as well as all of our women's shelters in the district. The funding will allow these great partners to provide much-needed services in our community.

This summer, Madeleine Meilleur, minister of Community and Social Services, and I visited the Ojibway Family Resource Centre and were very impressed with the services they provide. This initiative will give them one more tool to help the women they are helping—

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

#### INFRASTRUCTURE RENEWAL

**Ms. Jennifer F. Mossop (Stoney Creek):** I rise in the House today to talk about the McGuinty government's record on public infrastructure renewal. This government recognizes the payoffs that come out of investing in Ontario's infrastructure, which means long-term investment in Ontario's future.

Through ReNew Ontario, the McGuinty government is investing more than \$30 billion in revitalizing Ontario's infrastructure over the next five years. This is in direct contrast to the previous government, which for years downloaded costs for infrastructure maintenance

onto municipalities and left our province in dire disrepair, way behind in keeping up our systems in a functional and responsible way.

This government also understands that health care is another area that requires forward thinking in terms of infrastructure investment and, as a result, has worked to develop plans for 105 health care projects which will see \$5 billion worth of investments over the five years.

I'm happy to say that the rebuilding of West Lincoln Memorial Hospital in Grimsby, in my riding, is part of that project. It's something the community worked very, very hard, first of all, to keep their hospital from being closed under the previous government, and second, to have it rebuilt, and our government is moving forward with that.

We also have the Places to Grow Act, which helps give municipalities a framework for sustainable development. I want to point out that the sorts of investments we have taken part in show long-term vision. We are not just about the next election; we're looking way out for future generations' benefit.

#### HYDRO REBATES

**Mr. David Oraziotti (Sault Ste. Marie):** Yesterday, I had the privilege of announcing our government's northern electricity transition program in Sault Ste. Marie on behalf of Premier McGuinty and Minister Ramsay, which is helping to support St. Marys Paper, one of the largest employers in my riding, as well as to support many other pulp and paper mills across the north with a 15% reduction in energy costs.

This investment is worth \$140 million to the pulp and paper companies, the anchors of the forestry industry. The new rebate program, combined with other measures we have taken, will mean our mills' electricity costs are better than the North American average and competitive in Canada.

Here is what Ron Stern, president of St. Marys Paper had to say: "I appreciate the efforts of the province to help our industry through these very difficult times. This program will help us deal with our electricity costs and help us move towards greater electricity efficiency."

Our investments directly into forest business operations are unique. It's something that no other government, no other party, has ever done. The leader of the NDP publicly criticized our targeted energy rebate for pulp and paper companies, but when his party was in power road costs and forest inventories were downloaded to the industry, both of which we have uploaded since taking government. The NDP built no new electrical supply, paid \$150 million to cancel the Manitoba power agreement, hydro rates went up 40% and 14 mills closed.

Our government has now committed over \$1 billion to help the forestry industry, its workers and their families. I want to thank Premier McGuinty, Minister Ramsay and our northern members in particular for their collective support of businesses like St. Marys Paper.

## INTRODUCTION OF BILLS

### COMPENSATION FOR VICTIMS OF CRIME AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT LA LOI SUR L'INDEMNISATION DES VICTIMES D'ACTES CRIMINELS

Mr. Runciman moved first reading of the following bill:

Bill 160, An Act to amend the Compensation for Victims of Crime Act / Projet de loi 160, Loi modifiant la Loi sur l'indemnisation des victimes d'actes criminels.

**The Speaker (Hon. Michael A. Brown):** Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

**Mr. Robert W. Runciman (Leeds–Grenville):** The bill touches on four areas. The primary one is the lump sum compensation for catastrophic injuries suffered by victims of crime. The catalyst for this was Louise Russo, who was the victim of a botched mob contract killing attempt. Ms. Russo regrettably was obligated, because of the shortcomings of the Criminal Injuries Compensation Board, to plea bargain to negotiate with members of organized crime to enable her to live in a reasonable fashion, despite the very serious injuries that she suffered.

This bill, along hopefully with the results of the Ombudsman's investigation, will better address the very serious and legitimate concerns of victims of crime in this province.

## MOTIONS

### TIME ALLOCATION

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I seek unanimous consent to move a motion without notice concerning this afternoon's debate on the report of the Integrity Commissioner.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has asked for unanimous consent to move a motion without notice regarding this afternoon's debate on the recommendation of the Integrity Commissioner. Agreed? Agreed.

**Hon. Mr. Bradley:** I move that the time for the debate on the motion relating to the report of the Integrity Commissioner be apportioned equally among the recognized parties in the House; and

That at 6 p.m. the Speaker shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of the motion and any amendments thereto; and

That in the case of any division required, the division bell shall be limited to 10 minutes, the members called in once and all divisions taken in succession.

**The Speaker:** Mr. Bradley moves that the time for the debate on the motion relating to the report of the Integrity Commissioner be apportioned equally among the recognized parties in the House; and

That at 6 p.m. the Speaker shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of the motion and any amendments thereto; and

That in the case of any division required, the division bell shall be limited to 10 minutes, the members called in once and all divisions taken in succession.

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

1350

## STATEMENTS BY THE MINISTRY AND RESPONSES

### HYDRO REBATES

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** Yesterday in Thunder Bay, I had the pleasure of joining Premier McGuinty to announce a program that will help Ontario's forest sector build a bridge to a more secure and energy-efficient future and a brighter outlook for the families and northern communities that depend on that sector.

Through the northern pulp and paper electricity transition program, this government is making available \$140 million in electricity relief to northern pulp and paper mills over the next three years, giving the industry the time it needs to make the transition to greater energy efficiency.

This now brings our commitment to the forest sector to more than \$1 billion.

Our pulp and paper sector is the largest electricity user in northern Ontario, and it is more vulnerable to rising energy costs. It has been the most affected by the circumstances of the past three years.

All communities in the north will benefit indirectly since pulp and paper mills are the anchor for the whole forestry sector. Northern pulp and paper mills that use a minimum of 50,000 megawatt hours annually will be eligible to receive rebates on the cost of their electricity retroactive to October 1 of this year. For their part, the mills receiving a rebate must commit to implementing plans to boost their energy efficiency.

We are putting this program in place to help our mills secure their future. It will effectively reduce the cost of electricity that the mills purchase by about 15% over the three years. Combined with the other measures taken by the province, this reduction will ensure our mills' electricity costs are better than the average for North America and in the middle of the pack in Canada.

This initiative has been well received by the industry. Let me share a few supportive comments from yesterday.

Ronald Stern, president and CEO of St. Marys Paper, said, "This program will help us deal with our electricity costs and move us toward greater energy efficiency."

The president and CEO of Tembec, Jim Lopez, said, "The program announced today is a significant step both in terms of closing the gap on power rates with competing jurisdictions and helping companies generate the funds that will support investments to make their mills less dependent on purchased energy."

And this from Ken Buchanan—

**The Speaker (Hon. Michael A. Brown):** I need the government House leader to move. Thank you.

**Hon. Mr. Ramsay:** "This is great news for Ontario's forest sector. It helps us stay competitive. It will keep jobs in the north. This is good for our industry and a 'win' for the communities in our region. Our sawmills need pulp and paper operations to use the wood chips they produce, and this helps to ensure that."

The rebate program is the latest in a series of steps our government has taken to help the forest industry address electricity costs. Other measures include:

- encouraging large power consumers in the forest sector to undertake self-generation power projects through our forest sector prosperity grant and loan guarantee program;

- extending the rate cap on Ontario Power Generation's non-prescribed supply;

- establishing a cogeneration power procurement program under the Ontario Power Authority; and

- setting up an Ontario Power Authority program to compensate companies for load shedding and shifting during high-cost power peaks.

The forest industry is one of Ontario's most important economic engines. In addition to sales of about \$18 billion and exports of approximately \$9 billion, this industry provides 200,000 direct and indirect jobs across Ontario.

As the Premier said yesterday, behind these numbers are real people, real families and real hopes and dreams for the future. That is why the government is focusing like never before on the economic challenges facing Ontario's forest industry and the social impacts these challenges have had on all of our communities.

During the past year and a half, Premier McGuinty and I have announced assistance packages for the forest industry worth \$900 million over five years. As I've mentioned, yesterday's announcement brings our commitment to the forest sector to more than \$1 billion. This includes a five-year, \$350-million loan guarantee program and a three-year, \$150-million forest sector prosperity fund. These programs are aimed at leveraging new investment in a range of areas, including energy conservation and cogeneration, value-added manufacturing and more.

We have established the forest sector competitiveness secretariat to administer the forest sector prosperity fund and the loan guarantee program.

In total, my ministry's forest sector competitiveness secretariat has received 35 applications to date for funding from our prosperity fund and loan guarantee

program that, if approved, would result in more than \$1.2 billion in new investment in Ontario's forest sector.

We've already succeeded in leveraging tens of millions in new investment, and there is more to come. In the next few weeks, I'll be making further announcements in that regard.

This government has taken action and made great strides in putting Ontario's pulp and paper industry back on the right track. We will continue working to help the sector re-establish its competitiveness and regain a bright, prosperous future for the industry and for the people of northern Ontario.

#### ONTARIO FRANCOPHONIE AWARDS PRIX DE LA FRANCOPHONIE DE L'ONTARIO

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** Last night in Ottawa, I was delighted to take part, along with Premier Dalton McGuinty, MPPs Jean-Marc Lalonde and Phil McNeely, and over 400 guests from Ontario's francophone community, in the first ever annual Ontario Francophonie Awards ceremony.

Created by the government of Ontario as part of the celebrations for the 20th anniversary of the French Language Services Act, the Ontario Francophonie Awards honour both francophones and francophiles who have made outstanding contributions to the social, economic, political and cultural vitality of the francophone community.

Au nom du gouvernement de l'Ontario, je félicite chaleureusement les quatre lauréats de ces premiers Prix de la francophonie de l'Ontario : M<sup>me</sup> Caroline Andrew, professeure titulaire à l'École d'études politiques de l'Université d'Ottawa; M<sup>me</sup> Annie Dell, directrice régionale du Réseau de développement économique et d'employabilité de l'Ontario pour la région centre-sud-ouest; M. Gérald Savoie, président-directeur général de l'hôpital Montfort; et M. Raymond Tremblay, recteur de l'Université de Hearst.

Dès le 1<sup>er</sup> avril 2007, j'encourage tous les Ontariens et toutes les Ontariennes à présenter des mises en candidature pour les Prix de la francophonie de l'Ontario 2007, de façon à ce que le gouvernement puisse reconnaître officiellement les réalisations exceptionnelles de certains de nos concitoyens et concitoyennes.

Depuis son arrivée au pouvoir, le gouvernement McGuinty a démontré une volonté ferme de soutenir la croissance et l'essor du français, non seulement comme langue d'accès aux services publics, mais comme source de dynamisme social, économique et culturel.

La création des Prix de la francophonie de l'Ontario s'ajoute à la liste déjà longue des réalisations du gouvernement McGuinty visant à renforcer la communauté francophone et à accroître l'étendue et la qualité des services offerts aux Ontariens et aux Ontariennes francophones.

À titre d'exemple, sous le gouvernement McGuinty, des investissements importants ont été faits au profit de l'éducation de langue française en Ontario, et ce aux niveaux élémentaire, secondaire et postsecondaire. Ces efforts concertés et soutenus se poursuivent de sorte que l'apprentissage des jeunes francophones se fasse dans un milieu stimulant et de qualité.

Le gouvernement a aussi su innover en lançant la politique d'aménagement linguistique, un bel exemple du savoir-faire et de l'originalité de l'Ontario. La politique d'aménagement linguistique du gouvernement de l'Ontario, une première au Canada, est citée en exemple ailleurs au pays.

Dans le domaine de la santé, le gouvernement McGuinty consacre 185 \$ millions à l'agrandissement de l'hôpital Montfort à Ottawa, un investissement colossal et essentiel pour l'essor de cette institution unique en Ontario.

Toujours dans le domaine de la santé, la nouvelle Loi de 2006 sur l'intégration du système de santé local prévoit la création d'un conseil consultatif provincial sur les services de santé en français. La loi garantit aussi aux francophones une participation active à la planification des services au niveau local.

Ces avancées en santé seront déterminantes pour l'avenir des soins de santé en français.

#### 1400

Que dire de TFO, ce joyau de l'univers télévisuel franco-ontarien auquel le gouvernement McGuinty a décidé d'accorder la pleine gouvernance?

Enfin, il y a la désignation de Brampton, de Callander et de Kingston en vertu de la Loi sur les services en français, des régions où le nombre accru de francophones se traduit par une offre plus grande de services gouvernementaux en français.

Il y aurait tant à dire. Cependant, je suis convaincue que les francophones de l'Ontario savent que l'engagement de notre gouvernement à l'égard de la francophonie ontarienne est réel, comme en témoigne la remise des Prix de la francophonie en Ontario.

En Ontario, la francophonie n'est pas une abstraction, grâce aux Ontariens et Ontariennes francophones qui lui donnent vie chaque jour.

Other Ontarians make it real as well, such as all the francophiles of our province who support the French fact and bring it to life through their work, their families, their daily activities and all kinds of gestures, both big and small.

Our government is determined to continue to support the vitality of this vibrant, important part of the fabric that makes up this great province of ours.

## HEALTH PROMOTION PROMOTION DE LA SANTÉ

### **Hon. Jim Watson (Minister of Health Promotion):**

On this day in 1986, the very first International Conference on Health Promotion took place in Ottawa. Organized by the World Health Organization, 212 dele-

gates representing 38 countries met to exchange experiences and share knowledge on the topic of health promotion. This event is of historic importance, and it resulted in the creation of the Ottawa Charter for Health Promotion.

The Ottawa charter is significant and was named the "third public health revolution" by Dr. Lester Breslow, professor emeritus, health services, UCLA School of Public Health. The first two public health revolutions took place in the 19th and 20th centuries and were about the control of infectious disease and the battle against non-communicable diseases.

The Ottawa charter defined health promotion as "the process of enabling people to increase control over, and to improve, their health." These elements are commonly referred to as the social determinants of health and can be achieved by the following actions set out in the charter: building healthy public policy, creating supportive environments, strengthening community action, developing personnel skills, and reorienting health services.

The Ottawa charter was groundbreaking because of its progressive stance on health and health care. It encouraged governments to focus more and better address health promotion and illness prevention, and took a holistic view of public health. It is precisely this type of vision which led to the creation of Ontario's first Ministry of Health Promotion in the summer of 2005 by Premier McGuinty.

Building on the work in Ottawa 20 years ago today, subsequent international conferences have set the course for global health promotion. Results from these influential conferences have formed the basis of the Ministry of Health Promotion's mandate to encourage and support Ontarians to pursue an active, healthy life. Doing so is key to wellness and essential in improving quality of life and preventing illness. These functions now have one central home in government, which provides a natural link between the study and the application of health promotion.

Nous savons que découvrir des moyens qui inciteront les Ontariens et Ontariennes à adopter des modes de vie plus sains préviendra ou retardera l'apparition de maladies chroniques.

By doing so, we may be able to create an atmosphere of awareness of the importance of making better choices to reduce injury and illness, limiting the toll, both human and financial, that chronic disease exacts on our population.

The McGuinty government recognizes that the values of health promotion run across ministry lines, exactly as the Ottawa Charter for Health Promotion envisioned. That is why the Premier created an interministerial committee on healthy living, chaired by myself and comprising representatives from 10 ministries. We are determined to improve the coordination and communication on health promotion issues, policies and programs through horizontal discussions.

In keeping with the legacy of the Ottawa charter, the Ministry of Health Promotion will host its first-ever



Healthy Eating and Active Living Conference in Toronto on November 29 and 30. I'm pleased to report that, joining my parliamentary assistants, Peter Fonseca and Shafiq Qaadri, will be 600 people from across this province. They will be involved in supporting local and international health and recreational professionals, community workers and others who are striving to promote healthy eating and active living and highlighting the government's health promotion activities and progress being made on action plan deliverables.

In conclusion, the Ottawa charter has made a significant impact throughout the world on the importance of health promotion, and I am very pleased that it took place in my hometown of Ottawa 20 years ago today. By supporting and building on the charter's mandate, the Ontario government is making health promotion a priority.

If we call the Ottawa charter the "third public health revolution" on the occasion of the 20th anniversary of the charter, I'm proud to declare that we are making great strides in prevention and in education on health promotion so Ontarians can live healthy, long and more active lives.

#### ONTARIO FRANCOPHONIE AWARDS

**Mr. Robert W. Runciman (Leeds–Grenville):** At the outset, on behalf of the Progressive Conservative Party and our leader John Tory, I want to extend congratulations to the recipients of the Francophonie awards and thank them for their contribution to the province of Ontario.

Rather than responding extensively to the statements that were made in the House by ministers, we'd like to take this limited opportunity, on behalf of the official opposition, to express our very real concerns about the way the government has opted to deal with Bill 107, the amendments to the Human Rights Act. The fact that the government last evening, to the surprise of virtually everyone in this place, and I would have to assume the members of the justice committee as well, filed a—

**The Speaker (Hon. Michael A. Brown):** Order. This time is set aside for responses to statements made by the government. I'm sure the member is about to tie this statement to a statement made by one of the government ministers and I hope that he would get there quickly.

**Mr. Runciman:** Well, Mr. Speaker, that may be somewhat difficult, but I'll do my best. If I could speak French a little bit better, perhaps that would assist on this occasion. Je suis un étudiant de français.

In any event, I simply think the fact that we have this time allotted to express our very serious concerns is important and that it is going to have an impact on the business of the House as we move forward. There has been a co-operative effort on behalf of all three parties. We may have concerns with respect to statements made today or with respect to other pieces of business that the government has brought forward that are currently on the order paper for this House for debate or before

committees of the House. We have attempted in a very co-operative way to work within the House leaders' meetings and beyond that, certainly, to put our views on the record and see the business of the government proceed in a reasonably timely way.

I think that has all now been put in jeopardy by the government's decision with respect to Bill 107, and it's important that I have this opportunity to put that on the record. We're approaching the end of the session, approaching the end of this year. In fact, the decision has been made, and we hope they will take a deep breath and step back from this, otherwise from our perspective we are not going to be in a position to be able to, in a constructive way, approach the business of this House in the coming weeks.

It's critically important that that be on the record, that there be a complete and thorough understanding of the position the official opposition is taking with respect to the government's decisions to close off debate and close off hundreds of people who may wish to appear to express their concerns.

#### PRIX DE LA FRANCOPHONIE DE L'ONTARIO

**M. Gilles Bisson (Timmins–Baie James):** Je veux prendre cette opportunité pour dire, de la part du parti néo-démocratique, félicitations à ceux et celles qui se sont fait donner cet honneur. On connaît très bien les personnes, Caroline Andrew, Annie Dell, Gérald Savoie, et spécialement M. Raymond Tremblay, qui vient de mon comté de Hearst. On sait que ces francophones, comme les autres, sont très dévoués à la communauté. Ils travaillent très fort pour être capables d'avancer les dossiers importants pour la francophonie de l'Ontario. Comme néo-démocrates, on veut les féliciter.

Je veux aussi souligner que ce n'est pas la première fois que l'on fait ça. C'est la première fois que le gouvernement le fait comme honneur, mais l'Assemblée parlementaire de la francophonie de l'Ontario aussi, où tous les trois partis font partie du processus, qui est une manière d'honorer que l'on donne aussi, et on va justement pouvoir honorer d'autres francophones plus tard, au printemps. Donc, on les félicite.

#### RÉDUCTION DES COÛTS D'ÉLECTRICITÉ HYDRO REBATES

**M. Gilles Bisson (Timmins–Baie James):** Je veux dire au ministre des Richesses naturelles que votre annonce faisant affaire avec ce qui se passe avec l'électricité a été très mal acceptée par le monde du nord de l'Ontario. Je peux vous dire que si vous étiez un travailleur de Timmins à matin, l'annonce qui était faite hier ne fait absolument rien pour assurer votre emploi.

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On a appris ce matin, moins de 24 heures après que le gouvernement a fait son annonce faisant affaire avec le

prix de l'électricité, que la scierie de Tembec va fermer pour une période indéfinie. Une des raisons est non seulement le marché, mais aussi le prix de l'électricité. On sait que ces utilisateurs dans les scieries, tels que d'autres qui n'ont pas été affectés par l'annonce, vont se trouver d'une manière très négative. Si vous vous étiez un travailleur dans une scierie ou dans tous les autres moulins de pâte à papier qui n'ont pas été affectés, autres que les cinq qui peuvent participer dans l'annonce qui était faite hier, ça ne va faire absolument rien pour vous.

If you're a worker in many sawmills and paper mills across northern Ontario, the minister's announcement today and reannouncement of what was said yesterday by the Premier and by the minister in different parts of the province last night, in regard to electricity prices, will do absolutely nothing to safeguard your job. We have literally tens of thousands of workers in northern Ontario who have lost their jobs in the forestry sector. One of the key issues is the question of electricity. This particular announcement falls very much shy of what the mayors, unions and others have asked for.

This particular program is not a reduction in electricity prices. You're tinkering at the edges. All this is is a rebate program that is tied to meeting certain goals when it comes to energy efficiency. In other words, if a company such as Tembec, Kapuskasing, decides they want to participate, as they have, they have to be able to meet a certain target to get 100% of the one cent per kilowatt hour that they would get as a saving, if they're able to meet it. I just say that this falls short.

If you're a worker in Timmins—as the minister knows, we've had more sad news this morning—Tembec announced this morning an indefinite closure of the Tembec sawmill in the city of Timmins. This is a company that was poised to reannounce \$3.5 million of investment on a small saw line in order to make their plant more efficient, to be able to weather the storm that we've seen in forestry in northern Ontario. The announcement yesterday did absolutely nothing for Tembec. Here we are, less than 24 hours later, and the 120 workers who have lost their jobs in Timmins, and all of those related workers in the forestry sector, as contractors and others are not dancing in the streets today. They're dancing to the unemployment insurance office and they're crying. I'm saying that in a very sad way. It's a sad story. These workers are not going to benefit one iota from the announcement made yesterday.

This government hasn't figured it out. The Conservative electricity policy, as started by Mr. Harris and then implemented by Mr. Eves, was a failure. You were in opposition, Mr. McGuinty and Mr. Ramsay, at the time that the Conservatives introduced it. Like us, the New Democrats, you opposed it. You said that the deregulation and privatization of electricity would lead to job losses. You promised that if you were elected, you would not go down the same road as the Conservatives, and people elected you on the basis of thinking that you would do what you said in the last election. Instead, what have we got? We've got a McGuinty government that, if

you close your eyes and dull your ears, you'd swear to God you're listening to Mike Harris or Ernie Eves. If you listen to Mr. Duncan, the Minister of Energy, you would think that he was John Baird, because the words that they speak are absolutely no different than the words that were spoken by the former Conservative government.

We in northern Ontario, as other industrial sectors across southwestern Ontario and other parts of the province, are at our wits' end. We are losing jobs by the thousands. Why don't you wake up and realize that your electricity policies are a major share of the blame when it comes to the job losses and undo the damage you did by admitting that your energy policy has failed us?

**Mr. Robert W. Runciman (Leeds-Grenville):** Mr. Speaker, on a point of order: I'm referencing standing order 35(e), dealing with ministerial statements. I took your comments earlier as a caution, not a ruling. As I read this, it says, "Opposition parties in the House may comment for up to a total of five minutes for each party, commencing with the official opposition." There is no reference to commenting specifically on the ministerial statements, and I would ask for your clarification of that at some point, Mr. Speaker.

**The Speaker (Hon. Michael A. Brown):** I take your point of order and would ask you to reflect on the precedents of this House, which do maintain the ruling that I did make. I provided you with much latitude on this, but the ruling is that you are to comment on the statements by the minister.

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** Mr. Speaker, on that same point of order: I would refer you to standing order 23, specifically 23(e), which says that the Speaker shall call a member to order if their speech "anticipates any matter already on the Orders and Notices paper for consideration," which is precisely what the member from Leeds-Grenville did. You in fact appropriately called this to his attention, and as a veteran member of this House, I would hope that the member is familiar with standing order 23(e). Speaker, I wanted to bring that to your attention.

**Mr. Frank Klees (Oak Ridges):** Mr. Speaker, on the same point of order: I want to point out that in the NDP's response to the statement, John Baird would take offence to being compared to the current Minister of Energy.

**The Speaker:** It may be a point of debate, but not a point of order.

## ORAL QUESTIONS

### CONSIDERATION OF BILL 107

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Late yesterday, under the cover of darkness, your office gave orders to shut down the committee hearings on Bill 107, the human rights legislation, against the express wishes of the legislative committee, which included your own Liberal members.

Now, one week ago, the Attorney General stood in this House, and he said in question period, "I look forward to the matter being debated in the committee, not only tomorrow and the next day but however long it takes." That's what the Attorney General said: "However long it takes."

My question for the Premier is this: Why is the Premier deliberately going back on the word of his Attorney General? Why is he ignoring and refusing to hear the hundreds of people who remain to be heard on this bill? And why did you order that the debate be shut down in this manner at this time?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** There are a couple of points I want to put on the record here. First of all, I'll note in passing that the Conservatives, when in government, invoked closure 102 times, on 102 separate occasions, something that the leader of the official opposition may want to keep in mind when he considers his moral standing with respect to putting forward this point.

The second point I want to make is why it's so important for us to move ahead with improvement to our human rights system here in Ontario. Complaints presently take far too long. Five to 10 years for resolution of a complaint is simply unacceptable.

The legislation has been under discussion now for over 200 days. In fact, the call for change started some 14 years ago. The committee has toured Thunder Bay, London, Ottawa and, of course, it sat in Toronto. We were bringing forward amendments, but we think it's important that we move ahead.

**Mr. Tory:** The standing committee on justice policy decided that it wanted to hear from as many presenters as it could, and they unanimously—with the support of your members, the Liberal members of the committee—voted in favour of an extended hearing schedule that would in fact go beyond this month. They've got hearings booked solid, in any event, through to and including December 14. Beyond that, there were advertisements booked, on the instructions of the committee, by the clerk of the committee, at public expense of \$106,000 to put ads in the newspaper advertising the hearings that had been agreed to by the committee. This is another \$106,000 that you seem to be prepared to flush down the toilet because you have no respect for this House or for taxpayers' money.

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Your Attorney General said, "However long it takes," and you said, on April 27, that people would be given ample opportunity to be heard. There are hundreds of people waiting to be heard. Why are you going back on your word and not letting them be heard?

**Hon. Mr. McGuinty:** To the Attorney General.

**Hon. Michael Bryant (Attorney General):** There has been ample opportunity for this to be heard. This bill has been before the House for more than 220 days. We have had several days of second reading debate. We have had several days of public committee hearings. But let's be clear as to where each of the parties are. Last week, the

member for Whitby–Ajax put out a press release saying that we should suspend the public hearings, stop them. In the summer, the House leader for the New Democratic Party said that he would filibuster the bill. We don't think that we should stop the hearings. We don't think that the hearings should be filibustered. We believe that there should be hearings this week, that they should continue next week, and that this should come back to the House for third reading. That is in fact what is going to happen, and that is going to ensure that for the first time in 44 years, our human rights system is actually going to get a reform.

**Mr. Tory:** The fact of the matter is that when you are bringing about reform to a piece of legislation such as the Human Rights Code that is a foundation piece of legislation in this province, when you are doing it for the first time in 44 years, if we accept your calendar on that, that is precisely why you need to take the time to hear from people, as you said. It was you, the Attorney General, who said that we would listen for however long it takes to people who wanted to be heard on this bill. That's what you said. The fact of the matter is, the official opposition only suggested the hearings be suspended until you actually shared with them, perhaps out of a sense of respect for the opposition, the wording of hundreds of amendments you were bringing forward to your own legislation.

My question is this: What happened to the person who stood in this House and said to the opposition and to the people of Ontario, "However long it takes"? You were right then on something that's amended once in 44 years, that people deserve the right to be heard. Why are you shutting them down now? Why is the Premier bringing the guillotine down on this debate and on these people and their right to be heard? It's a disgrace, and you know it.

**Hon. Mr. Bryant:** I think the member knows that if in fact a matter has indefinite debate, it means that the bill will never pass. And if that is the purpose of the official opposition, then I think they should make that clear. It has been the position of the third party that in fact they do not want the bill to pass. They have said that they will filibuster the bill. Mr. Kormos said that the Chair of the justice committee will be an old man before this bill passes.

We heard today from some people who have been, in their own words, re-victimized by this very system. We heard from Stephanie Payne, who talked about a complaint with the commission that was a traumatic experience that lasted 10 years. We heard from Suvania Shiu, who said she was re-victimized by the process: Eight and a half years before the commission, and the case was in fact dismissed.

I'm not going to wait until victims of human rights are old men and old women before we have an opportunity to bring this bill back to the House for an up-or-down vote—

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

**Mr. Tory:** My question again is to the Premier. There is no one suggesting it should go on indefinitely at all. We're just suggesting —

*Interjections.*

**The Speaker:** Order. The Minister of Northern Development.

The Leader of the Opposition.

**Mr. Tory:** We're merely suggesting that the people who have expressed a wish to be heard should be heard. The reason that legislation of this type gets dealt with only once in a generation is because it is so important, because it is so complex, because the issues are difficult to deal with. There is no one who is arguing the status quo should prevail. Not one person is arguing that the backlog that has been created over time should be allowed to continue.

It was the Attorney General of Ontario, the very man who was just lecturing me, who said: "We look forward to ... getting feedback from Ontarians." "We anticipate this should go to committee." "I look forward to this debate." "I look forward to [it] being debated ... however long it takes."

These are quotes from the Attorney General.

I ask the Premier this question: At every corner, this government has broken promises. Now Mr. McGuinty has humiliated his own Attorney General—who said, "However long it takes"—by going back on the Premier's and the Attorney General's word. Will you withdraw this time allocation motion, allow people to be heard—

**The Speaker:** The question's been asked. Premier?

**Hon. Mr. McGuinty:** In government, as I'm sure the leader of the official opposition will recognize, we have a responsibility to bring about progressive reforms that meet the needs of the people of Ontario. Equally important, we have a responsibility to ensure that people have an opportunity to lend shape to policy initiatives. And of course, we also have the right, as the duly elected government of the people of Ontario, to move forward legislation once we have made a call that it's important legislation and that we've ensured that people have an opportunity to lend shape to that legislation.

This call for change started some 14 years ago. The legislation has been under discussion for over 200 days. In the end, it will have more than 40 hours of debate. Again, we're talking about a committee that did have the opportunity to tour the province. We think, all things considered, that this is an important public policy initiative. We think we've given the people of Ontario ample opportunity to lend shape to this policy. We'll be having more committee hearings, and we look forward—

**The Speaker:** Thank you. Supplementary.

**Mr. Tory:** What the Premier just said about having more committee hearings is not consistent with the facts, not in terms of listening to people. There will be hearings to consider amendments—hundreds, dozens of amendments that have been brought forward.

Let's trace through the chronology. On November 14, in Hansard, in question period, the Attorney General

says, "However long it takes." On November 14, Mr. Bryant, the Attorney General, writes a letter to Mrs. Margaret Parsons, in which he says that the committee intends to hold additional public hearings in the winter on dates and in locations to be determined. On November 15, the committee itself, including the Liberal members, votes in favour of an extended round of hearings at that time. And then on November 20, the guillotine is brought down by the Premier's office to shut down debate, to gag these people who want to be heard on this human rights legislation.

Premier, what happened between November 14—"However long it takes"—the letter, the vote by the committee and you bringing down the guillotine? What are you afraid of? What happened?

**Hon. Mr. McGuinty:** To the Attorney General.

**Hon. Mr. Bryant:** The member may be mistaken about his facts. There was a published report out today which suggested that debate and committee hearings will end today. That, in fact, is not accurate. Yes, we are debating that tonight. There will be further committee hearings this week, there will be committee hearings, as I say, next week, and this bill will come back for third reading in November.

It is the very nature of this bill and this reform that this matter has been debated and studied and filibustered to death. On that basis, nothing has happened in some 44 years. The New Democratic Party empanelled a task force to look at the matter and did nothing about it. The Conservative government, which didn't even bother empanelling a task force, did nothing about it. How many days of public hearings did we have on human rights bills under the Conservatives? Zero. How many days of public hearings under the NDP? Zero. Have we had ample debate on this? Yes, we have. Yes, we—

**The Speaker:** Thank you. Final supplementary.

**Mr. Tory:** I come back to my question. It wasn't me who stood in this House and said that they would take however long it takes to listen to the people. It wasn't me who wrote the letter to Mrs. Parsons saying that there would be hearings held in the winter on dates and in locations to be determined. In fact, if you check the motion brought forward by the government House leader, it says that the committee is authorized to meet from 9:30 to 12:30 and after routine proceedings on November 29 to consider and complete clause-by-clause consideration of the bill, and it goes on to talk about other things after that. What happened? Why don't you just stand up and admit, then, that you wrote a letter and misled this woman with respect to the fact—

**The Speaker:** You'll need to withdraw the offending word.

**Mr. Tory:** I'll withdraw that. But why don't you stand in your place and say you wrote a letter to Mrs. Parsons and were grossly inaccurate with respect to the fact that there would be further hearings that you committed to, that you didn't mean it when you said you'd let the hearings go on for however long it took to hear the people who wanted to be heard. Answer the question. What

happened? Why won't you let people be heard on this bill?

**Hon. Mr. Bryant:** Well, this is great. This is from the leader of a Conservative Party whose one contribution to the human rights system when they were in government was to cut the legal aid system by \$2 million, preceded only by the NDP government, which, in the year before the Tories took power, cut the legal aid system by \$2 million. Your sole contribution to this entire process has been to cut the funding for legal aid, and last week your critic said that we have to suspend public hearings on legal aid.

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We will not do that. We will not continue the tradition of cuts. We will not continue the tradition of silence. We will not continue the tradition of inaction. We will reform the human rights system in the name of those victims so that we in Ontario can have a human rights system we're proud of instead of the one, and the record you have, which you should be ashamed of.

**The Speaker:** New question. The leader of the third party.

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Premier. After promising advocacy groups and visible minorities concerned with human rights protection that you would hold public hearings on Bill 107, today you announced that you're cancelling the public hearings and shutting down debate.

Premier, you promised to listen to human rights advocates, not shut them out. What's your justification for this betrayal of trust and this betrayal of your promise?

**Hon. Mr. McGuinty:** I'm happy to take the question of the leader of the NDP.

I think it's really important to understand what is at stake here. What's at stake is an absolutely essential reform of an antiquated, outdated human rights system.

We have heard from many people for many years now, over a course of various governments of various political stripes, none of whom have had the courage, until ours, to decide to pick up this ball and run with it.

It's not without some controversy; we understand that. But we also think we have given the people of Ontario good opportunities to provide shape to our public policy initiative, and we think it's really important that we move forward.

As I said just a few moments ago, the legislation has been under discussion for over 200 days. We will have more than 40 hours of debate by the time this matter is brought to conclusion—

**The Speaker:** Thank you. Supplementary?

**Mr. Hampton:** This is once again about promises that you and your Attorney General made. Your Attorney General gave you a copy of the letter to Margaret Parsons, executive director of the African Canadian Legal Clinic, where he says, "The committee intends to hold additional public hearings in the winter on dates and in locations to be determined." You got a copy of that.

Now you're saying you don't care to hear from advocates for the vulnerable, you don't care to hear from advocates for the disabled community, you don't care to hear from advocates from visible minority communities—you don't care to listen to them or hear from them.

Premier, some of those advocates are here today. Can you tell them why the McGuinty government doesn't think you need to listen to them or hear from them after you promised to do so?

**Hon. Mr. McGuinty:** To the Attorney General.

**Hon. Mr. Bryant:** I'm sure the leader of the New Democratic Party doesn't want to talk about the social contract being pulled out of committee: no hearings, and cutting off of debate.

I'm sure the leader of the third party would like to talk about those people who disagree with him, who are here today in the Legislature to say that we need to get these reforms and that the filibustering tactics of the third party cannot be allowed to continue forever.

I'm sure that Mr. Hampton heard from the people who support Bill 107. I'm sure he heard from June Callwood, and as well from the president of the Ontario Coalition of Rape Crisis Centres. I'm sure he heard from Catherine Frazee, former chief commissioner of the Ontario Human Rights Commission. I'm sure he heard from Buzz Hargrove, president of CAW Canada. I'm sure he also heard from the Centre for Research and Education on Violence Against Women and Children. I'm sure he also heard from METRAC and from the Faye Peterson Transition House.

Why is the NDP not listening? Everybody is saying we need to change the system. We have a bill before the House to do so. Why—

**The Speaker:** Thank you. Final supplementary.

**Mr. Hampton:** Premier, you're the one who said to the people of Ontario that you believed in open, accountable, transparent government. You're the one who told these advocates that there would be continued public hearings and that you wanted to hear what they had to say.

Community Living Ontario is opposed to your scheme. So what have you done? You've cancelled their hearing. David Lepofsky, a pioneer in fighting for the rights of the disabled, is opposed to your scheme. So what have you done to him? You cancelled his hearing. The Asian Community AIDS Services, the Disabled Women's Network, the Accessibility for Ontarians with Disabilities Act Alliance, what's happened to them? Cancelled, cancelled, cancelled.

Premier, it's your promise. You said you wanted to hear from these people. Tell them why you don't care what they think, what they say or how this may affect them.

**Hon. Mr. Bryant:** The leader of the third party opposes this bill. The leader of the third party does not want this bill to pass. The leader of the third party will do everything he can to stop this bill from ever passing. The leader of the third party doesn't care about continued debate with a view to having this bill come before the

Legislature for a vote. The leader of the third party wants to do one thing and only one thing: He wants to filibuster and derail this bill.

Why did the leader of the third party take the task force that he empanelled, led by Mary Cornish, that called for these reforms and shelve it? Why did he do that?

The Toronto Star said on November 19, "In the face of clear evidence the current system is broken, Ontario cannot afford to let this opportunity slip away." We will not let this opportunity slip away.

*Interjections.*

**The Speaker:** Order. New question, the leader of the third party.

**Mr. Hampton:** To the Premier again, because once again, this is his promise. Premier, there is no filibuster here. There's been no filibuster. The only question I've asked on this legislation is about your government's willingness to hold public hearings and to hear from all the human rights advocates who may be affected by it. So stop trying to pretend that somebody is trying to pour cement in the works. That's not happening.

Premier, what's really interesting is that you spent over \$100,000 on newspaper ads advertising that there would be public hearings. That's \$100,000 of public money. So I want to ask the Premier this: If you weren't interested in hearing from these human rights advocates, if you don't care what they say, why did you spend \$100,000 placing ads saying there would be hearings?

**Hon. Mr. McGuinty:** Just to support something my Attorney General said a moment ago, I think it's really important that we understand what's at play here. The Conservative Party and the NDP are absolutely opposed to moving ahead with human rights legislation in the province of Ontario. They've made that very clear. They are cloaking that under the guise of a desire to support additional representations to be made by members of the public. We understand that and we see through that. Our higher responsibility owed to the people of Ontario is to ensure that we reform Ontario's human rights system.

I can understand why the previous governments have shied away from that. It is fraught with some real challenges, but notwithstanding that, we've heard from Ontarians. I think we'll have close to 10 days of hearings at the end of it. We've had ample opportunity to hear from people, and we're open to more representation to be received by way of e-mail or letter, but we really think it's time for us to move ahead.

**Mr. Hampton:** Premier, I want to remind you of some of your comments and your Attorney General's comments of just a few years ago. Your Attorney General, when he was in opposition, said, "I, too, choked when I saw that yet another debate-killing motion was before this Legislature." He said that time allocation is a guillotine motion, "We want more debate, not less debate."

You spent \$100,000 telling everyone far and wide in the province there would be more debate and there would be public hearings, that you wanted to hear from the people who might be affected by this legislation.

Premier, if you're so opposed to guillotine motions, if you're so opposed to shutting down debate, if you're so opposed to shutting out people who want to be heard on important human rights legislation, why would you ever bring in a guillotine motion yourself that terminates the hearings and shuts down debate?

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**Hon. Mr. McGuinty:** To the Attorney General.

**Hon. Mr. Bryant:** June 8, 1993, Bill 164, auto insurance: three days in committee before time-allocated. Bill 165: four days in committee before time-allocated by the NDP government. Bill 48, the social contract: one day in committee before the whole House moved on a time allocation. Bill 100, regulated health professions: five days in committee before movement of time allocation.

Let's be clear here. The third party's approach to Bill 107 is to filibuster. I'm not guessing; I'm quoting. Mr. Kormos, on August 10 in standing committee, said, "I want to filibuster the bill ... [and] you'll be an old man before this thing passes, okay?"

Well, I don't want the victims of human rights to be old men and women before this bill passes—

*Interjections.*

**The Speaker:** Order. Member for Halton.

Final supplementary?

**Mr. Hampton:** Besides breaking promises, the McGuinty government is very good at only reading half the quote, because what Mr. Kormos said is, "Let's just get realistic here and be practical and act in good faith, like we have so far," and have the public hearings. But do we see good faith from the McGuinty government today? No, not for a second. What we see is a government that is afraid that people who have credibility in the human rights field might criticize it; that human rights advocates like David Lepofsky might point out that your legislation isn't all that you've advertised it to be.

Isn't that the real issue, Premier? You don't want to hear from these human rights advocates because they might be critical of your legislation, and nine months before an election you're prepared to put your political future ahead of their human rights advocacy.

**Hon. Mr. Bryant:** I can say with a lot of confidence that in fact this government has heard from many, many, many people on this issue, both in committee hearings and outside of committee hearings. We've heard from people who support Bill 107, and believe me, I have heard from people who are opposed to it, and I've heard them several times. I've sat down with some of the people—from the letters you are quoting from—several times. We've spent hours and hours and hours debating this bill in and outside of the House. We've spent years and years and years considering these human rights reforms.

But meanwhile, what about the 2,500 people who come to the human rights system every year and who see years and years and years of delay? This reform is about ending the delay in the human rights system. And if any party is playing politics with this debate, it's that party right there.

**The Speaker:** New question?

**Mr. Tory:** A question for the Premier: In stating that both of the opposition parties were not interested or were opposed to reforming the human rights act, you made statements that had no foundation in fact. We think the system has to be fixed, and we believe that a backlog, in effect, acts to deny justice or deny access to people.

But it's very interesting to note that the Attorney General, in getting up and listing all the people who had been heard recently, listed people who had come in favour of the bill. It is very interesting to note that a lot of the people you're guillotining and gagging and who are not being heard are people who have concerns about the bill. You've decided you are not going to hear from them on a bill that we amend every 40 years or so.

My question is this: If we commit to agreeing to have this matter come to a vote first thing when we come back in the spring, will you agree to let the hearings go ahead that were scheduled and agreed to and committed to at your word by your government? Will you agree to let those hearings go ahead and let these people be heard on this fundamental piece of legislation?

**Hon. Mr. McGuinty:** To the Attorney General, Speaker.

**Hon. Mr. Bryant:** The leader of the official opposition talks about human rights reform as if it's something that the Conservative Party had been remotely interested in. Was it in your platform in the last election? No, of course it wasn't. Was it in the platform in 1999? No, of course it wasn't. Did they introduce a single bill before the Legislature to advance the human rights system in the eight years they were in office? No. They've never had an interest in improving the human rights system. Their sole contribution to the human rights system is that they cut it by \$2 million in their first year in office. So we're not going to take any lectures from that leader when it comes to reforming the human rights system.

**Mr. Tory:** The Attorney General should check the history books. It was John Parmenter Robarts, Conservative Premier of Ontario, who introduced the Human Rights Code in this province. But let's forget about the history.

Let me reiterate that I want to know what happened between the time the Attorney General of Ontario said, "However long it takes"—he wrote to Ms. Parsons and said there would be winter hearings. If you want to talk about good faith, I'm standing here saying that if we agree that we will allow a vote to be taken first thing when the spring session of the House begins, will you agree to let these people be heard, as you said you would in writing—your word—as you said you would in this House in response to a question, and if not, why not? Why won't you keep your word and why wouldn't you agree to a reasonable accommodation like that when it comes to human rights legislation—foundation legislation in this province that people have the right to be heard on?

*Interjections.*

**The Speaker:** Order.

**Hon. Mr. Bryant:** The leader of the official opposition quotes from Premier Robarts and asks what happened. I don't know what happened to the grand old Conservative Party, but I can tell you they've lost all their interest in human rights reform in the last 40 years.

Let's be clear—

*Interjections.*

**The Speaker:** Order. I'm having great difficulty hearing the Attorney General.

Attorney General?

**Hon. Mr. Bryant:** The member is quoting from statements that have been made over the last few months. I'd remind him of the statement made by the member for Whitby-Ajax. She said that the committee hearings should not proceed. She wanted the committee hearings to stop last week, and we're saying no, we're not going to stop the committee hearings, and no, we're not going to filibuster the hearings. Rather, we're going to make sure that an appropriate amount of committee hearings take place—more committee hearings than ever took place on the social contract, and more committee hearings than took place on just about every single bill that was before this House under the Harris-Eves government—

**The Speaker:** Thank you. New question.

**Mr. Hampton:** My question is to the Premier. I want to read to you a letter that is addressed to you as of today's date:

"I wish to express my profound dismay at your government's notice to invoke closure and prematurely end debate on Bill 107, An Act to reform the Ontario Human Rights Commission."

Further, "By bringing an abrupt halt to the proceedings, the opportunity to reform the legislation is lost. I fear the existing divisions will become more polarized and bitter."

This is a letter from Barbara Hall, chief commissioner of the Ontario Human Rights Commission. If you won't listen to me and you won't listen to the human rights advocates who are here today, will you at least listen to the chief commissioner of the Ontario Human Rights Commission, whom you appointed?

**Hon. Mr. McGuinty:** To the Attorney General.

**Hon. Mr. Bryant:** Here is the NDP trying to have it both ways. When the chief commissioner was before the justice committee hearings, the House leader for the third party, Mr. Kormos, questioned whether or not Ms. Hall was speaking on behalf of the entire commission and, as a result, he said, "We need to have every single staff person in the commission come before the justice committee and testify"—every single person. You can't question the credibility of the chief commissioner on one hand, and then rush to the defence of the chief commissioner on the other.

To speak to the chief commissioner's concerns, I can assure everybody in this House that yes, as she asks, there will be an opportunity to fine-tune the amendments; yes, the commission will be given an opportunity to address the amendments; and yes, Chief Commissioner Barbara Hall supports Bill 107.

**Mr. Hampton:** Premier, I want to quote further from the chief commissioner of the Human Rights Commission, whom you appointed: "It may seem trite to remind you that justice must not only be done but must be seen to be done. This is an essential truth with the law and particularly in regard to human rights. The justice policy committee clearly felt that an extended period of consultation would have value; however, the invitation may now be withdrawn. Dozens of groups and individuals who have waited to take part could be denied the opportunity at the 11th hour."

Premier, the chief commissioner is asking you to withdraw your motion of closure. I am asking you, will you do the right thing? Will you withdraw your motion of closure and hear from these human rights advocates and build consensus rather than creating division, which is what you are doing now?

1450

**Hon. Mr. Bryant:** Look, it is a matter of determining the point to which one lets the New Democratic Party filibuster this bill. There has to be a point at which the government says, "This many days and then let us have a vote."

*Interjections.*

**The Speaker:** Order. The member for Erie–Lincoln. The member from Renfrew.

Attorney General?

**Hon. Mr. Bryant:** The member refers to justice being done and seen to be done, and that is absolutely the case. We have to ensure that there is an ample number of days and hours devoted to this bill. But I remind the member of another truism, which is that justice delayed is justice denied. For too many people who go to our human rights system, they are receiving no justice at all. We heard from people this morning who were before the human rights system for eight and a half years, for 10 years, and no justice. For these people, justice delayed means no justice at all.

This bill shortens the pipeline from complaint to resolution. That's why this bill is before the House. That's why it needs to come before this House for an up-and-down vote, and that's why we need to reform this human rights system right now.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Phil McNeely (Ottawa–Orléans):** My question is for the Minister of Citizenship and Immigration. Yesterday, John Tory released a policy paper discussing his plan to remove barriers faced by foreign-trained individuals. Minister, you introduced Bill 124, the Fair Access to Regulated Professions Act, the first legislation in Canada and North America to address the tremendous difficulty foreign-trained professionals often encounter when trying to find work in their field. This problem results in serious economic costs to our province and tragic social costs to the families of these highly skilled individuals. To fix this problem, Bill 124 targets the root

of the problem by creating a fairer process for accreditation and licensing in 34 regulated professions.

In addition to this, I know that your ministry has a history of taking innovative approaches to helping newcomers find work in their chosen field. Minister, could you tell us a little more about some other initiatives taken by your ministry already, in addition to Bill 124?

**Hon. Mike Colle (Minister of Citizenship and Immigration):** Beyond Bill 124, what we've done is, in our breaking-down-barriers plan, we're the first provincial government to ever get a provincial agreement with the federal government: \$920 million. No other government has done that; we did it. We have created immigrant gateways in Sudbury, London, Windsor, Ottawa and Toronto. For the first time, we have immigrant gateways encouraging people to go outside of the GTA. We have, for the first time, created internships in the Ontario public service. No government ever did that for the internationally trained. We now have paid internships for the internationally trained. We have a loan program. People talked about a loan program. We've established a \$5,000 loan program for any internationally trained individual. We have it in the works. We also have bridge training programs in 100 professions. And we also have doubled the funding for people seeking accreditation as doctors in this province, up to \$53 million. That's already been done.

**Mr. McNeely:** Thank you, Minister, for that response.

Earlier this month, I had the pleasure of having you speak to a number of community groups in my riding of Ottawa–Orléans. I thank you for participating in that round table. It was a very productive meeting and the discussions it generated were very encouraging.

Minister, I would like to follow up with you about something that you mentioned at that meeting. You stressed how important it is for governments to not just talk about taking action when it comes to issues affecting newcomers, but to practise it, and you mentioned that this government is leading by example. Can you explain some of the additional impacts this government will have in passing Bill 124?

**Hon. Mr. Colle:** We had a very productive meeting in Orléans with people who were advocates on behalf of newcomers. As they've been doing all across the province, the advocates keep saying, "We need strong legislation like Bill 124." That's why Bill 124 has the power to impose annual reporting and audits on all regulatory bodies. No government has ever done that. Bill 124 also has the authority to impose fines of up to \$100,000 on regulatory bodies. That's tough. It also creates an access centre within government to help the internationally trained, to give them advice and counselling and help them navigate the system. There is no access centre now, and Bill 124, if passed, would create that. It establishes, for the first time, a fairness commissioner for the foreign-trained. They don't have that right now, and Bill 124 would create that. And it creates a fair, open, due process for the internationally trained. There is none in Ontario now, and it's about time we had some.



## CONSIDERATION OF BILL 107

**Mrs. Christine Elliott (Whitby–Ajax):** My question is for the Attorney General. Yesterday, in response to my question, you stood in your place and guaranteed that all Ontarians will receive full representation by a lawyer throughout their complaint process under Bill 107. The Hamilton Spectator, however, reported on November 10, 2006, that you said, “The province is willing to make changes to its proposals for overhauling Ontario’s human rights systems but it won’t pour in more money.”

Minister, you can’t have it both ways. It’s time for you to be honest with the people of Ontario, particularly the most vulnerable people in Ontario. How can you possibly reconcile these two statements and provide a lawyer for every person who wants one without putting in additional funding?

**Hon. Michael Bryant (Attorney General):** Well, the Conservative Party can’t have it both ways. The Conservative Party cannot on the one hand cut funding to the Ontario Human Rights Commission and then, on the other hand, say that in fact they want to reform and improve the Human Rights Commission. And the member opposite can’t say last week that the committee hearings should not proceed, on the one hand, and yet we should have more committee hearings, on the other hand.

When it comes to these committee hearings and when it comes to this bill, there has been a significant amount of debate. The positions are very well known. I don’t anticipate I’m going to change the minds of some people, which is not to say that the committee amendments we’ve already presented before the committee are not going to continue to be considered and consulted on, and I look forward to the member’s comments, substantive comments, on the specific amendments that are before her right now, because we put those amendments before her in committee last week.

**Mrs. Elliott:** Minister, you know and I know that what I said in committee last week was that we should suspend the committee hearings until we have the full text of the amendments so that we know that your smoke-and-mirrors amendments have some substance. You know that you did not table the amendments with us; you gave us some vague statement that people are attaching to you because you’re saying the words they want to hear. But you know and I know that that’s not what the amendment said. We don’t even have the amendments. You’re the one who’s cutting off the debate; you’re the one who’s muzzling disability and racialized minority groups. And before these hearings are cut off, let’s be clear: How do you plan to find a lawyer for every person who wants a lawyer in these proceedings without putting more new money in? Let’s be honest with the people of Ontario.

**Hon. Mr. Bryant:** Funding for the Ontario Human Rights Commission reached a 10-year low. It happened in 1996-97, and it happened under the Harris-Eves government.

The views on this bill are well known. The views on human rights reform are well known. They’ve been

known for years. The views on Bill 107 have been known for more than 200 days. The e-mails, the letters, the meetings, the committee hearings—there have been dozens and dozens and dozens.

We know that the third party wishes only to filibuster. I don’t know if the official opposition wants to filibuster or simply derail. I do know that the only way in which we’re going to get the first reform to the human rights system in 44 years is if at some point it comes back to this House and we have an up-and-down vote on reform for the victims in Ontario, so that we can give them real, adequate and timely justice, something they’ve not had for far, far too long.

1500

## CHILD POVERTY

**Mr. Michael Prue (Beaches–East York):** A little change of pace: My question is to the Minister of Health Promotion. Minister, earlier this month you said that you were troubled by the fact that less than 50% of school-aged kids report eating at least five servings of fruits and vegetables every day. Your answer was to declare war on Twinkies in our schools. You said that kids need healthier foods and more physical activity to combat ill health and obesity.

Minister, if you really cared about children’s health like you say you do, you’d be declaring war on child poverty. The families, the parents of Ontario’s poorest kids, can’t afford to feed their children fruit and vegetables every day. So when will you and all of your colleagues step up and demand that your Premier keep his broken promise to our poorest kids and end the clawback of the national child benefit so that all of our kids can eat healthily every day?

**Hon. Jim Watson (Minister of Health Promotion):** Mr. Speaker, I would refer that to the Minister of Community and Social Services.

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** I’d like to thank the member opposite for asking this question. I wanted to reiterate that child poverty is a very, very difficult problem and that it needs a multifaceted approach. This government, since we have been elected, has invested in children in different ministries. We have invested in education; we have invested in social services; we have invested in children and youth services; we have invested in health. This government this year will have spent \$10.4 billion in my ministry. All of the money goes towards helping those children in need, and their parents.

**Mr. Prue:** If only that were so. Every single month, you take \$120 per poor child and you keep that money and spend it on something else. You do not give it to the families who need it, and those poor children cannot afford to eat healthy fruits and vegetables which you go around telling them they should be eating.

Today at Queen’s Park we welcomed the Interfaith Social Assistance Reform Coalition, ISARC. Once again,

they are disappointed that you refuse to end the egregious clawback of money that will help kids to live better and eat more healthy foods.

Minister, some of those people are here today in the audience. Tell these delegates from ISARC that you care about the health of the poorest children, and declare war on poverty, not Twinkies. Will you end the clawback now?

**Hon. Mrs. Meilleur:** To the Minister of Education.

**Hon. Kathleen O. Wynne (Minister of Education):** I think it really is beneath the member opposite to diminish the initiatives that we take in our schools and across our government to change the culture around kids and healthy eating, and I think part of that is what goes on in our schools.

The nutritional guidelines we've put in place, the 20 minutes of mandatory physical activity which we've put \$10 million towards—it's not just a guideline; we've actually put money into the system to allow schools to have the equipment they need. We have \$8.5 million annually for nutrition programs in our schools. We've doubled the money for nutrition programs.

*Interjection.*

**The Speaker (Hon. Michael A. Brown):** The member for Hamilton East will come to order.

**Hon. Ms. Wynne:** Our schools are part of a community of care for our children, and what we've done is we have doubled the amount of money in our schools for children for nutrition programs. What that means is that kids who come to school hungry are getting food in the school.

There's a culture shift that has to happen around kids' awareness of what they should be eating. That's part of what we're doing to help all children across the province, and the third party should be supportive of that.

#### PUBLIC HEALTH

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** My question is to the Minister of Health Promotion. Minister, during constituency week you came to visit some eastern Ontario communities such as Cornwall and Alexandria.

In Cornwall, you made a very important announcement: your ministry's investment in the Eastern Ontario Health Unit. The Eastern Ontario Health Unit is responsible for the promotion and protection of our citizens' health and well-being. It employs over 150 people across several local county offices in eastern Ontario communities, including my riding of Glengarry–Prescott–Russell.

Minister, has your Ministry of Health Promotion reached out to assist these dedicated health professionals?

**Hon. Jim Watson (Minister of Health Promotion):** It's appropriate that that question is asked on the 20th anniversary of the World Health Organization's Ottawa charter, because what the Ottawa charter talked about was the importance of putting more resources on the front end of the health care spectrum, preventing illness

and promoting wellness. That's exactly why Premier McGuinty created this ministry just a little over a year ago.

I was very delighted to be in Mr. Jean-Marc Lalonde's riding to announce \$33,000 in communities in action fund funding. This is a program that goes to help increase physical activity rates throughout the province.

We also announced \$85,000 through our ministry's heart health program that's going to go to improve walking trails in the community, implementing the Eat Smart! program in restaurants in eastern Ontario and promoting workplace wellness.

I want to congratulate the Eastern Ontario Health Unit. I want to thank my colleagues Jim Brownell and Jean-Marc Lalonde for their tireless effort to make sure that those communities in eastern Ontario get their fair share of the communities in action fund and heart health funding from the government of Ontario.

**Mr. Lalonde:** We always enjoy having you visit in our riding.

Minister, I am extremely pleased to be part of a government that understands the need of Ontario's eastern and rural communities. Your recent announcement of support will help the local branches of the Eastern Ontario Health Unit, particularly those in Alexandria, Hawkesbury, Winchester, Casselman and Rockland.

Minister, I was happy to see the efforts of our health unit with respect to smoking prevention and cessation rewarded with the Heather Crowe Award. Can you outline what resources have been made available to the Eastern Ontario Health Unit to implement the landmark Smoke-Free Ontario Act?

**Hon. Mr. Watson:** I was very pleased to meet with Dr. Robert Bourdeau, the chief medical officer of health, who for so many years has done great work in eastern Ontario's health unit. When we brought in the Smoke-Free Ontario Act, we recognized that we couldn't simply go to the old ways of downloading costs and responsibilities, so we in fact, through this government and through the finance ministry, have provided \$512,000 for enforcement, education and cessation programs on smoke-free Ontario for the Eastern Ontario Health Unit.

I'm pleased to report that just a few days ago a survey came out that showed 53% of smokers have made efforts to quit since the implementation of the smoke-free Ontario strategy. We know that smoking kills 16,000 people prematurely in the province of Ontario. We know the cost to the economy is \$2.6 billion in lost productivity and, finally, \$1.7 billion in costs to the health care system. I'm proud of the Eastern Ontario Health Unit and the work they've done on a proactive basis—

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

#### CONSIDERATION OF BILL 107

**Mr. Norman W. Sterling (Lanark–Carleton):** My question is to the Premier. During the last election in a platform document, Government that Works for You,

you promised, "We will require public hearings for all major legislation."

Mr. Premier, we've had probably five or 10 pieces of legislation which I would consider major during the last three years. I consider Bill 107 as one of those major pieces of legislation. Do you consider Bill 107 a major piece of legislation?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** To the Attorney General.

**Hon. Michael Bryant (Attorney General):** We have had public hearings. Let me say it again: We have had public hearings, and we're having more committee hearings, and we're having more debate on this.

I know that there was no bill under the Harris-Eves government that dealt with human rights reform. I understand that. There weren't any public hearings on that when the member was in that government. They didn't bring any such bill before the House; we have brought this bill before the House.

The member knows very well that at some point after there's debate and committee hearings, there's a time when the views are well known, there are times when the positions are well established and there is an opportunity for members of this House to come in fully informed. Nobody can suggest that they are not fully informed on issues around the human rights system and have an opportunity to vote on this. That is the opportunity that we have with this bill and that is the opportunity the members of this House will have when it comes to this Legislature for a vote.

1510

**Mr. Sterling:** All of us in this Legislature, save and except for the Attorney General, perhaps, can say that we are not informed, because the amendments to this legislation have not been shown by the Attorney General to the committee or to this Legislature. How can you cut off the process? How can you cut off the process, Mr. Premier? How can you cut off the process when all of the facts are not on the table? Will you, at the very least, postpone the guillotine motion to be debated tonight until after the Attorney General puts the amendments on the table so everyone knows what they're dealing with? Is that not a most reasonable request?

**Hon. Mr. Bryant:** This is coming from a government House leader past who was the captain of closure motions when he had the opportunity. Seriously, I have great respect for the member asking the question, and I find it hard to believe that the member seriously thinks that the calls for reform to the human rights system that are before this House have not been before this House for many years. The member knows very well that when he was the House leader, the government would never show up at committee hearings and propose the amendments, as this government has done. We've proposed the amendments; we've put them before the House. I would like to hear feedback from the member as to what he thinks of the amendments. Of course we will file the amendments in accordance with the rules; of course we will file the amendments in accordance with the standing orders. But

we went one step further: We provided them in advance. This is all just smoke and mirrors. This is an effort to try and derail a bill that deserves to come to this House for an up-or-down vote once and for all so we can reform this human rights—

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

#### HOSPITAL GOVERNANCE

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Health. Mr. Minister, in June 2006, a group of Scarborough residents called the Coalition of Communities to Save the Grace attended the Scarborough Hospital's annual general meeting, only to have their voices silenced. They claim that the Scarborough Hospital's board of directors barred residents from voting for the hospital board despite their being members in good standing of the hospital corporation.

Minister, you promised to democratize local hospitals and make them accountable to the communities they serve. What are you doing to address the concerns of Scarborough's coalition of communities?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** I have been working very closely with my colleagues from Scarborough on issues of importance with respect to hospital services there. Indeed, I had the privilege of attending quite recently the groundbreaking for the new emergency room at Scarborough General with several of my colleagues and indicated at that time my awareness of some of the concerns that were being raised in the community and my willingness to be back in the community, specifically around Scarborough Grace, to listen well and to work on point to address some of the concerns that were raised. I must confess, I haven't had that one-on-one opportunity yet, but I can tell the honourable member that Scarborough hospitals are very much on my agenda, and I look forward to an opportunity of being engaged with members of the local community to discuss more what we can do to assure them at heart that those facilities that they know and love have very bright futures indeed.

**Mr. Prue:** Mr. Minister, I thank you for the response, but these Scarborough residents—who are behind you today up in the gallery; they are here in the gallery—have been asking to meet with you since July to absolutely no avail. They simply want to be involved in the decision-making process. They've repeatedly contacted your office for assistance and nothing has come of that.

Mr. Minister, you claim that democracy at hospitals is important. Will you agree to investigate the alleged anti-democratic activities at the Scarborough Hospital as the coalition of communities has asked? Will you make that commitment to the people in the gallery today?

**Hon. Mr. Smitherman:** With respect, I say, first off, I have recommitted to the willingness to meet. There is regrettably a longer list sometimes of those wishing to meet than time slots available, but I am committed to

doing so. I'm committed to doing so because my colleagues from Scarborough and I have long since been working with a view towards addressing some of the concerns that linger related to the alignment of hospital services and administration in the Scarborough communities. If the matter of governance is one of those that people would like to discuss, I'd be very open to it.

At the heart of it, here in Ontario we have community-based governance which allows each of our 154 distinct hospital corporations to have degrees of engagement with the local community. They are considerably different. I'd be very, very happy to look at what we can learn from the circumstances in Scarborough. At the heart of it, I assure the honourable member and, through the Legislature, these individuals that I'll be very keen to sit down with them, as I have with my members from Scarborough, with a view toward enhancing the quality of services and giving confidence about the services that are available at Scarborough hospitals.

#### ASSISTANCE TO FARMERS

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** My question is to the Minister of Agriculture, Food and Rural Affairs. As we approach the winter months, Ontario farmers are evaluating the results of their last harvest and starting to think about the next planting season. Today's local newspaper, the Standard Freeholder, reported that many farmers in my riding of Stormont–Dundas–Charlottenburgh are out in their fields on this very day, at this very moment, taking advantage of the weather to pull in as much of their crops as possible.

However, as the price of grains and oilseeds continues to fluctuate, these farmers have concerns about the long-term sustainability of their operations. Some factors that affect prices are out of their control and are, to a large extent, unpredictable. All the same, they still must plan for next year and the years following.

Minister, can you tell us what this government is doing to help Ontario farmers create sustainable plans in light of produce price fluctuations?

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** That's a good question.

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** Yes, it is a very good question, but we always get good questions from our colleague from Stormont–Dundas–Charlottenburgh. He's a great advocate for the agriculture industry.

I just want to share with the members of this House what our government is doing. We're very much looking forward to participating in discussions about the next agriculture policy framework. There's going to be a pillar in that framework to deal with income support. But I want to say that when that framework first came to my ministry for consideration, the federal government did not have any consideration for income support. There were going to be no consultations.

Before I went to Calgary last week to talk with my federal and provincial counterparts, I wrote to the federal minister and my provincial counterparts and said that income support absolutely had to be a part of those discussions. I'm very thankful that with the support of my provincial colleagues now, with the consultations that will be coming out from the federal government, there will be an opportunity for our producers to give them their opinion on how we can improve income support for farmers in Ontario.

## PETITIONS

### HEALTH PREMIUMS

**Mr. Bill Murdoch (Bruce–Grey–Owen Sound):** I have a petition to the Parliament of Ontario:

"Whereas, according to the Department of National Defence, there are over 30,000 serving military personnel calling Ontario home; and

"Whereas, according to the most recent census data, there are more than 1.6 million senior citizens over the age of 65 living in Ontario; and

"Whereas the Progressive Conservative Party of Ontario plans on eliminating this illegitimate tax for all Ontarians after it forms the government in 2007; and

"Whereas, as an interim measure, the illegitimate health tax should be removed from those who protect Canada and those who have built Ontario;

"We, the undersigned, call on the government of Ontario to immediately eliminate the illegitimate health tax, beginning with serving military personnel and senior citizens."

I've also signed this.

### ADJOURNMENT DEBATE

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** On a point of order, Mr. Speaker: I would like to request that the late show I had scheduled for this evening be rescheduled for next Tuesday, November 28, to coincide with the availability of the Minister of Energy.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Yakabuski has requested that it be deferred, and it's agreed.

### MACULAR DEGENERATION

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario.

"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,

"Therefore be it resolved that we, the undersigned, respectfully petition the government 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 individuals 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.”

I affix my name in full support.

1520

#### FAIR ACCESS TO PROFESSIONS

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly with regard to access to trades and professions in Ontario. I'd especially like to thank Tarzia Ahmed and Paula Arruda, both of Mississauga, for their efforts in collecting the signatures. It reads as follows:

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas action by Ontario's trades and professions could remove many such barriers, but Ontario's trades and professions have failed to recognize that such structural barriers exist, much less to take action to remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

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

“That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to require Ontario's regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario's employers, Ontario's newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families.”

This is an excellent petition. I'm pleased to sign and support it and to ask page Eshan to carry it.

#### PROSTATE CANCER

**Mr. John O'Toole (Durham):** I'm pleased to present a petition on behalf of my constituents in the riding of Durham, which reads as follows:

“Whereas prostate specific antigen (PSA) tests are frequently used to screen patients for prostate conditions, including cancer; and

“Whereas there is currently a double standard because men usually pay to have a PSA test as part of a routine medical examination, while women have all cancer screening tests covered by OHIP;

“Therefore we, the undersigned, urge the province of Ontario to review its policy on funding PSA testing for men with a view to including this as a service wholly covered by OHIP.”

I'm pleased to sign this in support of the petitioners and present it to Simon.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Jeff Leal (Peterborough):** I have a petition on access to trades and professions in Ontario. I want to thank the staff and clients of the Peel Multicultural Council, of Mississauga, for this petition.

“To the Legislative Assembly of Ontario:

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas action by Ontario's trades and professions could remove many such barriers, but Ontario's trades and professions have failed to recognize that such structural barriers exist, much less to take action to remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

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

“That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to require Ontario's regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario's employers, Ontario's newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families.”

I agree with this petition. I will affix my signature to it and give it to page Ian.

#### FREDERICK BANTING HOMESTEAD

**Mr. Jim Wilson (Simcoe-Grey):** To the Legislative Assembly of Ontario:

“Whereas Sir Frederick Banting was the man who discovered insulin and was Canada’s first Nobel Prize recipient; and

“Whereas this great Canadian’s original homestead, located in the town of New Tecumseth, is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

“Whereas the town of New Tecumseth has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

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

“That the Minister of Culture endorse Simcoe–Grey MPP Jim Wilson’s private member’s bill entitled the Frederick Banting Homestead Preservation Act so that the homestead is kept in good repair and preserved for generations to come.”

I agree with this petition, obviously, and I sign it. I want to thank the Toronto Sun for doing a full-page story on this, a week ago Sunday.

#### FAIR ACCESS TO PROFESSIONS

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** I have a petition.

“In Support of Skilled Immigrants—Bill 124

“To the Legislative Assembly of Ontario:

“Whereas the McGuinty government is committed to establishing measures that will break down barriers for Ontario newcomers; and

“Whereas these measures will ensure that the 34 regulatory professions in Ontario have admissions and application practices that are fair, clear and open; and

“Whereas these measures will include the establishment of a fairness commissioner and an access centre for internationally trained individuals; and

“Whereas, through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals but also to the Ontario economy as a whole;

“We, the undersigned, respectfully petition the Legislature of Ontario as follows:

“That all members of the House support the Fair Access to Regulated Professions Act, 2006, Bill 124, and work to ensure its prompt passage in the Ontario Legislature.”

I agree with this position and I will send this to the table with Mackenzie.

#### HIGHWAY 26

**Mr. Jim Wilson (Simcoe–Grey):** I’ll be quick.

“To the Legislative Assembly of Ontario:

“Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 2000; and

“Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

“Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe–Grey;

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

“That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe–Grey.”

Of course, I agree with that petition, and I want to thank page Sarah B. for bringing it to the table.

#### FAIR ACCESS TO PROFESSIONS

**Mr. David Zimmer (Willowdale):** I have a petition to the Ontario Legislative Assembly regarding access to trades and professions in Ontario.

“To the Legislative Assembly of Ontario:

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin;

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

“That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006.”

I’m pleased to attach my signature.

#### HIGHWAY CONSTRUCTION

**Mr. Gerry Martiniuk (Cambridge):** We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“Whereas the Ministry of Transportation of Ontario proposes to make Highway 401 improvements from 0.5 km west of Regional Road 8 to 0.5 km east of Regional Road 24 ... which includes short-term improvements ... primarily consisting of widening the 401 ... from six to eight lanes, installing high-mast illumination along the outside lanes of the ... 401, and mid- to long-term improvements ... primarily consisting of widening the ... 401 from eight to 10 lanes; and

“Whereas the Ministry of Transportation/Ministry of the Environment noise protocol indicates that the Ministry of Transportation would consider noise mitigation if there is a 5 dBA increase in sound levels and the sound level is greater than 55 dBA; and

“Whereas the Ministry of Transportation noise policy QST A-1 indicates that candidate sites for noise barrier retrofit must be in a noise-sensitive area next to a provincial freeway, must be ground-level outdoor leisure areas and residential properties, must have average noise levels of more than 60 dBA, and barrier implementation must be on MTO right-of-way and provide a reduction in noise of at least 5 dBA; and

**1530**

“Whereas the city of Cambridge official plan amendment ... 1981-2001, in a sound level field test results report dated June 7, 1990, by Norbert Friedel, P.Eng., on the location of a site for a proposed Automation Tooling Systems plant on Royal York Road which was eventually constructed, found that ‘Royal Oak Road and Speedville Road (across from Arriscraft plant) had noise level readings of 65-75 dBA with no traffic in the vicinity, approximately 450 feet from the proposed site noise level readings of 55-65 dBA from ambient noise from Highway 401 and Royal Oak Road and in front of site on Royal Oak Road (30 feet from Royal Oak Road) noise reading levels of 60-90 dBA, and that sound level increased and decreased with traffic and trucks were the greatest source of noise’; and ...

“Whereas the undersigned find the ‘modelling’ study completed by URS Canada Inc. for the Ministry of Transportation to be inadequate and ill-advised, in attempting to address the concerns of the undersigned and the real conditions and consequences of the proposed improvements to Highway 401; and

“Whereas the opportunity to improve the safety and effectiveness of Highway 401 in the area proposed can also remediate air quality concerns, light pollution problems and escalating noise and health concerns, and can best be accomplished in terms of cost and access ... ;

“Therefore, the citizens of Ontario included in the undersigned request that the government of Ontario address the concerns arising from this expansion of Highway 401, which adversely affects the quality of life of the undersigned with respect to air quality, light pollution and noise levels, and request of its government ministries and agents to take steps and measures to alleviate the problems to improve the living conditions of the undersigned.”

As I agree with that petition, I sign my name too.

#### SCHOOL FACILITIES

**Mr. Jim Wilson (Simcoe–Grey):** To the Legislative Assembly of Ontario:

“Whereas the parents of St. Paul’s elementary school in Alliston have raised many issues regarding the security, cleanliness and state of repair of their school; and

“Whereas a 2003 condition assessment completed by the Ontario government identified the need for \$1.8 million in repairs to St. Paul’s elementary school; and

“Whereas the Simcoe Muskoka Catholic District School Board has approached the Ministry of Education

with the intention of having the school deemed prohibitive to repair as they believe the school requires \$2.28 million in repairs, or 84% of the school replacement cost; and

“Whereas there are ongoing concerns with air quality, heating and ventilation, electrical, plumbing, lack of air conditioning and the overall structure of the building, including cracks from floor to ceiling, to name a few;

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

“That the Minister of Education immediately deem St. Paul’s elementary school prohibitive to repair, secure immediate funding and begin construction of a new facility so that the children of St. Paul’s can be educated in a facility that is secure and offers them the respect and dignity that they deserve.”

I agree with this petition, and I want to thank Milva Biffis and Gaynor McLeary for sending it to me. I’d just note again that my mother taught at the school for 33 years and I went to school there.

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

“Whereas the McGuinty government realizes that schools cannot only be places of education but the centre and heartbeat of a community; and

“Whereas the McGuinty government is committed to the education and the future prosperity of Ontario’s students; and

“Whereas the McGuinty government is committed to a safe and healthy environment for all Ontario’s students; and

“Whereas a good work and learning environment improves productivity and creativity; and

“Whereas the McGuinty government has invested \$1 billion in funding the construction of new schools;

“We, the undersigned, applaud the McGuinty government for protecting and enhancing the learning environment of all Ontario’s students, ensuring the future potential of children all across this province.”

I agree with this petition, I affix my signature to it and I give it to page Shannon, who’s here with me today.

#### ONTARIO PHARMACISTS

**Mr. Gerry Martiniuk (Cambridge):** I have petitions provided to me by Pharmacy on Main and Preston Medical Pharmacy in the city of Cambridge:

“Whereas the McGuinty government passed the Transparent Drug System for Patients Act; and

“Whereas, as a result of the regulations under the act, generic drug companies are required to supply drugs at the cost prescribed by the government; and

“Whereas the pharmacists are required to purchase the drugs at prices set by the generic companies and the government’s new formulary does not fully reimburse pharmacists for the cost of those drugs; and

“Whereas the government has removed the ‘cost to operator’ provisions; and

“Whereas the pharmacists are forced to either lose money or bill patients for the actual cost of the drugs; and

“Whereas the viability of small and independent pharmacists is being threatened through the government’s actions by regulation; and

“Whereas many pharmacies in smaller cities, towns and villages in Ontario rely on manufacturers’ rebates to remain economically viable and the government is proceeding to abolish those rebates;

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

“That the McGuinty government immediately reinstate manufacturers’ rebates and return to the ‘cost to operator’ provision, thereby guaranteeing affordable access to medications for all patients.”

As I agree with this petition, I affix my name to it.

## ORDERS OF THE DAY

### REPORT, INTEGRITY COMMISSIONER

### RAPPORT, COMMISSAIRE À L’INTÉGRITÉ

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that the Legislative Assembly accept the report of the Integrity Commissioner dated October 25, 2006, and approve the recommendation contained therein.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. John Tory (Leader of the Opposition):** I’m pleased to have the opportunity to make a few brief comments on what I think is a very important matter that I think may have received less attention from all of us than it should, not so much because of the particular facts of the matter or because of the particular finding of the Integrity Commissioner in this case with respect to those facts, but rather with respect to a much broader principle that he spoke to in the reasons that accompany his decision in this matter.

I should say at the outset that I had the privilege of getting to know Mrs. Russo very well in the course of her travails. She’s a person of immense courage. In fact, I was one of the honorary chairs of her walk last year to raise money for people with a disability caused by the kinds of circumstances in which she found herself. I should say as well that the commissioner, in writing his report, acknowledged that the member for Leeds–Grenville, in the comments he made inside and outside the House, said that Mrs. Russo deserved to be compensated, and furthermore, the Integrity Commissioner went on to say, in making his findings, that he said it within the context of, and I quote his words, “however well-intentioned or well-intended the comments of the member for Leeds–Grenville may have been.”

But it’s not my place to stand here and really deal with any of that. It is to deal with something that I think we

have to, and I think we run the risk, even in having a motion as simple as the one moved a moment ago by my friend the government House leader, of accepting as precedent, as what I’ll call law or the rules as they should apply or convention going forward, the principle that seems to be embodied in the Integrity Commissioner’s reasons; namely, that we are going to accept the regime pursuant to which a member of this Legislature in fact has fewer rights within the context of their role as MPP outside the House to speak about matters pertaining to things that are going on inside the justice system. I think that is a very serious matter.

I happen to personally believe that the Integrity Commissioner, with the greatest of respect to that honourable gentleman, may have overstepped his bounds in making that kind of apparent ruling as to how the rules inside this House with regard to sub judice impact or don’t impact on the rights of MPPs to say whatever they wish to say outside the House. As we all know, there are very clear rules in place under the common law with respect to sub judice that apply to all citizens. There are further rules, for example, that apply to me and to other members of this House as members of the Law Society of Upper Canada, part of the rules of professional conduct that deal with what you’re allowed and not allowed to say with respect to matters that are before the court inside public office and outside the Legislature.

But the notion that you would create a different class of citizen when you walk out of this House and suggest that somehow there are potentially two sets of rules that apply to members of provincial Parliament, one that applies to all other citizens and the other that in effect imposes some sort of external application of a parliamentary convention on MPPs with respect to their freedom to comment on these matters to the media and otherwise is certainly something that warrants considerable discussion and doesn’t simply warrant us deciding yea or nay on the acceptance of the Integrity Commissioner’s report and the approval of the recommendations therein, because I think there is every opportunity for people to misinterpret that motion, if passed. I have little doubt it will be, given the numbers that apply to most votes taken around here. That will imply that the House—even with those who might choose to vote against it for that reason alone—is condoning or approving this extension of a parliamentary convention to MPPs outside of the House.

### 1540

In my view, this is a creation of a different class of citizenship and a different class of freedoms to speak, or more limitations on freedom to speak, to be imposed on members of provincial Parliament outside the House than are imposed on other citizens, when in fact it is those of us who have the privilege of being elected to public office who I would suggest have a higher obligation to make comments, ask questions and respond to questions by the media and others, in respect of matters that are in front of the justice system, because that is a part of what causes our democratic parliamentary and justice systems



to work, that you have people who are active players in this, who understand that there are rules.

It's interesting in this matter that the Speaker in the Legislature, on the day the questions were asked and the comments made, did not make any points or did not call the member for Leeds—Grenville to order, notwithstanding that one might argue that could be done in the context of the sub judice rule as it applies in this House, nor did any judge, including most particularly the presiding judge in the Russo matter—I'll call it the Russo matter, and that wasn't the name of the matter, but the matter affecting Mrs. Russo—comment on or cite Mr. Runciman for contempt, which that judge could have done within the context of the sub judice rule as it applies to all other people including, I would argue, members of provincial Parliament, in terms of restricting the opportunities, as we all are restricted, to commenting on matters in such a way as to not cause contempt of court.

My only purpose in wanting to speak today is that I find it regrettable that the government House leader and the members of the government—and it seems like there are more and more of these matters on which it's occurring; we spent a good part of the afternoon discussing the guillotine that's being administered on the human rights act discussions—don't want to hear from the people who want to be heard. They're breaking their own promises with respect to people who could be heard. It's consistent with a pattern here where there wasn't a willingness to make sure that the wording of this motion could be such that, while we could accept the report—

*Interjection.*

**Mr. Tory:** I'll have a chance to speak to that later—while we could accept the report, we, at the same time, could make it very clear that we, as members of provincial Parliament and as members of the Legislative Assembly, could find some other way in which to express, first, our real concern about the apparent precedent and new law—I can call it—that has been set here by the wording that we are, I think, by extension accepting, that the Integrity Commissioner has advanced; and second, that we could have a good, solid opportunity to discuss the very important principle that's involved here with respect to the rights and responsibilities of members of provincial Parliament and that they should certainly be no less than those of other citizens within the context of the sub judice rule outside of this Legislature.

I just wanted to really put those concerns on the record, because I think it is an important matter that is not going to get, in this debate, by the way the government has chosen to handle it in terms of the wording of the motion, the kind of proper discussion it needs and deserves. Frankly, when the Integrity Commissioner comes out with a ruling like this, there really is no avenue pursuant to which members of the Legislature, particularly in light of the way the government has chosen to handle this, can say that we think this is wrong. So we are deemed, I guess, at the end of the day, when this report is accepted and approved, to have accepted the precedent he has established.

I say respectfully, I think he's wrong. I think it's wrong that we should just accept this and move forward on the basis that he's right. I think there should be some place or some way in which we can establish, once and for all, what the rules, rights and responsibilities are as they apply outside of this House to members of provincial Parliament.

**The Deputy Speaker:** Further debate?

**M. Gilles Bisson (Timmins—Baie James):** Je veux prendre une couple de minutes pour exprimer un peu mes préoccupations avec cette motion et les difficultés que ça donne aux députés et aussi, jusqu'à un certain point, au public.

Tout ça pour dire qu'on a toujours eu des droits, comme députés, d'exprimer une critique contre une politique d'un gouvernement, y compris une critique envers le ministre responsable de la justice dans la province de l'Ontario, comme dans toute autre juridiction au Canada et dans le système britannique qu'on a aujourd'hui.

La difficulté que j'ai, c'est que la décision qui a été écrite par M. Osborne est vraiment bouleversante, dans le sens que ça nous dit que, comme député, une fois que tu sors de l'Assemblée, tu vas avoir moins de droits pour t'exprimer ou donner une critique sur une matière qui fait affaire avec la politique sur la justice que quelqu'un qui est responsable, n'importe qui d'autre dans la société, pour rapporter ce qui se passe dans la politique ontarienne. C'est un peu bizarre que les députés de l'Assemblée législative de l'Ontario vont avoir moins de droits pour s'exprimer sur une de ces questions qu'un membre des médias de la province de l'Ontario. Je trouve ça vraiment un peu ridicule.

On comprend que les députés, eux, sont là pour représenter leurs citoyens et citoyennes à l'Assemblée, même hors l'Assemblée, quand ça vient à toutes les matières qui sont devant l'Assemblée envers les politiques de la province de l'Ontario. Ils pourraient être mis dans une position où nous, comme députés, allons avoir moins de droits que n'importe qui dans le public ontarien quand ça vient à critiquer une matière qui fait affaire avec le département de la justice. Je pense que ça ne se tient pas debout. Je trouve ça un peu bouleversant que M. Osborne ait décidé d'écrire une décision de cette manière.

Je me demande s'il y a eu une consultation avec, on va dire, les greffiers de l'Assemblée. Je me demande la question parce que je ne pense pas que les greffiers de l'Assemblée donneraient un avis de prendre cette position envers les responsabilités d'un député et ce qu'un député peut faire hors la Chambre. Comme on le sait, à la Chambre elle-même, on a le droit de s'exprimer sur n'importe quelle question. Il n'y a aucune habileté de la part du Président de l'Assemblée ou des ministres, spécialement des ministres du gouvernement, de réduire notre capacité à représenter les citoyens et citoyennes qu'on représente ou à nous exprimer sur une politique d'un gouvernement provincial. Je pense que ça devient bouleversant qu'on s'en aille dans cette direction-là, parce que, une fois qu'on s'en va dans cette direction, comme ils disent en anglais, "It's a long, slippery slope."

I just wanted to put those few comments on the record. I know that others are going to have something to say about it, but I'll just say it's somewhere that I'm not so sure we really want to go. I wonder why Mr. Osborne decided to go this way, because certainly we're now put in a position where a talk show host, a reporter for a paper or whoever would have more rights to express himself on matters of justice outside of the assembly than a member of the assembly. I find that highly troubling as a member and just say to myself that maybe this is one that we need to back away from.

**Mr. Mario Sergio (York West):** I'd like to address the House on this particular issue, first of all addressing the person herself, Louise Russo. Then, if I'm privileged to, I'll have a few more minutes and I'd like to deal with the other side of the case. But the most important part of the case is Louise Russo.

I have had the pleasure of knowing Louise for many years as a resident of my community, and I remember that very vividly from a PTA meeting at one of the local schools. She is still in so many ways very bubbly, as she used to be. But that was before, when she was very actively engaged as a local resident, a participant, a mother and a community activist. She was bubbly, she was happy, she was looking after her family and after herself.

On April 24, 2004, she became the innocent victim of brutality. I think we as legislators have to pay attention here to those people who are victimized unjustly not because of our fault or their own fault, but because of the fault of others. Unfortunately at that time, that happy and bubbly person came to a brutal halt. Of course, when that happened, there was a process and justice was done, if you will, in some ways, where the culprits, the perpetrators, were justly arraigned, taken to court and whatever, and justice was sought for Ms. Russo. I don't think any member of the House can dispute that.

**1550**

I think the dispute we are talking about today is not necessarily how much and what was said; it is how it was said. For Ms. Russo, I have to say, it's very painful. As individual members, we often say when tragedy occurs to a family member or a friend or a relative, "I know how you feel." Let me say that we don't. We can't. In this particular case, only Louise Russo knows how she feels. We can sympathize, we can share in her pain in her loss—in her family's loss, not only for Louise herself—that now she's relegated to a wheelchair for the rest of her life. To compound the problem, she is no longer able to look after herself, her family, and especially a child who requires attention 24 hours around the clock. This is the tragedy.

What we say sometimes in this House, we may say for a number of reasons, often by our own mistakes not necessarily that we mean what we say. And there are times when not inadvertently but with full knowledge of our actions, and this is the problem. This is why we are here today and I hope we can learn from this so it will never happen again. I feel that what's happening here,

even with our debate, is that we are hurting even more someone who is down and is in pain at a time when we should extend our hand and say, "How can we make this pain less, alleviate it?" We tend to push them down regardless of their own feelings. After all, I believe that every member of this House is here with the full intent to help those who cannot help themselves or to help those when they are in need of help.

In our case, we have failed. In some ways, we have failed Ms. Russo, and she knows, and we should realize that she's hurting. Instead of dealing with the issue, at times politics come into the picture and, yes, I can sympathize with that as well because we are in this House. But we have to understand that besides politics there is another issue, there are other people, and we have to be very much aware of how we deal with people's issues.

Very briefly, let me say that when the report came down from the Integrity Commissioner, the Honourable Coulter Osborne, it ruled. Some may not agree. The member for Leeds–Grenville may not agree. But it's quite clear. There is no doubt as to the answer that we got from Commissioner Osborne: that the member for Leeds–Grenville violated the Members' Integrity Act when he tried to influence court proceedings related to Louise Russo. The Integrity Commissioner ruled that Mr. Runciman's statements were a clear violation of the Members' Integrity Act and were intended to influence the criminal proceeding in Ms. Russo's case.

When asked by reports on April 6, 2006, if he was attempting to influence the court in the case, Mr. Runciman said, "I know that the defence lawyer, when I talked to him yesterday, was very concerned that it would jeopardize the deal. My bottom line is ... that this deal has to be jeopardized. It has to be thrown out."

As I said before, it's not what has been said, it's how it has been said, and this is more painful.

Ms. Russo's attorney is quoted: "MPP Runciman, a former Solicitor General, is attempting to seriously interfere with the administration of justice in relation to a matter pending before the courts. This is causing great distress to Ms. Russo. At this moment, she feels she is at risk of being further victimized if Mr. Runciman further interferes with the prosecution of the accused."

My time is quickly up and as much as I would like to say, let me sum up with this: I have been in this House a short period of time compared to the member from Leeds–Grenville. In this House we know Mr. Runciman as a very capable, honourable person, a member of this House. Again, as such, I would call on him, for the benefit of every member of this House and for the benefit of Louise Russo, that he would find the courage to stand up in the House and say, "I said what I have said, but I'd like to deeply apologize for the further pain that I have inflicted upon Ms. Russo." I would kindly ask the member from Leeds–Grenville to do just that so that Ms. Russo would feel perhaps a bit of a lessened burden to know that we do have a heart. We do have a heart, and I would hope that Mr. Runciman, knowing that he is

honourable, would indeed stand today in the House and say, "I so apologize, not necessarily for what I said, but how I said it." I would hope that indeed he will do that.

**The Deputy Speaker:** Further debate?

**Mr. Robert W. Runciman (Leeds–Grenville):** My comments are not going to be lengthy since I am the named individual. I don't think it would be appropriate to carry on at length, because as well there are a number of my colleagues who wish to participate in this very important discussion.

I think all of us know that this is by nature a very partisan place, and we can't escape that. But I think it is unfortunate that on occasions such as this we can't look beyond the partisan issues and look at some of the bigger questions, and look down the road with respect to implications for all members currently resident in this place and resident in this place in the future as well. I think that those are the concerns, really, that the opposition parties are focusing on.

The government, for reasons known best to its members, has opted not to find a middle ground here with respect to this report. Receiving the report, they apparently, if you listen to the previous speaker in terms of demanding an apology, feel there's some political gain to be made by pursuing that avenue. That, again, I think is unfortunate.

For those of you who are not sure what this is all about, Louise Russo, as indicated, was the victim of a botched mob hit. Contract killers attempting to murder someone shot Ms. Russo and, as a result of that, she is now a paraplegic. During a plea-bargaining process Ms. Russo was offered significant compensation. My concern was surrounding the precedent and policy of negotiating with the perpetrators of the crime, people who have the wherewithal, but where that wherewithal comes from—no one really knew where those monies were coming from. We just knew they were coming from organized crime. I felt and continue to feel that I had an obligation as an official opposition critic to express my concerns about the implications of that policy both within the chamber and outside.

**1600**

What this boils down to is the rights of members of the Legislature. We all know that within the chamber and within the committees we have immunity. That's a well-known fact. I think most of the public know that, within certain limitations, we can get up in this place and say virtually anything, and we don't have to worry about being sued. We can make some pretty bad accusations—and over the years we've heard some pretty unfortunate accusations—and from across the floor they say, "Say that outside. Say that outside." Of course, they know that if we say it outside, we're open for legal action. So immunity is what is afforded us in this place and in committees. What kind of limitation can be placed on that?

That leads us to what this is all about, something called the sub judice convention, which allows the speaker—if you get up and make some comment which is beyond the pale and could perhaps be interfering with

a court case—at the time to indicate such and invoke, if you will, the sub judice rule. What Justice Osborne has done with his report is extend that rule, that convention, to you and me, Mr. Speaker, and all other members of this House once we walk through those doors. He's saying that that rule is going to apply to you and me as MPPs once we step through that door. It doesn't apply to radio talk show hosts who on this day were taking the same position. That kind of restriction doesn't apply to any other citizen of Ontario.

In reality, when we have stepped out the door, if we say something that's inappropriate or could in fact jeopardize a matter before the courts, we're subject to legal action. We could be sued. We could be taken before the courts, with obviously the possibility of electoral defeat because of what we say as well. So there's a whole range of considerations which Mr. Justice Osborne apparently didn't take into consideration. If he did, he hasn't provided us with explanations as to the rationale behind his conclusions.

I raised this point in a statement following the receipt of his report, that he had offered no substantiation. I referenced Erskine May, Montpetit and others, who have very clearly said that sub judice only applies inside the House and within its committees as a restraint on immunity. Subsequent to that, we have done a little bit of research and we can find no other parliamentary jurisdiction in the world that applies sub judice to its members outside this chamber.

If they can get beyond the partisan rhetoric, this should concern each and every member of this assembly. They think there are points to be scored here by going after a member of the opposition, the House leader of the official opposition. They think this is a political game, I guess, and that, again, is truly unfortunate.

I indicated in my statement in the House when the report was received that I have great respect for Justice Osborne, but to the extent his ruling suggests limits on the rights of legislators to exercise oversight, I will not accept that and I don't believe the members of the opposition in both parties will accept that. Because of the failure to find a compromise, what appears to be happening—and I'm not sure how many of these reports have been tabled in this place, but I do feel comfortable in saying that I don't believe we've ever had both opposition parties reject a report. That is going to happen today. Both opposition parties are united in their concerns about the implications of the recommendations that cannot be adopted. In my view, if both opposition parties do vote against it in a united voice, that renders the report moot. That's regrettable, and I think it reflects badly on the office. But the government, in its lack of wisdom, decided that it would rather pursue a political avenue than the appropriate and right avenue in terms of implications for all members of this assembly.

**Mr. Peter Kormos (Niagara Centre):** I'm not pleased, by any stretch of the imagination, to see this debate taking place. It is always a regrettable thing when a member attracts the sanction of the Integrity Com-

missioner. But this chamber, this Legislature, has a responsibility, a duty pursuant to the Members' Integrity Act when a report like the latest report by the Integrity Commissioner concerning, in this instance, Mr. Runciman, is tabled. The obligation pursuant to section 34, in response to the October 25, 2006, report of the Integrity Commissioner, is to "consider and respond to the report within 30 days after the day the report is laid before it."

Let's make something very clear: It's an obligation of the assembly. Let's make something very clear: There is no judicial review available to a person about whom the Integrity Commissioner has ruled. The Integrity Commissioner makes both findings of fact and a determination as to whether or not that member violated the Members' Integrity Act—broke the law, if you will. The consequences that can be imposed by the Integrity Commissioner, without access to judicial review by a given member, can include the vacation of a member's seat, removing a member from the Legislative Assembly, contradicting the wishes of the electorate and that member's riding. That, needless to say, is an incredibly serious consequence, perhaps even more so for his or her voters than it is for the member himself or herself.

There's no judicial review. Should there be, however regrettable, an error on the part of the Integrity Commissioner in the determination of the facts which lead him or her—in this case, him—to the finding that there has been a violation of the act, there's no opportunity for the member to review that. Should there be an error on the part of the commissioner as to whether or not a member violated the act, there is no recourse by way of judicial review for that member. His or her recourse is to this assembly.

Parliaments have been referred to as "the highest court" over and over and over again. I found it interesting reading the Supreme Court of Canada decision in House of Commons and Vaid, an issue around privilege—irrelevant, quite frankly, to this particular matter—wherein the court declared, "It is a wise principle that the courts and Parliament strive to respect each other's role in the conduct of public affairs. Parliament, for its part, refrains from commenting on matters before the courts under the sub judice rule." Parliament refrains from commenting on the matters before the courts under the sub judice rule. "The courts, for their part, are careful not to interfere with the workings of Parliament." This, of course, is a declaration made by that court in 2005.

It's interesting, because there are numerous other references to the fact that while the courts would prefer not to comment on the actions of Parliament, they may do so from time to time, and while Parliaments may prefer not to have to refer to the conduct of courts, they do so from time to time. In this instance, this is the court. This is the review. This is the judicial—as judicial as it's going to get—review of the determination of Judge Osborne.

**1610**

I want to say very clearly that New Democrats will not vote for—indeed, will oppose—the resolution before the House now, and let me tell you why.

I want to thank the government House leader, because the government House leader truly, during the course of a considerable number of days now, worked with House leaders from the other two parties here in an effort to draft wording for a resolution that would permit opposition members to support the resolution.

Let's understand very carefully what this motion says. The motion very clearly says, "That the Legislative Assembly accept the report of the Integrity Commissioner." It was noted by all of us that in earlier motions the word "adopt" had been used. In this instance, the word "accept" is incorporated, apparently as an alternative to "adopt." But I put to you that "accept," by virtue of the Canadian Oxford Dictionary, second edition, a particular favourite of mine, means "consent to receive." It also means "give an affirmative answer to ... regard favourably; treat as welcome ... approve for admission ... believe, receive, recognize (an opinion, explanation, etc.) as adequate or valid ... be prepared to subscribe to (a belief, philosophy, etc.)"

New Democrats are not prepared to adopt this report; we are not prepared to accept this report. We believe that the report and the conclusions are based on a very significant and substantial error in what constitutes the sub judice convention or rule and, more importantly, as to what constitutes sub judice in terms of parliamentarians here in the province of Ontario. It concerns us that the Integrity Commissioner very boldly states—I'm referring to page 8 of his report—"What was said" by Mr. Runciman "in my view, constitutes a clear violation of the sub judice rule, which is part of parliamentary convention as that term is referred to in the Members' Integrity Act."

We submit that Mr. Osborne is wrong in that conclusion. We can neither accept nor adopt this report. We were prepared to receive the report. We think that is entirely appropriate. Our concern—my concern, my colleagues' concern in the New Democratic Party—is that this assembly will do itself and its successors great danger by accepting this report with all of the implications that that has.

I don't care whether you like or dislike Mr. Runciman. I don't care whether you like or dislike what he had to say with reference to the publicized and anticipated plea bargain that was being negotiated. But I say to you that he, having said it outside of this chamber, was not in contravention of the parliamentary sub judice convention or rule or of our standing orders, and I'm going to speak to that before I'm finished.

Mr. Runciman is a long-time member of this assembly. He was a cabinet minister in two different Conservative governments—

**Mr. Runciman:** Three.

**Mr. Kormos:** Three in total—and a Solicitor General. I've worked with him here for 19 years. Throughout my association with him, he has been, and certainly appears to remain, an extremely aggressive and passionate, indeed zealous, advocate for victims' rights. Mr. Runciman has been passionate in his pursuit of government policies—whether they were his own, while he was in

government as a cabinet minister, or the policies of other governments, whether it was New Democrats or Liberals in power—that, in his view, best served the safety of communities and the people living in them.

It may seem particularly attractive today—right now—for government members to want to tie Mr. Runciman to the stake and light the flames at his feet. I say to you, my colleagues, that that partisan zeal could take us down a very unwelcome path.

This is one of the few occasions where members of the assembly are called upon to act in a judicial manner: to set aside partisan differences, to set aside personal animosities and to recognize that, quite frankly, the vote today has nothing to do with Mr. Runciman or his future as a parliamentarian or the political success or non-success of his particular party. It has everything to do with this Parliament creating, for all the wrong reasons, a perversion of the sub judice rule.

There has not been a more serious matter upon which I have been called to vote, in terms of parliamentary procedure, than the matter before us today.

My concern, just as it isn't for Mr. Runciman, isn't for myself. It's for parliamentarians 10 years or 15 years down the road who will become incredibly fettered in the performance of their responsibilities, of their duties, not just to their constituents but to this province and to this chamber, by virtue of this assembly implicitly expanding the sub judice rule to places where it was never intended to go.

I put to you—and let's start looking at the references. I want to express incredible gratitude to the legislative library research, to the Clerk's office for their incredible diligence in gathering background and material, I'm sure not just for me but for everybody who intends to and will speak to this matter who sought that assistance. There has been an exhaustive search of parliamentary jurisdictions in an effort to understand exactly what is this sub judice rule or convention.

**1620**

I contend that, first of all, it doesn't apply; it simply doesn't apply. It simply doesn't govern conduct by any member outside of the Parliament. Indeed, the British House of Commons committee, which has conducted two exhaustive reviews of sub judice, along with other commentators, has expressed the remarkable irony of the fact that a member has more freedom in the media to speak than he or she does in the chamber. Of course, one of the fundamental premises of parliamentary process is the freedom to speak.

God bless Stanley Knowles, one of the brilliant parliamentarians of this country, and a person who had a true passion for parliamentary process. Stanley Knowles—and I'm referring to the excellent paper written for *The Parliamentarian, Journal of the Parliaments of the Commonwealth*, in July 1976 by Philip Laundy, director, research branch, Library of Parliament, Ottawa. Of course, the article is about sub judice. Stanley Knowles, again, one of Canada's great parliamentarians and one of our incredibly valuable and historic—now dead—resources in terms of parliamentary procedure, submitted that

of the two absolutes, freedom of speech is superior to the dictum that there cannot be reference to a matter that is sub judice.

That is consistent with the proposition contained in any number of references that when there is some doubt on the part of the Speaker in determining whether or not something is sub judice, the Speaker ought to determine in favour of freedom of speech. Let's understand what the purpose, the rationale is of the sub judice rule. I'm referring to the most authoritative document—because, let's understand, the sub judice rule has not been codified in the Parliament of Canada. The Parliament relies upon precedent, upon the convention, upon the rule uncodified. I'm going to put to you very clearly that the province of Ontario has codified the sub judice rule and it's in our standing orders. So while references to, if you will, the common law sub judice rule of the Parliament of Canada may be useful, the final word is in the codification, and in just a few minutes I'm going to talk about that and the committee process that gave rise to that back in the 1970s.

The House of Commons Journals, the first report by the special committee on the rights and immunities of members, April 29, 1977—in that you read Montpetit, and that is the reference that Montpetit makes when it talks about the exhaustive, if you will, Canadian review of sub judice. There is a discussion of the rationale. The rationale is clearly that there is an interest in the Parliament not prejudicing the outcome of criminal or civil cases. The discussions, of course, consider the fact that at one point in our history most serious criminal cases were tried by juries. That trend is very much reversed now. So there was an interest in not prejudicing a juror who had to hear a case, not prejudicing or impacting on witnesses who had to testify.

Not interfering with the courts? Please, it was recognized by the Canadian parliamentary committee that, “It is very unlikely that a judge would be influenced by what is said in the House. Presumably, the convention is concerned with the protection of juries and witnesses from undue influence.” And where does the rule apply? I didn't have to bring the text in—I could have brought in photocopies—but it's so nice to be able to read from the actual text. Erskine May, latest edition, 23rd edition, in its discussion of sub judice, makes reference to the British House of Commons select committee, very similar to the select committee that had dealt with the matter and reported to the Parliament in Ottawa:

“That”—this is very important—“subject to the discretion of the Chair”—because that crops up all the time—“and to the right of the House to legislate on any matter..., the House in all its proceedings...”—the House in all its proceedings—“shall apply the following rules and matters of sub judice:

“(1) Cases in which proceedings are active in United Kingdom courts shall not be referred to in any motion, debate or question.”

The sub judice rule, the admonition about referring to matters before the courts, is with respect to motions in the House, debates in the House, questions in the House

and, I put to you, statements in the House; not an interview with a member of the fourth or fifth estate. That's what Erskine May says—absolutely no suggestion that the sub judice convention is anything other than with respect to statements in the House, debates in the House, questions in the House and motions in the House. I, needless to say, don't disagree with Mr. May, and I would suggest that you shouldn't either.

Beauchesne, the most recent edition, 6th edition, under "The Sub-Judice Convention," refers only to sub judice as consideration and reflection and comment upon matters in the House or in the committee, and then makes this reference as well—and hearken back to Stanley Knowles and the discretion of the Speaker—on page 153: "In doubtful cases the Speaker should rule in favour of debate and against the convention." See, it's not a hard and fast rule; it's not a prohibition. I'm not saying it's not a convention, but I'm saying the convention isn't a prohibition. You heard me make reference earlier to the observation that if there's going to be an imbalance, the imbalance has to be on the right of the member to speak, notwithstanding that technically it may be sub judice. Beauchesne: "In doubtful cases the Speaker should rule in favour of debate and against the convention."

#### 1630

This is most interesting, especially when we get to what the province of Ontario did in its legislative committee and in virtue of its own standing orders. Beauchesne, page 154: "The Speaker should interfere with that freedom of speech only in exceptional cases where it is clear that to do otherwise could be harmful to specific individuals." In other words, the Speaker is not to interfere with the speech of the member just because it may or may not be—in this case, obviously, may be—sub judice, but if it's clear that not to interfere would be harmful to specific individuals.

That's the authority. That's the Parliament of Canada, which has not codified the sub judice rule or convention that one errs on the right of members to speak, on the freedom of speech, number one; number two, that when the Speaker does interfere, it should only be in exceptional cases where it is clear that to do otherwise would be harmful to specific individuals. There is no presumption of prejudice. That is clear from what Beauchesne says.

Of course, the most current and readable of all parliamentary procedural references—I love this one. That's Marleau and Montpetit. I should be reading Carl Hiaasen novels at night, but I'm reading Marleau and Montpetit. It has two parts of the book that deal with sub judice.

Page 428, sub judice convention: "This practice is referred to as the sub judice convention and it applies to debate, statements and question period." End of sentence. End of observation. End of commentary. It applies to matters raised and discussed here in the chamber, in the House, in the Parliament. This is very important, because Marleau and Montpetit—that first reference was at page 428. Page 534, with respect to the sub judice rule or convention: "While precedents exist for the guidance of

the Chair, no attempt has ever been made to codify the practice known as the 'sub judice convention.'" In our federal Parliament, there's no codification of the sub judice convention, so it's the precedents and practices.

Having said that, all of the precedents and practices make it clear that the convention only applies to statements made in the House, and furthermore that the Speaker is the final arbiter and that it is only when it is clear to the Speaker that there is prejudice as a result of the statements being made will the Speaker interfere with the freedom of speech, which is a paramount freedom.

In 1978, Norm Sterling was a member of the Legislature of Ontario procedural affairs standing committee. I read the Hansard with fascination. First of all, there were some just brilliant, outstanding members of the Legislature—Mr. Sterling, along with Mr. Renwick, along with Mr. Rotenberg, amongst others—and what they were discussing was the standing orders, those rules which govern us here in the chamber, that govern us as parliamentarians.

If you will, take a look at standing order 1:

"(a) The proceedings in the Legislative Assembly of Ontario and in all committees of the assembly shall be conducted according to the following standing orders.

"(b) The purpose of these standing orders is to ensure that proceedings are conducted in a manner that respects the democratic rights of members"—the democratic rights of members—

"(i) to submit motions," etc.

"(ii) to debate, speak to, and vote," etc.

"(iii) to hold the government accountable for its policies; and

"(iv) collectively, to decide matters," etc.

"(c) In all contingencies not provided for in the standing orders the question shall be decided by the Speaker or Chair, and in making the ruling the Speaker or Chair shall base the decision on the democratic rights of members referred to in clause (b). In doing so the Speaker shall have regard to any applicable usages and precedents of the Legislature and Parliamentary tradition."

"In all contingencies not provided for in the standing orders ... the Speaker shall have regard to ... usages and precedents...."

You see, in 1978—Mr. Sterling will remember this well—the standing orders were amended with respect to sub judice here in the province of Ontario. It was a fascinating debate by some very capable parliamentarians. There was consideration of simply abandoning the sub judice consideration as it was in the standing orders at the time. Mr. Michael Breagh: "The second option is probably to eliminate entirely and go simply on convention." So the standing committee on procedural affairs said, "One of our choices could be to eliminate the sub judice consideration of the standing orders and just go on convention."

Further, in discussing the proposed amendments, the Chair says, "I should point out to the members that it is basically the existing rule"—the one referred to by Mr. Breagh as the one that could simply be abandoned so

that we rely on convention. "The basic difference would be that it is shown, to the satisfaction of the Speaker, that further reference would create a real and substantial danger of prejudice to the proceeding." Needless to say, it was that final consideration, that qualifier, that was incorporated by the committee and then adopted by the House so that we now have pleas.

Take a look at standing order 23(g). This is the sub judge rule here in the province of Ontario. Unlike Ottawa, which hasn't codified its rule, we in Ontario have:

"Matters sub judge

"(g) Refers to any matter that is the subject of a proceeding

"(i) that is pending in a court," etc. ... "where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding."

That language wasn't capricious on the part of members of that committee. They had a whole lot of authority to rely upon in choosing that language. In other words, before the Speaker orders or rules something sub judge, he has to be satisfied that there is "a real and substantial danger of prejudice to the proceeding." That, my friends and colleagues, is the sub judge rule in the province of Ontario. While convention and precedent may be helpful in interpreting and understanding it, it's not convention that prevails; it's the standing order that prevails.

Historically, there has been a fascinating distinction between sub judge in the British context and sub judge in the Canadian context with respect to members of Parliament making reference in the House, indeed questioning the minister responsible, with respect to criminal sentences. This is a very important observation. The British Parliament has been clear that there can be no inquiry during question period, for instance, of the justice minister with respect to sentence.

**1640**

In Canada, it is noted in a research paper prepared for the Parliament of Canada, dated September 29, 1980—and we're referring here in the context of capital sentences. It's clear as a result of what's noted in Erskine May that the issue of capital sentences cannot be raised in the British Parliament. However, the research paper prepared in 1980, Library of Parliament, states:

"In Canada, the situation seems different. In May 1969, Mr. E. Woolliams (Bow River), referring to the sentence of death passed on Otto Borg from Alberta, who killed an RCMP officer, asked the Solicitor General:

"As the first conviction of capital murder since the new act was passed has been upheld by the Supreme Court of Canada, is it now the policy of the government to apply the royal prerogative and commute that sentence?"

"No point of order was made...."

The minister responded, a supplementary question was asked by the member, and the author of this research study states, "From this example, it seems that the Canadian interpretation of the rule differs from that of Great Britain."

Not only was Mr. Runciman not raising a matter in the Legislature, I submit to you that a matter being raised in the Legislature about the policy of the Attorney General with respect to the direction that it gives its crown attorneys regarding the sentences that they will seek or agree to is an entirely valid question, is not sub judge in the broader sense of sub judge. One, it does not prejudice the case because it doesn't interfere with judicial discretion or comment on judicial discretion whatsoever but, furthermore, appears to be very explicitly approved in the federal Parliament of 1969 when a question was specifically put to the justice minister of the day as to whether or not he would intervene and commute a capital sentence.

If it's not the job of parliamentarians to hold the Attorney General accountable for policies that emanate from within his office, then whose is it? The courts have made it very clear that it's not theirs. That's why I made reference in the very first instance to the Vaid decision in the Supreme Court of Canada, 2005.

The courts administer the law. One, I put to you that it's a standing order that creates sub judge here in the province of Ontario. I put to you that that standing order clearly restricts sub judge to the Legislature and the Parliament and its committees. I put to you that all of the precedent makes it clear that sub judge has never applied outside of Parliament.

Furthermore, I put to you that even if he had raised the matter in the Legislature, the Speaker would have had to determine whether or not his raising the matter prejudiced any of the parties. Mr. Osborne says it's for the Speaker to deal with what happens in the chamber and for him, Mr. Osborne, to deal with what happens outside and somehow, in the course of stating that, assumes that he has the ability to create parliamentary convention where no parliamentary convention existed, to create a standing order where no standing order applies, and I say that that was a serious error, a serious flaw in his conclusions.

I regret that I have only a few more minutes. I have never been as concerned as I am today about the consequences of a vote in this Legislature. We have a Members' Integrity Act that does not permit judicial review; the only review is by this Parliament. We have a sub judge convention that has not only served us well but has been the subject matter of the following observation. I'm referring now once again to the report by the special committee on the rights and immunities of members presented to the federal Parliament on April 29, 1977. Please listen to this: "It is very unlikely that a judge would be influenced by what is said in this House.... Your committee ... believes that any modification of the practice should be in the direction of greater flexibility rather than stricter application." If there's to be an evolution of the practice it should be in the direction of greater flexibility rather than stricter application.

Members, by voting for this resolution, you risk endorsing a determination that is erroneous in law, that in fact provides greater restrictions on members rather than lessening them, as was the recommendation of the 1977

committee report to the federal Parliament, and that substantially interferes not just with the rights but with the responsibilities of members of this Legislature. Parliamentarians should be fearless and unfettered in their ability to advance the public interest even, and especially, when that means exposing, commenting upon, critiquing policy positions of the Attorney General or his crowns. Our implicit abandonment of that by the acceptance of this resolution and support for this resolution creates an incredibly dangerous state of affairs. I submit to you that any of you—any of you—could be put at risk as a result of it. You owe it to Ontarians not to support this motion.

**The Acting Speaker (Mr. Joseph N. Tascona):** Further debate?

**Hon. Michael Bryant (Attorney General):** I appreciate the way the debate has taken place thus far. I think it's fair to say there has not been heckling at all thus far, and as such, it's been a debate with a significant amount of decorum.

Let me start by saying this: That was a masterful performance by the justice critic for the third party, an absolute aria. The problem is that we don't have before this House an aria. He's got the wrong opera. Nor do we have the sonata that we heard from the Attorney General critic for the official opposition.

We have before us not an opera at all; we've got, I guess, a poem. It's a straightforward motion involving a straightforward finding, and that's the only question before the House. Do not, I ask members of this House, notwithstanding the excellent advocacy that we've heard so far, and in and of itself it is intrinsically worth listening to—but don't imagine that it actually speaks to the issue that's before the House, because it doesn't. We've gone to Westminster, we've gone to Ottawa, we've gone around the Commonwealth, we've gone around the world, and I'd now like to bring members of this House, and you, Mr. Speaker, and the people of Ontario back down to earth here in Queen's Park to consider what we have before us. It reads thus: "That the Legislative Assembly accept the report of the Integrity Commissioner dated October 25, 2006, and approve the recommendation contained therein."

**1650**

We've heard about language around "accept" and "adopt." We've just heard a veritable, but arguably selective—only arguably selective—magnum opus on the sub judice rule. But that is not before us—it is not. What is before us is simply this: The Integrity Commissioner considered a complaint, he applied the facts to the laws applying to members of provincial Parliament and he rendered a result.

Nobody has argued, and nobody is going to argue, that the member did not have an ample opportunity to respond to the complaint, that the member did not have evidence he proffered to the Integrity Commissioner considered. I don't know exactly what information was in the hands of the Integrity Commissioner. That's for the Attorney General critic for the official opposition to reveal or not. I don't think it lies in the mouth of the member to make new arguments here, although that is

within his free speech. So the facts were before the Integrity Commissioner, and no one is denying the facts. The law was before the Integrity Commissioner, and we all supported that law—we all did. In fact, Mr. Runciman was a member of the executive council that introduced and supported the laws that are before us.

So what of the Integrity Commissioner? Did he not have authority to make this ruling? This is an Integrity Commissioner appointed with the consent of the Conservatives, the Liberals and the New Democrats during the time in which the Conservatives were the government of Ontario. Nobody denies that the law is what it is. Nobody denies that the facts are what they are. We in this House accept, and by law we accept, that the Integrity Commissioner has the jurisdiction to make the ruling that he did. And he did.

There is no jurisdictional argument here; there is none. I heard none. I listened carefully to the member opposite, the justice critic for the third party. I listened carefully to the Attorney General critic for the official opposition. There have been no allegations of jurisdictional error. There have been no allegations of factual error. There have been no allegations of legal error.

We in this House don't get to pick and choose which rulings of the Integrity Commissioner we like and which ones we don't like. We don't get to pick and choose which laws we think are good and which laws aren't. We accept that there is an Integrity Commissioner who acts as an arbiter of the facts and law before him. And he did, and he ruled. And we accept these recommendations. That is what this is about.

Let's be clear: The magnum opus presented by the justice critic for the third party was not before him. It was interesting, but it wasn't before him. I don't know what was before him in terms of the arguments that have been, and may be, made by the official opposition. I don't know.

It was a short opinion. It was very short; not an aria. It was, in all, 10 pages; not even 10 pages. He considered the facts, heard the arguments made by the Attorney General critic for the official opposition, heard the arguments made by the complainant, applied the law and made this ruling. There has been nothing said, and I will argue that nothing will be said, that challenges the authority of the Integrity Commissioner to make that ruling, the facts that were before him or the jurisdiction for him to make that ruling. What we heard was all very interesting, but none of it was before the Integrity Commissioner and, as such, I urge members to support the motion.

So what did he rule? What was the finding that we are considering? Was it about the ability of members to speak freely?

It was simply this: The Integrity Commissioner writes on page 9 of his report, "I caution all members to be vigilant about raising issues concerning matters that are before a court, however well intended a member's comments may be. Once the court process (including any right of appeal) is complete, there is no bar to reasonable discussion about issues that were before a court. Before



the process is complete, public discussion of matters then before a court is off limits from the standpoint” of a member of provincial Parliament.

Why is it off limits? Firstly, it's off limits because the Integrity Commissioner has ruled that it is off limits, and there's no argument that the Integrity Commissioner had no jurisdiction to make that ruling. This is the Associate Chief Justice of Ontario. This is the Honourable Coulter Osborne, our Integrity Commissioner, whom we accepted to be our Integrity Commissioner. We didn't say, “We accept you to be our Integrity Commissioner except for those things that we fundamentally disagree with.”

It's the nature of the rule of law that there has got to be a judge, there have got to be facts and there have got to be laws to apply. And it's the nature of the rule of law that we accept a final decision of the courts, subject to the non obstante clause—

*Interjection.*

**Hon. Mr. Bryant:** Speaker, we did not heckle during the other members' remarks, and I'd ask that the same be reciprocated.

As for whether or not an application for judicial review might have been made between the rendering of the report and today is not as clear, I think, as the member says—but again, a glorious distraction and illusion of confusion on a matter that is very straightforward.

Why do we have this rule—if we are to get into the purpose of the rule, and I say again to members of this House that that is not before us. We're not debating here whether or not we ought to amend the Members' Integrity Act. We're not here debating whether or not to remove the Integrity Commissioner. There is no doubt that he had the jurisdiction to make this ruling. There is no doubt that in fact the member who was the subject of the complaint was given an opportunity to respond. There is no doubt what the law says and there is no doubt what he ruled. There's no doubt at all. So to discuss the purpose and the history of the sub judice rule is interesting, but that is not before us. What's before us is this report, this Integrity Commissioner, this law and these facts. And he has ruled.

Yes, we don't always agree with everything that an officer of the Legislature says, but we accept it. I have heard many remarks from members of this Legislature about accepting legislative officers' rulings, and he is an officer of this Legislature. In fact, there's a level at which contempt kicks in if one is contemptuous of an officer of the Legislature. The respect for officers of the Legislature is a deeply ingrained tradition in this House, whether it be the Speaker, the Environmental Commissioner, the privacy commissioner or the Integrity Commissioner, our judge.

If we want to change the rules and the laws on sub judice, well, that is something that could be brought before this House, possibly an amendment to the Members' Integrity Act, subject to constitutional limits. I would argue that that would violate the principle of judicial independence and violate people's rights to fair trial. We could have that debate. But that is not before

this House. We are not here to consider whether or not there is in fact a law that gives the Integrity Commissioner the authority to make this finding. There's no doubt about it, and he has made it. I submit that it goes without saying that it ought to be accepted.

**1700**

Still, people want to talk about why we have a sub judice rule. I will say, to state the obvious, notwithstanding the journey that we went on around the world in search of a sub judice rule, of course, the biggest problem with a sub judice rule is that it's a Latin term. No one knows what it means, and we ought to consider changing what we call the sub judice rule. But that's not before us either. Did the Honourable Coulter Osborne come up with one out of thin air? Of course he didn't. There are limits on speech by members of provincial Parliament; there are already. Let's not pretend for a second that there aren't, that the marketplace of ideas allows members of provincial Parliament to go forth and have immunity from the laws of the nation. We also have some special obligations wherein the sub judice rule arises, but do we have immunity from naming people who are young offenders or accused young offenders? No, we do not. We can't do that. We can't walk outside those doors and criticize a particular prosecution, a particular finding, and name a young offender. We can't do that. Is that a limit on our free speech? Yes, it is. Is there a reason for it? Yes, there is.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Neither can the press do that.

**Hon. Mr. Bryant:** The member, I'm sure, will have an opportunity to provide a rebuttal.

Can we walk outside those doors and discuss matters protected by FIPPA? No, we can't do that. We can't do that. Can we walk outside those doors and discuss information that's subject to a publication ban? No, we can't do that. We can't; we'd be breaking the law. There are limits on our free speech in the common law as well. Yes, we have defences of fair comment to make, but we can't libel people. We have special defences as members of provincial Parliament when engaging in political speech. We have special defences because there is something that comes with our office that gives us that special defence, but members of provincial Parliament are not immune from a libel action. They can be found liable for defamation.

“There is another thing that we can't do when we walk out there,” says the Integrity Commissioner, “and that is to comment on matters that are before the courts before the process is complete.” He writes that “public discussion of matters then before a court is off limits from the standpoint of members of the Legislative Assembly.” You ask, “Why? How come? I don't understand why.” Again, that's not before us. There is no doubt that there is jurisdiction and that there is no error of jurisdiction and that in fact this is the person empowered to make this ruling. Okay, but let's answer the question why nonetheless. If the member were a member of the executive council, he argued himself—Mr. Runciman, the Attorney General critic for the official opposition—well,

that would mean the sub judice rule would apply and he could not comment on such matters.

Mr. Osborne writes in his report, “Mr. Runciman contended that ... the sub judice rule should be more strictly applied with members of the executive council. He based this submission”—Justice Osborne writes—“on the capacity of members of the executive council to influence decision-making. In his response to the complaint, Mr. Runciman took no issue with the material filed as part of Mr. Sergio’s complaint.” So, again, he took no issue with the matters before the Integrity Commissioner. But why is it that cabinet members cannot interfere with matters before the court, but MPPs can, to take his argument?

I’m going to take his argument a little further, because if the Attorney General critic were a member of the Law Society of Upper Canada, if he were, like the Speaker, a barrister and solicitor, if he were, like the leader of the official opposition, a barrister and solicitor, if he were, like the justice critic for the NDP, a barrister and solicitor, he would be held to a standard under the rules of professional conduct that forbid him from violating the sub judice rule as counsel. Now, he’s not; but if he were, he in fact would violate the rules of professional conduct under 4.01(2): “When acting as an advocate, a lawyer shall not endeavour ... directly or indirectly, to influence the decision or action of a tribunal or any of its officials” or court “in any case or matter by any means other than open persuasion as an advocate.” Why would that be? Why is it that a lawyer is subject to the sub judice rule, members of cabinet are subject to sub judice rule, but MPPs are not?

Let’s look at why it applies to those people. It’s about as stark a case, I think, as anybody could imagine. The short answer is it interferes with people’s fair trial, and I will argue in a minute that it interferes with victims’ rights. Chief Justice McRuer, in *Criminal Contempt of Court Procedure: A Protection of the Rights of the Individual*, said:

“No judge or juror should be embarrassed in arriving at his decision by an expression of an opinion on the case by anyone. He should not be put in a position where, if he decided in accordance with the opinion expressed or the popular sentiment existing, it can be said he has been influenced; nor should he be put in the position where it could be said he was antagonist to any opinion or popular sentiment. Everyone who has a matter before a court of justice for decision has the right to have the decision of the court founded on the law as the court conceives it to be and the evidence properly submitted.”

So, why? Well, if one is to have a fair trial and an independent judiciary, we say—it is conceded by Mr. Runciman that executive council members cannot interfere with a court’s decision; it is conceded by him. And so, too, it applies to members of executive council.

The Quebec Court of Appeal held, in *Vermette*—this case, and it’s a stark illustration of what is the matter with interfering with matters before the courts: A witness had given evidence regarding the Parti Québécois and some of its leading members. On the same day, in the

National Assembly, the Premier—this is in 1988—denounced the credibility of the witness and the conduct of defence counsel. The trial was stayed, and that was upheld by the Court of Appeal. The issue in the Supreme Court of Canada is whether or not a jury could be said to have been prejudiced by this.

I would have thought that the worst nightmare of the Attorney General critic for the official opposition would be that there was a matter before the court where the trial was stayed because of something that he said. Now he concedes that if he were the Solicitor General or the Minister of Transportation or the Premier or the Attorney General, that would interfere with the court. And he has to concede that if he were a member of the bar, that would interfere with the court. So the argument has to be that MPPs are so lowly in the eyes of the court, are so unrepresentative of public sentiment, are so lacking of the court’s respect and concern and are so irrelevant that it’s okay for them to say something that interferes with matters before the court.

**1710**

The member concedes that if he were a cabinet minister, that would violate the sub judice rule. He was a member of the cabinet, and he understands very well that there are limits on an MPP’s free speech. But the day the government changes, that MPP qua opposition member, that MPP as opposition member, becomes sufficiently irrelevant as not to be able to interfere with a matter before the court. I say to you, my friends, that that is an entirely unacceptable argument that we cannot accept. For if we agree that there are limits, and if we agree that you can interfere with a fair trial, how can we argue that outside of this chamber we’re sufficiently irrelevant that we cannot interfere ourselves? It is such a diminishment of the role of the MPP that it is the exact opposite of the sentiment that I hear from members of the official opposition and of the third party, for they are here to talk about the importance of MPPs, and so they should. They are here to talk about the capacity of members of provincial Parliament to have an impact on matters public, and they should. They are here to talk about the importance of holding the Attorney General to account, and they should. They should.

I listened to the leader of the official opposition. I think he said this, and I know that the justice critic for the third party said this: something to the effect that, “We’ve got to be able to challenge the policy of the Attorney General to have restitution ordered in this manner in cases such as this.” I agree. That’s true. Policy, yes. But there’s a difference between the policy, which by the way is really a debate for the federal Parliament, because it’s the House of Commons that allows restitution to take place under the Criminal Code—but in any event, if members of this House want to take issue with the crown policy manual that sets out the policy of agents of the Attorney General with respect to restitution matters, we can debate that. So why can’t we debate the Russo case? Because that interferes with the Russo case, because Mr. Justice David Watt does not deserve—and Ms. Russo does not deserve—to conduct a trial and a hearing whilst

being interfered with. But besides that, what are the outcomes, as Chief Justice McRuer says? What are the outcomes? There are limits.

It's interesting: Mr. Kormos, the House leader of the third party, was the subject—he's not the subject; he's the object, I guess—of a case that went to the Ontario Court of Justice in 1997. The purpose of this is to illustrate the sub judice rule; it's not to get into the conduct of that matter. He visited the family support services office to ascertain the operational status of the new services that the government had put in place to deal with support payments. I think that is a very judicious description of what he was doing. The accused, one Kormos, was charged with assaulting a security guard in connection with the matter. In the Legislature, the Attorney General characterized the accused's actions as being tantamount to a break-in. The accused, Mr. Kormos, moved to have the charges dismissed, arguing that the Attorney General's statement had prejudiced Mr. Kormos's right to a fair trial. That's why we have a sub judice rule.

Now, is there a degree of difference between Premier, chief law officer and member of provincial Parliament in the third party, the opposition or the government? I think an argument can be made that, yes, there's a degree of interference. There's no question that the Parti Québécois Premier's remarks in 1998 were highly interfering of the matter, and thus it was stayed.

In this case, the court found that in fact the Attorney General of the day's remarks did not go so far as to violate the sub judice rule. The court dismissed the accused's motion, but he stated that "the court recognizes that the" then "Attorney General was involved in a heated debate," but he would be "well advised to heed the practice of not commenting on the potential guilt of anyone with respect to any offence that is under investigation by the authorities or before the courts. This caution," the court writes, on Peter Kormos's own motion, "applies to all elected officials but particularly to those occupying the sensitive and important position of Attorney General."

So it is a qualitative difference but not a quantitative difference between the Honourable Bob Runciman, member of executive council past and the honourable member of the official opposition today. Yes, there is a difference, but it is not one that gives him immunity from interfering with matters before the courts. For imagine that you are Mr. Kormos and you make your motion because you think that the judge is going to interfere with your trial. Mr. Kormos is a tough guy. Believe me, he can handle it. I have no doubt that he did it for a number of reasons, which is for him to speak to. But I bet he was thinking of other people who might be before the courts, because I've heard him talk about the rights to fair trial and I know he believes in them, and if you believe in the rights of fair trial, then you believe that a court should be able to make a decision independently.

What does that mean? It means you can't hold a rally in a courtroom. No, there's got to be order in a courtroom, because if you can hold a rally where you say,

"Hang him high," in the courtroom, you're not going to get a fair trial. So you can't do that. There are rules that apply to the operation of the court. There are rules of evidence that apply. You cannot introduce something that would so inflame and prejudice the proceeding, for example, that you would lose the right to fair trial.

But what of outside the court? What about that? Well, a talk show taking place, discussing a matter that's before the court: Is that going to interfere? Is that going to interfere with the judge? What's the difference, you say, between the talk show host and the MPP? You already concede that there's a big difference between the talk show host and a member of the cabinet, but you say—the argument in opposition to this motion goes—that there should be no difference between the talk show host and a member of provincial Parliament. Wow. So one's official—the member of the cabinet—but one's not.

A police officer or a lawyer speaking outside of the courtroom: Is that interfering with a fair trial and victims' rights? Yes. So say the rules of professional conduct and so have held the courts.

The Premier, the Attorney General: Can they interfere with a matter? Yes, absolutely. But not, the argument goes, those lowly members of provincial Parliament. They're not that official.

I can't accept that, Speaker. That's wrong. It defies history. We went to England. It defies history, the notion that elected members of Parliament have no influence over a matter before the court. Really? We don't elect our judges in this country, and thank goodness for that. We have independent trials in this country, by and large, and thank goodness for that. So if we accept the argument of the official opposition and the third party, then (a), it's okay to interfere with that trial. Of course, it wasn't okay when Mr. Kormos was an accused, but it's otherwise okay. It would be okay for an MPP to try and interfere with a trial. Just think about what it's like: You're Mr. Kormos and you're before the court and you're wondering if the presiding judge is finding all of this political talk by an MPP to be interfering with your trial. Do you really think you're going to get justice? Do you think you're going to get a fair trial if an MPP is out there trying to interfere with the matter? I don't think so. But more important, our—

**Mr. Bisson:** It's a silly argument.

**Hon. Mr. Bryant:** Our Integrity Commissioner has ruled otherwise.

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I think it is fair to say that that applies to the rights of the accused during a fair trial, and I think it is more than fair to say that MPPs' officialdom has not so diminished that they too are not held to a standard which requires that they not interfere with a fair trial.

*Interjection.*

**Hon. Mr. Bryant:** Speaker, I'm having a hard time, but you're obviously not going to get involved. I look forward to—

**The Acting Speaker:** Attorney General, you're free to debate this. I have no problems with what's going on. If you want to continue, keep your remarks to yourself.

**Hon. Mr. Bryant:** It is because the Speaker is an officer of the Legislature that I accept that ruling. And it is because the Integrity Commissioner is an officer of the Legislature that I accept his ruling and that I argue members of this assembly ought to accept his ruling. For that is the question before you.

If you want to have a referendum on the wisdom of the policy of providing restitution to a victim, I can arrange the supporters. I think that the Attorney General critic for the official opposition is painfully aware of his relationship with these people whom he has—to be fair to him—spent a good part of his political career supporting. Joe Womback said just recently in an interview on November 21, sitting right beside Mr. Runciman, “I still support the decision of the courts. I still believe that restitution which is on the books and is in the criminal code, this was probably one of the greatest advancements for victims’ rights in history of Canada.” Joe Womback said that. “This is where the victim of a crime was actually considered for one of the very first times in the sentencing,” he argued, “and the deliberation between the judges, the crowns and the defence attorneys.”

We’ve heard, thanks to the member who spoke first and who made this complaint, from Harry McMurtry on the problem with re-victimizing a victim, as took place according to the victim herself.

We also heard from people who again I would have thought that Mr. Runciman would listen carefully to. Joe Womback said, at the time the decision came down, “All in all it’s a win-win situation. It’s going to help the victim.” Priscilla de Villiers said, “This a red-letter day for victims. It’s something that victim advocates have been asking for for a long time.” John Muise—John Muise, I say to Mr. Runciman—said that he was “happy that Russo will be better able to manage the lifelong struggles that resulted, and will result, from this reckless crime.” Tim Danson, lawyer for the families of the Bernardo victims, said, “It’s wrong to say they’re buying justice, because part of justice is paying compensation to the victim.”

What’s important in this case and particularly egregious about the remarks of the Attorney General critic for the official opposition, Mr. Runciman, is that not only did these remarks, according to the Integrity Commissioner, deliberately attempt to interfere with a matter that was before the court—deliberately, he said—not only that, but for the first time that I can think of, a member of provincial Parliament was attempting to interfere with a remedy for a victim—a remedy for a victim, a restitution order for a victim, a sentence that would have actually benefited a victim. Of all people, actually, Bob Runciman should not have been interfering with an independent judge’s discretion to award some restitution to a victim, restitution prescribed by law under the Criminal Code and handed down by a judge.

But back to where we started and back to the motion: It is straightforward. It is not an aria, it is not a sonata, it is not even an opera. Members of provincial Parliament are official enough in our democratic system to warrant

having this special obligation. Certainly, I would hope that members of this House who respect and accept the Speaker and other officers of this Legislature would accept and respect a ruling of the Integrity Commissioner for the province of Ontario, and I ask all members of this House to do just that.

**Mr. Kormos:** What if he’s wrong?

**The Acting Speaker:** Further debate?

**Mr. Tim Hudak (Erie–Lincoln):** I think the essential question, as my colleague from Niagara Centre just said, is, what if Coulter Osborne is wrong?

**Hon. Mr. Bryant:** Who decides?

**Mr. Hudak:** What if the Integrity Commissioner makes a mistake? My colleague across the way says, “Who decides?” You’d think the Attorney General would—

*Interjections.*

**The Acting Speaker:** I want to hear the member from Erie–Lincoln. We heard the other members earlier, and there was no problem. So can we hear the member from Erie–Lincoln, Attorney General, official opposition critics and third party critic?

**Mr. Hudak:** Thank you, Mr. Speaker.

That’s why we’re here today, because it is the members of the Legislative Assembly of Ontario who decide whether we accept, whether we agree, whether we simply receive or whether we offer comment on the Integrity Commissioner’s ruling. What if the Integrity Commissioner makes a mistake? There is no court of appeal, as Niagara Centre said earlier on. There is no court of appeal to a ruling except the procedure we’re going through tonight in this chamber.

I have tremendous respect for the Honourable Justice Coulter Osborne, our Integrity Commissioner, a man whose career is among the most commendable of justices today. But that doesn’t mean that his rulings are unassailable. It doesn’t mean his rulings are beyond question. Indeed, our role today as legislators is to determine whether we accept his rulings or not. We are that court of appeal, and we stand as that court today to have the essential finding of whether he made a mistake in law, whether he made a mistake in interpretation or in judgment.

The Attorney General said that we can’t pick or choose which rulings we accept or not, but indeed we do. That’s what’s in the standing orders and that’s what we’re doing here today. Just by way of example, the Members’ Integrity Act, subsection 34(2), says, “The assembly shall consider and respond to the report within 30 days after the day the report is laid before it.” And then (3), under “Response,” says, “If the commissioner recommends that a penalty be imposed, the assembly may approve the recommendation and order that the penalty be imposed, or may reject the recommendation, in which case no penalty shall be imposed.”

We decide. We are the court of appeal. Right there in the Members’ Integrity Act it says that we determine whether we accept or reject what the Integrity Commissioner has ruled as a penalty to be imposed. So it’s no

more clear than in the Members' Integrity Act that that's what our decision is today.

The Attorney General also makes an argument that there should be a very strict sub judice rule, whether you're a minister, whether you're the Attorney General or whether you're an MPP. It would be interesting to see if, when he was on this side of the House, he followed that same convention or not. I'm willing to give my honourable colleague the benefit of the doubt. But there were members of the opposition who served with the member from St. Paul's who certainly had a much different interpretation of what that convention was. And do you know what? I agree with them.

As my colleague the member for Leeds–Grenville and my colleague the member from Niagara Centre have said, there's a convention around the sub judice rule. In fact, it's embodied within the standing orders under rules of debate 23(g). As my colleague from Niagara Centre indicated, the Speaker has a duty to rule and to err on the side of freedom of speech with respect to the sub judice rule. The Speaker's decision is his or hers to make when there's a real and substantial jeopardy of causing prejudice to a hearing.

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Erskine May speaks to this as well. It talks about the exemption to the sub judice convention on page 47 as follows:

But "where a ministerial decision is in question, or in the opinion of the Chair a case concerns issues of national importance such as the economy, public order or the essential services, reference to the issues or the case may be made in motions, debates or questions." That's with respect to Parliament, so issues of importance to the province of Ontario.

You would certainly think that the issue that was the subject of Mr. Runciman's comments at the time—if I recall correctly, that proceeds from crime could be used for restitution and therefore lessen the sentence—is of great importance. It's of great importance and, I would think, justified in debate here in the assembly and justified in debate in the public sphere as well.

While the Attorney General argued for a very strict sub judice rule, and I appreciate his arguments, I didn't hear a single argument from the Attorney General to say that that rule applies outside of the assembly. In essence, that's what the Integrity Commissioner's ruling says: that it takes the sub judice convention and moves it outside of the assembly to govern members' comments outside of this place. While I listened carefully and appreciated the Attorney General's arguments, and I didn't agree with his arguments in the two cases I mentioned, I did not hear an argument in favour of extending, or that justifies the extension of, the sub judice convention outside of these chambers.

If I followed the debate correctly, nowhere—never, not once—does the sub judice rule govern conduct outside of Parliament. There has not been a single example of this in convention of parliamentary experts that said that the sub judice rule applies outside of Parliament or

outside of the chamber. Coulter Osborne's, the Integrity Commissioner's, decision would be the first such case. As my colleague from Leeds–Grenville said, members would have less right, if this ruling were followed, to speak outside of this House than the general public would, which restricts our ability to give comment on critical issues to the press, to constituents, to offer balance in arguments, another side of the story.

Before I was elected, I remember my colleague from Leeds–Grenville bringing questions forward about the so-called "deal with the devil," about the Karla Homolka case. Coming from Niagara, I appreciate the grave sensitivities of that case, the outcry and puzzlement, the sadness of constituents when they found out that Karla Homolka was getting a much lighter sentence than people thought was appropriate. Thank God that Bob Runciman, and I'm sure other members of the assembly, brought that forward, because they expressed that anguish, they expressed the concern that millions of Canadians felt about that deal with the devil. I worry greatly that if we accept Commissioner Osborne's recommendations, the ability to cite these cases, to raise questions, to shine a spotlight on them will be severely restricted.

No doubt issues like the Morgentaler case in the 1980s and the Latimer case were brought before the Legislative Assembly or to Parliament and certainly were part of public discussion by elected officials outside of those chambers, and with good reason: important cases in the public sphere, weighty issues in the crucible. Members should have the ability to speak to those issues, to represent constituents and bring views to the matters even when they are before the courts.

I remember my colleague Gary Guzzo, of Ottawa, bringing forward questions—

**Interjection:** A good man.

**Mr. Hudak:** I appreciate that my colleague says, "A good man." But my colleague will remember when Gary Guzzo brought forward questions to our own Attorney General at the time about cases in Cornwall, very serious allegations and concerns about sexual abuse, if I recall, that may or may not have occurred in the Cornwall area. Mr. Guzzo brought forward those questions to the Attorney General, made comments outside of these chambers. At the end of the day, when this government came into play, it eventually did launch an inquiry into the proceedings, the happenings, in Cornwall. I say good for Mr. Guzzo for raising these concerns of constituents or connections, his concern about what was happening or what had happened in the Cornwall area.

I have other colleagues who are going to speak to this, so I'll conclude.

I know what it's like to be on the government side of the floor. I remember some very effective critics of our government, whether it's Sean Conway, Gerard Kennedy in many ways, I'll give credit to the current health minister, Mr. Smitherman, who can ask very hard-hitting questions of the government of the day. Sure, sometimes you don't actually mind when they get a bit of a come-

uppance. I remember Mr. Kennedy got into some trouble because it was said that some of the facts he was relating about health care may not have been accurate. So I appreciate there's a temptation on the government side if you can give some comeuppance to a member of the opposition who may get under your skin from time to time.

Mr. Runciman is a very effective, determined and courageous advocate in fighting crime and supporting victims. I can appreciate the temptation to try to put a leash on Mad Dog if you don't like the kinds of questions he's asking. But, most importantly, think what the consequences, if this ruling is accepted, will mean for members who are on the government side who may be on this side down the road, or future members. If we accept this ruling by Justice Osborne, a future Integrity Commissioner will have this precedent before him or her—

**Mr. Kormos:** May have.

**Mr. Hudak:**—may have this precedent before him or her in a further case. They can, under the Members' Integrity Act, impose orders, sanctions, including suspension of a member or causing the member to have to vacate his or her seat, and there may be a precedent to use in a future ruling.

So I think we all need to be very cautious about where gotcha politics can take you and who gets impacted by that down the road and the infringement that's going to cause on the ability of members to pursue weighty issues, like using criminal proceeds, potentially, for restitution to lessen a sentence. That was the essence of Mr. Runciman's concern, and good for him for raising it, for raising issues like the Karla Homolka deal that was made with the Attorney General at the time and the lenient sentence that consecutive governments then had to deal with, or issues like Morgentaler and Latimer and these weighty issues that members should comment on without fear, whether in the assembly or outside of the assembly.

To answer the Attorney General's question, we decide. We decide. In this matter, with all due respect to Justice Coulter Osborne, I find his ruling to be mistaken. It sets a very worrisome precedent if accepted by the members of the assembly.

**The Acting Speaker:** Further debate?

**Mr. Yakabuski:** I'm pleased to join the debate on this resolution today. I have to concur with my colleague from Erie-Lincoln and also the member from Niagara Centre on a number of points. I won't be concurring with the Attorney General on too many points.

I believe that the whole premise of this motion is partisan and politically motivated, as my colleague from Erie-Lincoln inferred. This was brought forward because the government was uncomfortable with the fact that the member for Leeds-Grenville raised this issue outside of the House.

Now the Integrity Commissioner—and I have the utmost respect for Justice Coulter Osborne—has given us an opinion to rule on here. It is the prerogative of the House whether to accept this report or not. That is what we do as a Legislature. We're not told that we must

accept this; the report is presented and it is up to us as legislators to accept it.

**Mr. Runciman:** Or not.

**Mr. Yakabuski:** Or not. As I say, the whole thing is politically motivated on the part of the government, and I would say instituted primarily probably by the Attorney General himself, even though he didn't make the application, the member for York West made the application, but I would suspect that it was at the order of the Attorney General because he wanted to extract his pound of flesh off the member for Leeds-Grenville. It's an attempt to embarrass Bob Runciman, is what it is.

**1740**

Now, we've heard the various arguments, and I must say the member for Niagara Centre had a very reasoned argument, backed up by precedent of people of such stature as Erskine May, Beauchesne and also, as he said, one of the foremost authorities on procedures and matters of the House, the late Stanley Knowles, who certainly studied this and believed that the mechanics of the House was something that we had to pay a great deal of attention to.

The Attorney General liked to draw the comparison between the member for Leeds-Grenville and himself, saying that the member for Leeds-Grenville was attempting to influence this case. Well, I think we have to stand here as reasonable people and ask ourselves—no disrespect to my colleague from Leeds-Grenville, but does anybody really believe that he was going to have any influence on this case? Absolutely not. It was already widely reported in the media. He was going to have no influence whatsoever on a judge or a judicial body as to what they were going to do about this case. However, if the Attorney General was making comments on the case, yes, that would be much different. So you can't compare fairly the role and/or the responsibility of an individual member of the Legislature with the Attorney General, who's the chief law officer of the crown.

I recall years ago when George Kerr was the Solicitor General and he made a call on behalf of a constituent with regard to a case before the courts. He made a call to a crown attorney. George Kerr immediately had to resign. That's the gravity that is placed upon the office of a member of the executive council such as the Attorney General or, in the case of Mr. Kerr, the Solicitor General, because they clearly do have an influence and what they say can and most likely will have an influence on the decisions made by the courts. But the questions raised here in response to an article running in the newspapers by the member for Leeds-Grenville was highly unlikely to have any influence whatsoever. But what it did do was draw attention to whether or not the practice was one that the public would or would not approve of, such as their memories with the Karla Homolka case of years before, where there was that deal made with the devil to extract testimony out of her for a more lenient sentence. Well, once the people were aware of that, they weren't very happy about it. Mr. Runciman was questioning whether

or not that kind of deal is in the best interests of the public.

I know there were definitely some strange circumstances with this one, because we do have a civil court system, but I suppose the ability to sue the perpetrators of this crime would have been limited because they wouldn't have been around. They weren't your average citizen, of course.

It is clear in the instances that my colleague from Niagara Centre raised that the application of sub judice only applies, according to Erskine May, to matters in the House, not outside of the House. If the Integrity Commissioner's report is based on the sub judice of this subject, then of course Erskine May would disagree with him, as would Beauchesne. As Mr. Kormos said, in doubtful cases you should rule on the side of free speech on the part of the members of this assembly, and ultimately, in this assembly the Speaker is the one who rules. So I think my friend from Erie—Lincoln has raised the issue that ultimately this House will be the one to pass judgment as to whether or not we want to agree with the motion put forth by the Attorney General, which is worded as benignly as possible, but which is in fact a censure motion against the member for Leeds—Grenville.

I can understand why the government sometimes may want to take a swipe at the Mad Dog. He is one of the strongest critics of the government when criticism is warranted. He is one who presents a most reasoned and logical argument when criticism is warranted. He is one who has 25, closing in on 26 years of experience in this House, on both sides of the aisle. So when Bob Runciman rises to speak, he's not just making noise, like we sometimes get from the Attorney General; he is basing his positions on a long-standing career of serving the people of Ontario, both as a cabinet minister and as a member of Her Majesty's loyal opposition. They know, in fact, that one of the members they are most concerned about, when he rises to speak, is Bob Runciman. So if there's a way that they can censure him and maybe have him declawed to some degree, they're going to take a crack at that. I do believe that that's what we have here on the part of the government, that they've decided they are going to go after Mr. Runciman on this.

The whole premise of even requesting the Integrity Commissioner's report contrasts with the request that we made of the Integrity Commissioner in the case of the then Minister of Transportation, Mr. Takhar, about whom we had reams of evidence with regard to our concerns about his suitability to continue to sit on the executive council. But the Integrity Commissioner could only rule on a very limited amount of that evidence because he didn't have the ability to do an investigation. He could only rule on what was presented to him.

**Mr. Bisson:** And you're not going to get mad if I heckle you?

**Mr. Yakabuski:** Absolutely not.

Having said that, we certainly disagreed with the ultimate outcome of the Integrity Commissioner's report on then-Transportation Minister Takhar, but we respected

the fact that the Integrity Commissioner had to rule only on what he had.

What was really sad about that was the failure of the Premier to act in a decisive manner, full of integrity. That's what failed to happen then. When the Premier decided that nothing would be done about it—because, again, Dalton McGuinty always looks at the politics, not at whether a decision is right or wrong.

The Attorney General talked about respect. He talked about respect for you, Speaker. He talked about respect for the Integrity Commissioner. He talked about respect for the privacy commissioner. So you would have to assume that respect is something that the members on the opposite side consider to be extremely important. What about respect for this chamber? What about respect for the members of this House, when the Minister of Energy makes a promise, a commitment to report back to a standing committee of this Legislature with specific information that he had been requested to provide and fails to do that, and when he is subsequently questioned in the House on that very matter, he fails to even address the subject? So when I see and hear the Attorney General speaking about respect, I would advise him to get out at the very next cabinet meeting that dictionary that Mr. Kormos likes to get out and lay on the table for the members of that executive in big, bold letters the word "respect" and the definition that applies to it, because I think that is important too. Quite frankly, if they were to have more respect for this assembly, I wouldn't be having a late show with the Minister of Energy.

**1750**

I have been informed that I am not the last one to speak on this subject, so I am going to yield at this point. But I will say that I think it is our right and our privilege to find that we do not accept the report of the Integrity Commissioner. It is the prerogative of this House to say, "No, we believe otherwise." And I do chastise this government for even bringing this motion forward, because it is done to censure and to whack Bob Runciman as opposed to making this chamber more effective and representative to the people of Ontario.

**Mrs. Christine Elliott (Whitby—Ajax):** I am very grateful for the opportunity to join the debate this afternoon with respect to this government's motion concerning the report of the Integrity Commissioner, Mr. Justice Coulter Osborne, because in my view the issues raised in and around this motion are really of fundamental importance in that they deal with the statements and comments that members of this Legislature can make both within and outside the legislative chamber, and specifically whether there has been a contravention of the sub judice rule.

At the outset, I should state that in no way are any of my comments meant as any kind of a criticism of Mrs. Russo, whose case was the subject matter of this report. Mrs. Russo was the innocent victim of a horrible crime, and her life and the life of her family has been shattered by it in ways that none of us will ever be able to comprehend. No amount of money is ever going to be able to compensate this poor woman for what she has had to go

through, and what the rest of her life is going to be. No one on any side of this legislative chamber would ever begrudge her, I don't think, any of the money that she has been receiving as a result of the agreement that was made. I think this was implicitly acknowledged by Mr. Justice Coulter Osborne in his report when he commented that Mr. Runciman's intentions were good as far as this was concerned, that he did not begrudge her the money; in fact, Mr. Runciman explicitly stated that Mrs. Russo should receive compensation. That's not the debate. What we're looking at here is this government refusing a compromise position for purely political reasons, because they want, as I heard my colleague the member from Renfrew say, to whack Mr. Runciman. Well, they really want to put him on the hot seat for no good reason.

But there are issues that are raised within Mr. Justice Coulter Osborne's report that, with all due respect, we should all be concerned about as legislators in this chamber. I have the utmost respect for Mr. Justice Osborne, but we cannot accept this report and accept that there was a breach of the sub judice rule in this case, because it is a matter of fundamental importance that members should be able to speak out with respect to policies of this government that they disagree with. These are significant implications that we should bear in mind that are not only relevant to members of this Legislature but to members of this Legislature in years to come. I've heard other members, as they have been speaking this evening about it, speak about a slippery slope. I fear that too. I think we need to be mindful of our role as legislators here, and what our responsibilities are to our constituents and to the people of Ontario. I would urge all of the members to vote against this motion.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** In the few minutes that are left I'd just like to say a little bit about this. I am amazed that the Liberal member from St. Catharines would bring this in, because normally he's a pretty good guy, you know. I've been here with him for 16 years, and most of the time he's very easy to get along with. He's very sensitive. But this time something has happened over there. I'm sure it's coming out of the Premier's office, because I know the member from St. Catharines would be easier to get along with and would be able to change this.

But this is censorship, is what it is. In here there are certain words we can't use. I know that the Speaker will bring—

*Interjection.*

**Mr. Murdoch:** No, this is more—

**Mr. Kormos:** What are those?

**Mr. Murdoch:** Well, we can't say "lie" and "deceit" and things like that. We can't say those things, and we wouldn't do that. I find it strange that the commissioner would say these things and want us to accept this. Outside of this House it's going to be difficult for us to say anything from now on. I don't think that's what you want. We are politicians, and from time to time we say

things. This is something even after the court case was done. I find it very unusual that this would happen.

We have a government now governing Ontario that had a lot of promises, and a lot of people out there say they haven't kept these promises. Would you want the Integrity Commissioner to come along and say that this government can't go out and say anything because now they haven't kept all their promises? I would like to bring that point up: Would we want to spend a whole day on a commissioner's report, saying that we've got to censor the government of the day because they said something at one time and then it didn't happen? They have their reasons.

The House leader must be just worried about this. I know, because he's not the type of guy to do something like this, so I'm really puzzled. You know, one of the promises that was made by the Premier now was that we were going to have open government and everyone here was going to vote the way they wanted to vote. This would be something that—

*Interjection.*

**Mr. Murdoch:** I'm hearing from the member from St. Catharines that this is a free vote. It will be very interesting to see how the members across will vote for this. Maybe they'll turn it down. We can only hope that they will do that. But if we're having a free vote that has been yelled about, then I'm happy with that, and it will be good to see how the government votes today. We'll see what happens. Thanks for the time.

**The Deputy Speaker:** Mr. Bradley has moved government notice of motion number 247. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1758 to 1808.*

**The Deputy Speaker:** Mr. Bradley has moved that the Legislative Assembly accept the report of the Integrity Commissioner dated October 25, 2006, and approve the recommendation contained therein.

All those members in favour, please stand one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Gerretsen, John	Parsons, Ernie
Bentley, Christopher	Hoy, Pat	Peters, Steve
Berardinetti, Lorenzo	Jeffrey, Linda	Phillips, Gerry
Bradley, James J.	Kular, Kuldip	Qaadri, Shafiq
Brotten, Laurel C.	Lalonde, Jean-Marc	Racco, Mario G.
Brownell, Jim	Leal, Jeff	Ramal, Khalil
Bryant, Michael	Levac, Dave	Ramsay, David
Cansfield, Donna H.	Matthews, Deborah	Sandals, Liz
Caplan, David	Mauro, Bill	Sergio, Mario
Chambers, Mary Anne V.	McMeekin, Ted	Smith, Monique
Colle, Mike	McNeely, Phil	Smitherman, George
Delaney, Bob	Meilleur, Madeleine	Sorbara, Gregory S.
Dhillon, Vic	Milloy, John	Van Bommel, Maria
Dombrowsky, Leona	Mitchell, Carol	Wilkinson, John
Duguid, Brad	Mossop, Jennifer F.	Wynne, Kathleen O.
Fonseca, Peter	Oraziotti, David	Zimmer, David



**The Deputy Speaker:** All those opposed, please stand one at a time and be recognized by the Clerk.

Horwath, Andrea  
Hudak, Tim

Murdoch, Bill  
Ouellette, Jerry J.

Wilson, Jim  
Yakabuski, John

**Nays**

Barrett, Toby  
Bisson, Gilles  
Chudleigh, Ted  
DiNovo, Cheri  
Elliott, Christine  
Hampton, Howard  
Hardeman, Ernie

Klees, Frank  
Kormos, Peter  
MacLeod, Lisa  
Marchese, Rosario  
Martiniuk, Gerry  
Miller, Norm  
Munro, Julia

Prue, Michael  
Runciman, Robert W.  
Scott, Laurie  
Sterling, Norman W.  
Tabuns, Peter  
Tascona, Joseph N.  
Tory, John

**The Deputy Clerk (Ms. Deborah Deller):** The ayes are 48; the nays are 27.

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

It being past 6 of the clock, this House is now adjourned until 6:45 of the clock.

*The House adjourned at 1811.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman  
Speaker / Président: Hon. / L'hon. Michael A. Brown  
Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma–Manitoulin	<b>Brown, Hon. / L'hon. Michael A. (L)</b> Speaker / Président	Haliburton–Victoria–Brock	Scott, Laurie (PC)
Ancaster–Dundas– Flamborough–Aldershot	McMeekin, Ted (L)	Halton	Chudleigh, Ted (PC)
Barrie–Simcoe–Bradford	<b>Tascona, Joseph N. (PC)</b> Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Beaches–East York / Beaches–York-Est	Prue, Michael (ND)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie (L)</b> Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Bramalea–Gore–Malton– Springdale	Kular, Kuldip (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hastings–Frontenac–Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona (L)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Brampton West–Mississauga / Brampton-Ouest–Mississauga	Dhillon, Vic (L)	Huron–Bruce	Mitchell, Carol (L)
Brant	Levac, Dave (L)	Kenora–Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Bruce–Grey–Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John (L)</b> Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Millroy, John (L)
Chatham–Kent Essex	Hoy, Pat (L)	Kitchener–Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton–Kent–Middlesex	Van Bommel, Maria (L)
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David (L)</b> Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lanark–Carleton	Werling, Norman W. (PC)
Don Valley West / Don Valley-Ouest	<b>Wynne, Hon. / L'hon. Kathleen O. (L)</b> Minister of Education / ministre de l'Éducation	Leeds–Grenville	Runciman, Robert W. (PC)
Dufferin–Peel– Wellington–Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Durham	O'Toole, John (PC)	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglington–Lawrence	<b>Colle, Hon. / L'hon. Mike (L)</b> Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London–Fanshawe	Ramal, Khalil (L)
Elgin–Middlesex–London	<b>Peters, Hon. / L'hon. Steve (L)</b> Minister of Labour / ministre du Travail	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S. (L)</b> Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Erie–Lincoln Essex	<b>Crozier, Bruce (L)</b> Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke Centre / Etobicoke-Centre	<b>Cansfield, Hon. / L'hon. Donna H. (L)</b> Minister of Transportation / ministre des Transports	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Etobicoke–Lakeshore	<b>Brotten, Hon. / L'hon. Laurel C. (L)</b> Minister of the Environment / ministre de l'Environnement	Nepean–Carleton	MacLeod, Lisa (PC)
Glengarry–Prescott–Russell	Lalonde, Jean-Marc (L)	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Guelph–Wellington	Sandals, Liz (L)	Niagara Falls	Craitor, Kim (L)
Haldimand–Norfolk–Brant	Barrett, Toby (PC)	Nickel Belt	Martel, Shelley (ND)
		Nipissing	Smith, Monique M. (L)
		Northumberland	Rinaldi, Lou (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Oak Ridges	Klees, Frank (PC)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Oakville	Flynn, Kevin Daniel (L)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oshawa	Ouellette, Jerry J. (PC)	Thornhill	Racco, Mario G. (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Council, Minister of Research and Innovation / premier ministre et président du Conseil, ministre de la Recherche et de l'Innovation	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa–Orléans	McNeely, Phil (L)	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George (L)</b> Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Oxford	Hardeman, Ernie (PC)	Toronto–Danforth	Tabuns, Peter (ND)
Parkdale–High Park	DiNovo, Cheri (ND)	Trinity–Spadina	Marchese, Rosario (ND)
Parry Sound–Muskoka	Miller, Norm (PC)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Perth–Middlesex	Wilkinson, John (L)	Waterloo–Wellington	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Peterborough	Leal, Jeff (L)	Whitby–Ajax	Elliott, Christine (PC)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Willowdale	Zimmer, David (L)
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Economic Development and Trade, minister responsible for women's issues / ministre du Développement économique et du Commerce, ministre déléguée à la Condition féminine
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy / ministre de l'Énergie
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sault Ste. Marie	Oraziotti, David (L)	York North / York-Nord	Munro, Julia (PC)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Burlington	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	Markham	Vacant
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux	York South–Weston / York-Sud–Weston	Vacant
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		
St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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