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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 4 December 2006

Lundi 4 décembre 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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**LEGISLATIVE ASSEMBLY
OF ONTARIO**

Monday 4 December 2006

**ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO**

Lundi 4 décembre 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

SCHOOL FACILITIES

Ms. Lisa MacLeod (Nepean–Carleton): The time for a new public secondary school in south Nepean is now. We are the fastest-growing community in this province, with the highest birth rate in all of Canada. The people who live there come from all walks of life and from every corner of Canada. Many of our residents are new Canadians and we are so proud of that in the national capital.

Recently, thousands of new homes have been built there, something that people in other parts of Ottawa and Ontario may not know. Presently, parents who have children attending three south Nepean elementary schools—Berrigan, Farley Mowat and Adrienne Clarkson—must choose between sending their children on a school bus to another school zone or to another school board.

The new public high school would educate close to 1,200 students. That is why community leaders like former trustee Norm MacDonald and current trustees Alex Getty and Greg Laws are fighting for this school. So too have all the council co-chairs, led by Scott Towajj and assisted by Wendy Giles and Sylvia Zanetti Kamal.

Our local city councillors, parents and teachers are supportive, and all three community papers—the Barrhaven Independent and Derek Dunn, Nepean This Week and Malcolm MacMillan, and the EMC News and Erin Kelly—have delivered by promoting articles on this issue.

By next Thursday I will have delivered some 1,200 individual signatures on a community-driven petition in this Legislature calling on the province and the board to build this public school—one signature for each student who would attend this school.

The time to build is now, as I've said. Those 1,200 students deserve to be educated in the board of their choice within their own zone.

COLE GRUNDY

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): It's my pleasure to rise in the House today to

congratulate Cole Grundy, a talented 16-year-old grade 11 student at Uxbridge Secondary School, whose winning logo design will be the face of the proposed youth centre in the township of Uxbridge.

In early October, the Uxbridge youth committee called on Uxbridge teenagers to design a logo for the centre. The logo will be used on all promotional and marketing material as well as signage for the centre. The youth committee has encouraged local youth to get involved in every aspect related to the centre, including the planning, fundraising and even the symbol for the centre, which will be recognized by locals for years to come.

With the guidance of an art teacher from Uxbridge Secondary School, high school students created their entries and had them submitted for the October 21 deadline. Cole Grundy was eager to begin his work on the logo independent of assistance, and was the first of 30-plus finalists to hand his entry in.

Cole's winning design was described as "professional and easily recognizable" by youth centre committee leaders. As well, it is said to reflect "the sense of unity and energy hoped for in a youth centre for Uxbridge."

When asked what inspired the design for his logo, Cole specifically mentioned the key element to his design, a house motif, signifying the shelter and safety that the youth centre will provide for local teens.

Cole chose to participate in the contest to build his portfolio for prospective colleges and universities in the future. He, along with fellow students and the rest of the community, are greatly anticipating the opening of the centre. Currently, efforts are being made to secure an appropriate location.

Cole is here with us in the House today, along with his parents, so we congratulate you once again, Cole, for your winning design. As well, I'd like to acknowledge the youth committee for their initiative and commitment in this endeavour for Uxbridge youth.

HIGHWAY 417

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): Since my election to this House in October 2003, I have continued to bring to the attention of the Minister of Transportation the importance of prioritizing the four-laning of Highway 417 beyond Arnprior to Renfrew and beyond.

Finally, we're getting some response from the minister, to the degree that she has actually written a letter to the editor of the Pembroke Observer. She says, "I want to

assure residents and businesses that the Ontario government understands that expanding Highway 17 is important to residents in Renfrew county.”

She is getting the point. However, these are just words written in the newspaper in Pembroke. We need some concrete action.

On Wednesday, I'm going to be meeting with ministry officials to discuss highway improvement plans in my riding of Renfrew–Nipissing–Pembroke. I have repeatedly raised this issue in question period. I have been presenting a petition for weeks now. We have made the point that the economic future of Renfrew county depends on the four-laning of this highway. When I talk to mayors and reeves in the county, they say that this project is the number one priority.

I think the minister should hear the words of Reta Adlam, who says, “Please don't just talk about it or make idle promises for the future.... We in this area, the largest county in the province, demand respect and we demand action now.”

We demand it now. We want an answer on Wednesday that this will, in fact, be in next year's five-year plan.

BRAMPTON FIREFIGHTERS

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): I'm happy to rise in the House and tell you about an amazing occurrence that happened in Brampton last month.

On November 12, fire station 207 got an unexpected visit. After 33 years on the job as a firefighter, Jake Haines thought he had seen it all. But that was before Haines and firefighters Greg Enright, Tom Debski and Rob McMaster were called into action to make a special delivery.

Julie Little, an expecting mother, was at the Georgetown Santa Claus parade with her family when she started having contractions. Andrew, Julie's husband, knew that he would not be able to drive her to the hospital in time, so he did the next best thing: He drove to the nearest fire station. When the firefighters at the station heard the doorbell ringing, they expected anything but this. Within six minutes, the firefighters had delivered a healthy baby weighing seven pounds and 15 ounces.

Firefighters today do much more than fight fires: They aid in bringing new life into this world. I'm glad to stand up here today and share with you this true story of the courage of these Brampton firefighters. What started out as a surprising, unexpected event turned into a test of courage that was inspired and welcomed by a new Bramptonian, a healthy and happy little boy.

ORGAN DONATION

Mr. Frank Klees (Oak Ridges): Every week, people die in this province while waiting for an organ transplant. Yet the only commitment to increase organ donations

they've received from this government and this Minister of Health is the announcement on November 24 of a citizens' panel to hold public discussions on the matter. That announcement is yet another attempt by the McGuinty government to divert attention from its failure to act on what is the most inhumane waiting list in this province today.

1340

In fact, the implementation of a simple administrative measure, a declaration on drivers' licences as contained in private member's Bill 67—which was, I would remind the Minister of Health, unanimously endorsed by all parties in this Legislature seven months ago—could be saving lives today. It has the endorsement of the medical community and has received province-wide public support as well as that of Ontario's Trillium Gift of Life Network. This bill would make it mandatory for anyone applying for a driver's licence to make a declaration relating to organ donation at that time, while respecting the right of each individual to make that very personal decision. They can answer yes, no or remain undecided.

I welcome any step that can be taken to advance the cause of organ donation and I will, for that reason, be making a presentation to the panel myself on behalf of this important issue. But this government's refusal to deal with this issue is unconscionable.

CANADA-VIETNAM BUSINESS MISSION

Mr. Tony Ruprecht (Davenport): I would like to thank the Canada-Vietnam Friendship Association and its president, Mr. Trac Bang Do, for leading a business delegation to Vietnam for the purpose of signing a friendship agreement between Toronto and Ho Chi Minh City and to expand bilateral trade and investment between Ontario and Vietnam.

Last week, I was present when two significant events took place in Hanoi. First, Vietnam joined the World Trade Organization, and second, Vietnam, as the fastest-growing economy in South Asia, hosted the Asia-Pacific Economic Conference, of which Canada too is a member.

As the red-hot economies of the Asian Pacific Rim propel them into the stratosphere, it becomes clear that we need a cohesive strategy which links us up with these hungry economic tigers; otherwise we will be caught in their claws or their takeoff turbulence and our manufacturing base will be left in tatters.

The McGuinty government had some significant successes, especially in the auto sector, but now we need to find ways, in co-operation with the federal government, to encourage private sector involvement.

In a message to the members of the Canada-Vietnam business mission, Premier McGuinty had it right when he said, “This business mission is an opportunity for Ontario companies to develop partnerships in Vietnam which will bring jobs to our province, expand economic development opportunities and create strong ties between our two jurisdictions.”

Let's hope that Ottawa pays attention to the Premier's message.

ONTARIO DISABILITY SUPPORT PROGRAM

Ms. Andrea Horwath (Hamilton East): People who rely on the Ontario disability support plan have a tough time financially at the best of times, but the McGuinty government pushes them into further trouble by issuing ODSP cheques after the date that hydro utility bills are due.

I urge the McGuinty Liberals to work with local utilities to set up a systemic response, addressing the fact that ODSP cheques are not mailed early enough to meet hydro bill payment deadlines. Through no fault of their own, ODSP recipients may be late paying the amount they owe for hydro because their cheques simply don't arrive on time. Then they get defined as "high risk" and must post exorbitant security deposits and late payment charges, which of course they don't have the money to pay.

It should not be difficult for the McGuinty government, through the Ontario Energy Board, to recognize and do something about this very obvious problem. All it requires is better coordination and a government that cares. There are two public bodies involved: the utility and the provincial government. The McGuinty government, the higher order, should take the lead. Let's ensure that no disabled person in Ontario is penalized for a hydro payment that is late because of the government's unsynchronized cheque-issuing schedule.

I suggest that the McGuinty government turn up the heat on hydro utilities and have them develop a policy that when late payments are the result of ODSP cheques arriving after a set due date, those customers aren't put further behind by late payment charges and security deposits.

If the Premier and the Minister of Community and Social Services can't deliver a solution, then the McGuinty government is in fact creating more homelessness and hardship for people with disabilities who rely on them for help.

EVENTS IN STONEY CREEK

Ms. Jennifer F. Mossop (Stoney Creek): I rise today to applaud the efforts of the emergency services in Hamilton who came to the rescue of my constituents in the Greenhill neighbourhood in my riding of Stoney Creek that was flooded during Friday's rainfall and storm.

The water rose so quickly—very quickly—that within an hour cars were being submerged and water was pouring through people's backyards and into their basements. The fire department, police and other emergency services and city personnel acted very quickly to ferry the stranded residents to safety and to help them secure their belongings.

I visited with some of the residents over the weekend as they continued to clean up after the mess that was left behind after the storm. It was a very scary situation for them. I commend them for supporting each other throughout this ordeal. This is the first time that this area has been hit this badly by flooding. I assured them that I would be working with their city councillor, Chad Collins, to ensure that everything possible is done to prevent a recurrence of this situation. I've also written a letter to the Premier and some of our ministers to make them aware of the situation.

Also, on a lighter note on the weekend, I'd like to just say thank you to all the volunteers and all the people who were involved in the two Santa Claus parades that were held in my riding, one in Stoney Creek and one in Grimsby. They were both fabulous, and tens of thousands of people came out to watch. I think anybody who has been involved in the parade knows how much work it is, how much coordination. It takes all year long. They were just spectacular events, so big congratulations to those volunteers as well.

ADVOCIS

Mr. John Wilkinson (Perth–Middlesex): I rise with pleasure today and ask all members to welcome Advocis to Queen's Park, many of whom are joining us in the members' gallery.

Advocacy and professionalism drive the Advocis mandate. As the largest voluntary professional membership association of financial advisers in Canada with more than 5,500 members right here in Ontario, Advocis serves the financial interests of millions of Canadians. Advocis members are expert financial advisers who adhere to a professional code of conduct committed to putting their clients' interests first. Advocis promotes values such as integrity, objectivity, competence, fairness, confidentiality, professionalism, diligence and a promise to abide by all applicable legislation and regulation.

Advocis, as a self-regulating organization, has produced a third edition of its best practices manual. The standards that this manual lays out have been implemented across many practices and disciplines of the Canadian financial services industry. Best practices standards aim to increase the professionalism of financial planners, to the benefit of clients and advisers alike.

As the first certified financial planner elected to the Ontario Legislature and as a member of Advocis for over 20 years, I can tell you that the values of integrity, objectivity, fairness and professionalism I have practised as a member of Advocis have served me well.

Tonight, Advocis, myself and my colleagues the members from Oak Ridges and Beaches–East York are hosting a reception of all MPPs in the legislative dining room. On their behalf, I invite all members to attend and hear how Advocis can help their constituents and communities.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr. Mario G. Racco (Thornhill): I beg leave to present a report from the standing committee on the Legislative Assembly and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Mr. Racco from the standing committee on the Legislative Assembly presents the committee's report as follows and moves its adoption.

Your committee begs to report the following bill, as amended:

Bill 28, An Act to require the taking and analysing of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons and to make consequential amendments to the Health Care Consent Act, 1996 and the Health Protection and Promotion Act / *Projet de loi 28, Loi exigeant le prélèvement et l'analyse d'échantillons de sang afin de protéger les victimes d'actes criminels, le personnel des services d'urgence, les bons samaritains et d'autres personnes et apportant des modifications corrélatives à la Loi de 1996 sur le consentement aux soins de santé et à la Loi sur la protection et la promotion de la santé.*

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

INTRODUCTION OF BILLS

PERIMETER INSTITUTE ACT, 2006

Mrs. Witmer moved first reading of the following bill: Bill Pr31, An Act respecting the Perimeter Institute.

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

Pursuant to standing order 84, this bill is referred to the standing committee on regulations and private bills.

CENTRE FOR INTERNATIONAL GOVERNANCE INNOVATION ACT, 2006

Mrs. Witmer moved first reading of the following bill: Bill Pr32, An Act respecting The Centre for International Governance Innovation.

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

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

MOTIONS

HOUSE SITTINGS

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I

move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 to 9:30 p.m. on Monday, December 4, 2006, for the purpose of considering government business.

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

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1351 to 1356.

The Speaker: Mr. Caplan has moved government notice of motion number 250. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arnett, Ted	Kular, Kuldip	Ramal, Khalil
Arthurs, Wayne	Kwinter, Monte	Ruprecht, Tony
Balkissoon, Bas	Marsales, Judy	Sandals, Liz
Bartolucci, Rick	Martiniuk, Gerry	Smitherman, George
Bentley, Christopher	McMeekin, Ted	Sterling, Norman W.
Bryant, Michael	McNeely, Phil	Tory, John
Cansfield, Donna H.	Meilleur, Madeleine	Watson, Jim
Caplan, David	Miller, Norm	Wilkinson, John
Colle, Mike	Milloy, John	Wilson, Jim
Delaney, Bob	Mitchell, Carol	Witmer, Elizabeth
Elliott, Christine	Mossop, Jennifer F.	Wynne, Kathleen O.
Flynn, Kevin Daniel	Peters, Steve	Yakubuski, John
Fonseca, Peter	Phillips, Gerry	Zimmer, David
Jeffrey, Linda	Pupatello, Sandra	
Klees, Frank	Racco, Mario G.	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles	Horwath, Andrea	Prue, Michael
DiNovo, Cheri	Kormos, Peter	Tabuns, Peter

The Deputy Clerk (Ms. Deborah Deller): The ayes are 43; the nays are 6.

The Speaker: I declare the motion carried.

SPEAKER'S RULING

The Speaker (Hon. Michael A. Brown): I beg the indulgence of the House to take a few moments to comment on and perhaps add some clarity to events last Wednesday during question period.

The member for Leeds–Grenville rose on a point of order during question period respecting comments that were made by the minister responsible for aboriginal affairs. In doing so, the member requested that the Speaker review Hansard, presumably with a view to determining if anything said by the minister violated standing order 23, although not specifically what section.

Let me start by saying that my preoccupation in question period is and always has been to facilitate its progress with as few impediments as possible. In this regard, members will know that I have expressed some intolerance for points of order raised during the hour. Under our standing orders, the time taken for points of order is

included within the 60 minutes allotted for question period, Speakers having consistently encouraged members to, wherever possible, refrain from raising points of order until the completion of question period. This is usually possible unless a point of order raised relates to the process itself and needs to be corrected before we can proceed any further.

This was my motivation in suggesting to the member from Leeds–Grenville that points of order should be raised outside the time allocated for oral questions. It was not my intent to chide the member, but rather, in the face of what I perceived to be a general misunderstanding, to clarify for all members why I have exhibited intolerance with respect to points of order raised during question periods past.

Having said that, my mindfulness of the question period clock may have caused me to rush my response to the point of order raised by the member for Leeds–Grenville without sufficient contemplation and explanation. I would like to now take a minute to do so.

In the course of drafting a ruling, the Speaker may, from time to time, review Hansard in order to confirm his recollection of what was said. This was the process undertaken upon my ruling, for example, of June 21, 2006, to which the member made reference in an open letter to me last Wednesday. So the Speaker may, but does not as a matter of course, review Hansard in a ruling on the orderliness of language used.

This was borne out in several rulings in this House, but most specifically in a ruling by Speaker Warner, dated December 12, 1991, in which he said that “it is basically a question of order at the time when that language that is deemed unparliamentary is used; therefore, it is ... not useful to go back over a previous day’s proceedings and look to see whether ... a term was unparliamentary or parliamentary and that is because the possibility of disorder is then past.”

On the same subject, Speaker McLean had this to say on May 15, 1996: “The Speaker cannot be expected to review Hansard and reflect upon the words spoken. The words have to be heard in the particular context in which they were spoken to determine if they were unparliamentary or not.”

In this respect, our practice in Ontario does differ from the federal House of Commons, where the Speaker more frequently, although even there not in every case, reviews Hansard.

That being said, I’ve had some opportunity to reflect upon the specific words in question, and I have some concern with respect to the language used, whether or not it is in order.

I caution the minister responsible for aboriginal affairs that comments of that sort are unbecoming and make it difficult to maintain any level of decorum in this place. While I appreciate that the minister rose in the House last Thursday to offer an explanation, his remarks the previous day were not helpful in the circumstances.

I am disturbed by the increasing use of intemperate language. There’s frequently a stunning lack of regard for the traditional hallmarks of parliamentary discourse and,

specifically, respect for the Chair and the integrity of all members. To engage in such behaviour is to be destructive not just to the member or members targeted but to all of us and to this institution.

It seems to me that the role of the Speaker has slowly and increasingly become, if you will, that of referee of the first resort instead of referee of the last resort. This House frequently fails to regulate itself with maturity and temperance but rather pushes to and often beyond the limits of everyday civility. In that, we are not alone. Very recently, the House of Commons committee on procedure and House affairs felt compelled to undertake meetings dedicated specifically to the issue of decorum in the House. It is a problem for all of us.

While this place is neither a church nor a classroom demanding the level of decorum expected there, a parliamentary chamber nevertheless requires at least a minimum level of respect and regard for the work that we have all been elected to carry out and the manner in which we do that. The Speaker and members are partners in this endeavour.

For my part, I will endeavour to be vigilant as we go forward and to intervene when I perceive either the use of language or decorum not befitting this parliamentary institution.

I urge all members to recognize that you have a duty in the preservation of order as well.

Finally, to the member for Leeds–Grenville, I assure you that it was not my intent to be dismissive last Wednesday. Feeling aggrieved by remarks made by another member, you stood in your place and you brought them to my attention, as you should have.

STATEMENTS BY THE MINISTRY AND RESPONSES

BOTTLE RECYCLING

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): It’s a pleasure to rise in the House today because in September, our government made what amounts to no less than an historic announcement, one that significantly strengthens our government’s capacity to protect our province’s cherished environment. I am pleased to report on an important step forward.

The province has signed a contract with Brewers Retail Inc. to be the service provider for Ontario’s deposit-return program for wine and spirits containers. In February, Ontario consumers will pay a deposit on all wine and spirit containers purchased in the province of Ontario at the LCBO, agency stores and winery and distillery retail outlets. They will be able to return the containers to the Beer Store for a refund. When the deposit-return program is up and running, Ontarians will be able to participate in a crucial venture: reducing the waste that goes to our municipal landfills.

The Beer Store runs one of the most successful return systems in the world, and it has the existing infrastructure and expertise to implement the new deposit-return program quickly and efficiently. It makes sense to build on the Beer Store's tremendously successful bottle return process. It makes sense to call upon the celebrated marketing expertise of the Liquor Control Board of Ontario. They, indeed, will lead a two-year public awareness campaign to encourage optimum participation in the deposit-return program.

We are very encouraged by the level of support that this initiative brings amongst our key stakeholders, and I'd like to read to you a couple of quotes. This one is from Jo-Anne St. Godard, executive director of the Recycling Council of Ontario:

"The Recycling Council of Ontario applauds Premier McGuinty for demonstrating leadership.... Deposit-return systems have proven their worth when it comes to maximizing the reuse and recycling of bottles.... The proposed deposit-return system is a good step towards extended producer responsibility in this province."

This one is from the president of the Association of Municipalities of Ontario, Mr. Doug Reycraft: "This is an important step for environmental protection in Ontario and good news for municipal governments. It builds on the Premier's commitment to an effective LCBO deposit-return system and will result in a more efficient blue box program in Ontario."

There is more. This one is from Jan Westcott, president and CEO of Spirits Canada. He says, "The McGuinty government is committed to preserving the environment for future generations, and the Ontario spirits industry fully endorses and supports these efforts."

We will continue to work with our partners—the Beer Store, the LCBO and all our stakeholders—to make serious advances in reducing what goes into our landfills. We will continue to count on Ontarians, people who are guided by goodwill toward their environment. This is nothing less than a win for our environment, a win for our municipalities and a win for all Ontarians.

SEAT BELTS

Hon. Donna H. Cansfield (Minister of Transportation): I'm pleased to rise today in the House with an important update on one of the most important pieces of legislation that's been passed by this Legislature this season. Our "one person, one seat belt" Highway Traffic Amendment Act (Seat Belts), 2006, has been proclaimed into law and will save lives in Ontario in the coming months and years. Every driver and passenger must wear a seat belt when travelling on Ontario roads, ending a dangerous practice that has gone on far too long.

It might surprise the members to know that motor vehicle crashes are the leading cause of death and injury for people aged three to 34 and that these deaths and injuries are preventable. We have a responsibility to make Ontario's roads as safe as possible.

In 1976, Ontario was the first jurisdiction in North America to make wearing seat belts mandatory. This leg-

islation will help ensure that this province continues to be a leader in road safety. Since seat belts were made mandatory, the number of people killed and injured in collisions has steadily dropped. For every 1% increase in seat belt usage, five lives are saved.

1410

I'm heartened by the most recent survey by Transport Canada that found that Ontario has the second-highest rate of seat belt use in urban areas in Canada at nearly 93%. That's above the national average of 91%. But we can and we must do more. This government will not rest until everyone who travels on Ontario's roads is as safe as they can be.

As this legislative session draws to a close, honourable members can be proud of the fact that they have helped make Ontario families safer this holiday season.

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

Mr. Frank Klees (Oak Ridges): In response to the transportation minister's statement today, the leader of the official opposition, John Tory, and the PC caucus supported the intent of Bill 148 and the principle of one seat belt per passenger, and we commend the government for taking that initiative. We are always willing to work with the Legislature to make Ontario's roads safer. Indeed, it was the PC government of Premier Bill Davis that introduced seat belt laws in this province some 30 years ago, and Ontario was the first jurisdiction in North America to have done so.

We are, however, disappointed that when we made an attempt to improve this legislation, the government chose to ignore the official opposition. During clause-by-clause hearings, we proposed to improve the bill by protecting owners of classic cars that are not currently equipped with seat belts, and also to eliminate the sweeping regulatory powers this bill bestows on the minister. That is a disturbing trend on the part of this government, and we believe it is not in the public interest.

To quote Oxford Community Police Service Constable Bob McDonald, "It's a shame to see it takes a tragedy to get the ball rolling." He was of course referring to the fatal accident in Caledon that occurred on Saturday, October 14, that finally brought the government to act on this important issue. That truly is a shame.

I want to take this opportunity to call on the Minister of Education. In the same way that they have taken the initiative with regard to seat belts, I am asking her to bring forward Bill 122, the seat belt legislation, which as she knows would in fact save many lives in this province by implementing those measures. By deferring on that initiative, many lives will be lost. I would ask you, Minister, to please bring that bill forward. We would respect you and support you for doing so.

BOTTLE RECYCLING

Mr. Tim Hudak (Erie-Lincoln): I'm pleased to respond to the Minister of Public Infrastructure Renewal's further announcement with respect to the deposit-return system, returns to the Beer Store, which

has been granted the exclusive monopoly in Ontario for all deposits and returns. We look forward to more details from the minister. Certainly, we support initiatives to encourage recycling. The member knows that my colleague and leader, John Tory, had campaigned on the concept of deposit-return as a candidate for mayor of Toronto.

Members will recall that back in January 2005, the then Environment Minister Dombrowsky said that she was exploring a deposit-return system through the LCBO, and the government was proceeding down that path. We've seen Dalton McGuinty perform a flip-flop, I suspect on the spur of the moment, when quite frankly good work on the agencies committee by our members and the Environmental Commissioner put this issue onto the front burner.

The problem was that Dalton McGuinty suddenly announced that the Beer Store would have the exclusive right and then said to the minister, "Now go and negotiate." This is effectively like getting a barrel, putting the government prone over the barrel and saying, "Now go and negotiate." So when the spokesman talks about a \$15-million profit for the Beer Store system—it looks like they're getting a 10-cent return; we don't know if that's on top of or part of the \$15 million—we have to, as opposition members, watch closely to see what kind of sweetheart deal the government ended up giving to the Beer Store because of the awkward negotiating system the government found itself in.

I feel bad for the minister, because he was given his marching orders, I suspect without much consultation, and told to negotiate a deal once it had already been announced.

The minister knows that in other provinces there are private depot systems. There are options in other provinces to take them back to corner stores. The minister certainly knows as well that internationally there are reverse vending machines, where you put the bottles back in the vending machine and receive money in return. But instead of investigating any of these options, which are well-known in other provinces, states and countries, the Premier, for some reason, decided to have an exclusive monopoly contract with the Beer Store. We haven't heard either what the impact is going to be on the craft brewer industry, for example, nor the impact on consumers, many of whom would probably prefer another option to the Beer Store, like they enjoy in other provinces or states.

Certainly I think it would be important for the opposition to inspect the very cozy relationship between the McGuinty government and the big brewers. Hopefully they act in the best interests of taxpayers. But when you see the Premier making this type of announcement and forcing the government into a negotiating corner, you wonder if you have achieved the best results in the interests of the taxpayer or the interests of the environment. So I'll look to see how this is imposed. The sticker system, as originally announced, has been dropped by the Premier. There will no longer be stickers put on the bottles, I guess, as part of the minister's announcement today.

SEAT BELTS

Mr. Peter Tabuns (Toronto–Danforth): I want to address first the comments made by the Minister of Transportation. I'm glad that all parties were able to work together to get this legislation through. But I note that there was a key amendment that was suggested by the Ontario Safety League to increase the effectiveness of the legislation and was put forward by us. The suggestion was that fines for not complying with the act be extended to drivers.

I'll quote Mr. Brian Patterson from the Ontario Safety League, who spoke to the bill in committee. "Although we see strength in this bill, we would propose the following amendments to ensure that the responsibility remains with the driver of the vehicle for those occupying the vehicle. We believe that there should be consequences for the driver, regardless of the age of the occupants, if he or she chooses to operate a vehicle with unrestrained passengers."

That amendment was supported by quite a few people who spoke before the committee. It had a lot of merit, and it's quite unfortunate that it was not passed, not adopted by the government. I see it as a missed opportunity.

BOTTLE RECYCLING

Mr. Peter Tabuns (Toronto–Danforth): Speaking of lost opportunities takes me to the announcement by the Minister of Public Infrastructure Renewal. In 2003, the government in power, the Liberal Party under Dalton McGuinty, promised 60% waste diversion in place within five years of being elected. They promised a ban on organic waste going to landfill. Frankly, if those two promises had been kept, we would have been opening a new chapter in environmental history here in Ontario. But they weren't carried through. In fact, they've been neglected, set aside. Those broken promises have substantial environmental consequences.

So we come to today's announcement. To call this an historic announcement leads one to the ugly sight of the word "historic" being tortured in public. This is not an historic announcement. When you look at the written documents that were given out about this announcement, there's a statement in the compendium that says that this is "part of an overall waste ... strategy."

If you have been in this House when a waste strategy has been presented, I would appreciate it if you would rise and address us, because to my knowledge there is no waste strategy. What we have is a series of ad hoc responses to a profound environmental problem.

That continues on in this sphere. We have a beer bottle return system in Ontario run by the Beer Store that's very effective. It's quite correct to say that it is noted around the world, because it results in the return of something like 96% of bottles, reuse of those bottles, to a significant environmental benefit in terms of avoided dumping in landfill and in terms of reducing greenhouse gases. It is a

very useful program. We didn't get this with this announcement. What we have is a pale copy of that program and, strangely enough, a pale copy that runs through the Beer Store rather than the Liquor Control Board of Ontario, which is owned and controlled by this provincial government. It's straightforward enough to meet with the management of that corporation, tell them the kind of program that's going to be implemented and have them carry it forward. They are people who are used to handling large volumes of products in glass.

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You don't have to go to the Beer Store to do this work. In fact, the LCBO, according to the PIR website, is about a \$3.6-billion-per-year enterprise, one of the largest buyers in the world. If any entity could change the market in North America to require the provision of wine and liquor in standardized bottles that could be refilled and reused, it is this entity. So instead of actually doing something historic, making an impact on greenhouse gas emissions, making an impact on waste diversion, what we get is the Beer Store made into a blue box for the LCBO.

When the government misses these very large, very important opportunities to protect the environment, to protect our pocketbooks in terms of what we spend on waste diversion, it fails profoundly.

CORRECTION OF RECORD

Mr. Frank Klees (Oak Ridges): On a point of order, Speaker: I want to correct the record relating to my response to the Minister of Transportation earlier. In my response, I referred to Bill 122 as seat belt legislation. As she well knows, it's a street racing bill. I wanted to be sure that was corrected for the record.

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

VISITORS

Ms. Cheri DiNovo (Parkdale-High Park): On a point of order, Mr. Speaker: I just wanted to welcome to our galleries members of the Financial Advisors Association of Canada. Welcome.

INTERNATIONAL DAY OF DISABLED PERSONS

JOURNÉE INTERNATIONALE DES PERSONNES HANDICAPÉES

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): On a point of order, Mr. Speaker: I would ask for and I hope we do have unanimous consent for all parties to speak for up to five minutes regarding the international day for the disabled.

The Speaker (Hon. Michael A. Brown): Mr. Caplan as asked for unanimous consent for all parties to speak for up to five minutes on the international day for the disabled. Agreed? Agreed.

Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs): Yesterday marked the United Nations International Day of Disabled Persons. The theme of this year's day is accessibility to information technology. The day is being referred to as "e-accessibility" day.

Here in Ontario, we too recognize how important accessible information and communications are for people with disabilities. Access to information and communications opens up opportunities for everyone. People with disabilities often find themselves at a distinct disadvantage when they are unable to access information, be it in print or electronic formats.

Last month, we began accepting applications for membership on a committee that will work to develop a new proposed provincial standard for accessible information and communications. This standards development committee will be the third committee that we have established under the Accessibility for Ontarians with Disabilities Act in the past year. The first two have been drafting proposed standards in the areas of customer service and transportation.

Comme vous le savez, la loi prévoit l'élaboration de normes provinciales d'accessibilité qui auront une influence sur tous les aspects de notre vie en Ontario. Ceci nous rapprochera de notre objectif de faire de l'Ontario une province véritablement accessible d'ici 2025.

Pour moi, cet engagement a aussi une résonance toute personnelle. Lorsque j'étais conseillère municipale à Ottawa, j'ai eu le privilège de siéger au comité consultatif sur l'accessibilité de la ville. En tant que membre de ce comité, j'ai eu à régler des questions d'accessibilité qui se posaient à un niveau local très humain. J'ai pris connaissance des obstacles que rencontraient chaque jour les personnes handicapées dans leur propre collectivité.

Le comité dont je faisais partie s'est penché sur toutes sortes de problèmes locaux : comment améliorer l'accessibilité des postes d'essence libre-service; comment assurer que les personnes handicapées puissent traverser les rues de façon sécuritaire; comment élargir les trottoirs, pour n'en citer que quelques-uns.

J'ai pu constater à maintes reprises qu'en apportant des petites améliorations dans le fonctionnement d'une collectivité, on contribuait à une meilleure qualité de vie pour les personnes handicapées. Ces petites améliorations peuvent ouvrir la voie à des emplois, à une éducation et à l'établissement de liens sociaux.

Voyant ce qu'il était possible de faire, j'ai eu envie d'en faire plus. J'ai eu envie de mettre à profit les leçons apprises dans ma ville et de les appliquer à toute la province.

I am pleased to say that the first minister's annual accessibility report under the Accessibility for Ontarians with Disabilities Act has been drafted and that, early in the new year, I intend to table it in this House.

The report will give a more comprehensive overview of the progress our government has made this year. It will provide details on how we are working to reach out to different sectors across the province through partnership

programs in order to engage the private sector as well as the public sector in the goal of improving accessibility.

To me, an accessible Ontario is one where everyone has the opportunity to meet their full potential. By working together—the government with the broader public sector, the business community and citizens of all abilities—we can become a stronger, more inclusive society. The legislation gives us the framework. Now it is up to all of us to make the real changes that we need to make.

Mrs. Christine Elliott (Whitby–Ajax): I'm pleased to rise today on behalf of the official opposition to recognize December 3 as the International Day of Disabled Persons.

I will say at the outset that we are fortunate to live in a great province that has been a vanguard with respect to promoting protections for some of our most vulnerable citizens. Under former Progressive Conservative Premier John Robarts, Ontario became the first province to adopt a Human Rights Code, an act which has become virtually tantamount to constitutional legislation.

We have also seen passage in this province of other significant legislation advancing the rights of those with disabilities, such as the Ontario Disabilities Act and the Accessibility for Ontarians with Disabilities Act.

Later today, Bill 107, An Act to amend the Human Rights Code, will be debated for third reading in this Legislature. Although I will not remark on its content at this time, I will say that, given the profound importance of the Human Rights Code to protect and defend the rights of vulnerable people, I would encourage all members of this House, as well as those at home, to watch the debate and carefully consider the remarks of the members who will be speaking.

This year's theme of the International Day of Disabled Persons, e-accessibility, was chosen to both recognize the opportunities rapidly expanding technologies afford to disabled persons and to urge legislators and others to ensure that these technologies are developed in conjunction with open and inclusive policies and practices.

It is without question that information technologies present huge opportunities to better the lives of those living with disabilities, but I would be remiss if I did not underscore the importance of access in this regard. Although there are strides being made to ensure that these technologies are indeed broadly accessible to vulnerable people, there remain substantial issues, such as an inability for adaptive programs to be developed at the rate that technologies become available.

An example of this problem is illustrated by the fact that, according to the United Nations' website, many websites remain inaccessible for the blind. A recent study of the Financial Times Stock Exchange top 100 companies in the United Kingdom showed that approximately 75% of company websites did not achieve basic levels of accessibility. This is an issue that is certainly troubling and requires our utmost vigilance as legislators.

I would like to take this opportunity to report that in my riding of Whitby–Ajax, substantial plans are under

way to build an international centre of excellence in the promotion and development of accessibility and inclusionary practices to be called the abilities centre. The abilities centre will be a world-class recreation, sports, and performing arts facility fully accessible to all persons with a varying degree of abilities and challenges. The abilities centre will represent a paradigm shift, with its focus on promoting abilities rather than seeing disabilities. This will lead to enhanced dignity for the children, youth and adults who will be stakeholders in a facility that welcomes and, indeed, hosts everyone. Social barriers will give way to inclusion because of the integral focus on developing abilities.

Thank you very much for this opportunity to rise today Speaker. I would ask all members to join me in recognizing the International Day of Disabled Persons.

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Mr. Michael Prue (Beaches–East York): Yesterday marked the United Nations International Day of Disabled Persons. Unfortunately for disabled persons in this province and in this country, poverty and disability too often go hand in hand. The disabled make up about one out of every eight people in this province—that is about 12%—but they also make up about one of every five people who is required to get food from a food bank. That is about 20%.

They are unemployed: Amongst the unemployed, disabled are amongst the highest group. When you register them against aboriginals or women or people of colour, the disabled are amongst the highest group of those who find too often that they are unemployed. The good times have come to Ontario, and come and gone, but they were always at the periphery.

On matters such as ODSP, Ontarians with disabilities have got pitiful increases in the last three years and none before that for a number of years: 3% in the first year of this government, zero in the second year, and 2%, which was held back until this month, a period of some eight months.

If you are disabled and if you have children, every month you see the clawback of the monies from the national child benefit taken away from you. The federal government gives the money and the provincial government takes it away.

But you know, it's very sad to see what all governments have done for disabled people. You see, the federal government has axed the court challenges program, taking some \$5 million out of the hands of the disabled that had allowed them to challenge programs and policies which were contrary to their best interests. The province, not to be outdone even for a moment, has axed the many deputants, the 150 or so, who wanted to come forward to talk about human rights under Bill 107. They took away their rights to make a statement of any kind. Those disabled and their representatives have found themselves again on the periphery.

The United Nations talked about e-accessibility. This is a very important concept to people around the world. I'd like to quote from the UN document, in which they

say, “At the First World Summit on the Information Society in 2003, governments expressed their commitment to build a people-centred, inclusive and development-oriented information society, where everyone can create, access, utilize and share information and knowledge. Despite the vision, many persons with disabilities remain unable to take full advantage of the Internet as most websites are inaccessible to the blind and visually impaired, heavily dependent on using the mouse, and training is often conducted in inaccessible formats and venues. As persons with disabilities are amongst the most marginalized in society, many do not have access to information technologies at all. Even those with access to information technologies may not be able to utilize them effectively, as available adaptive equipment cannot keep pace with innovation.”

We need to improve those websites. We need to make them accessible to the visually impaired, to the blind and to all people with disabilities. Equality will come to this province and to this country when there is equality in the workplace. Equality will come here when the disabled are able to obtain information that is necessary in this information society. Equality will come when wages and benefits are brought together so that the gap between Canadians with and without disabilities is erased.

Some 10 years ago, the Supreme Court of Canada had a landmark ruling in which they ruled that sign language had to be made available to those Canadians who were deaf so that they would have equal services in public institutions, in hospitals and in places where sign language was necessary for them to communicate.

I see my colleague and friend here in the Legislature sitting up there today, former member of provincial Parliament Gary Malkowski, the first deaf MPP elected to this province. But it is very sad that he is having to watch the debate with the teletype because there is no interpreter for him in this Legislature. It’s very sad that even after 10 years and the Supreme Court ruling, we still haven’t got our act together.

IAN SCOTT

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): On a point of order, Mr. Speaker: I believe we have unanimous consent for all parties to speak for up to five minutes regarding a former member.

The Speaker (Hon. Michael A. Brown): Mr. Caplan has asked for unanimous consent for all parties to speak for up to five minutes regarding a former member. Agreed? Agreed.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): It is an honour for me to rise today and say a few words about Ian Scott, to pay tribute to Ian Scott.

I recall when I first met him, Speaker. It was the election of 1990—rather dark days for our party, you will recall. It was a challenging time, as I was knocking on doors, not getting a particularly warm response, and just

a short while before that I’d lost my own dad. So it was a difficult time. I was, to say the least, a little bit unsettled but putting on a brave face. I got word that our provincial Attorney General, one Ian Scott, was coming to campaign with me. Now, that was a huge psychological boost. As a lawyer, I had heard about this Ian Scott guy, who was an advocate. As far as I was concerned, as a young lawyer and in my circles, this guy walked on water. As an aspiring politician, I knew of his brilliant public policy initiatives. He was a very progressive thinker who seemed to be able to get things done. In short, I held him in awe. When I met him at my campaign office, he took a quick look at me and said, “So you’re the kid. Let’s go campaigning.”

What most impressed me about Ian Scott during our 45 minutes at Billings Bridge shopping centre in Ottawa South in the late summer of 1990 was not his legal skills; it was not his stature and accomplishments as our Attorney General. What most impressed me was his warm and friendly and completely self-effacing approach to those he sought to serve. Sure, he had lots of steel and an unmatched ability to cut his opponents down to size, and he never, ever backed away from a fight, but above all, Ian wanted to serve others. That’s what impressed me that day. The great majority of people we met that day didn’t even know who he was, but that didn’t matter to Ian. What mattered was that they knew they mattered. Ian taught me in short order that politics is not about you, the politician. It’s not about your talents; it’s not about your accomplishments. It’s about the people you work for.

Ian Scott was one of this province’s finest legal minds. As I said, as a lawyer, I held him in some real awe.

Il était l’un des leaders des plus progressifs et des plus motivés, et à un âge relativement jeune, son leadership m’est apparu comme un exemple à suivre. He was one of Ontario’s most progressive and principled leaders, and he inspired me.

Last but not least, he was a true orator and one of this chamber’s most eloquent voices. When he spoke, it was said it could be like silk off a spool. Shakespeare once said that action is eloquence. Ian took it a step further: He was eloquence in action.

Before entering politics, Ian made a name for himself as a constitutional lawyer, a man with an exceptional mind for detail, an ear for the nuance of language and a big place in his heart for the underdog, the downtrodden, the disadvantaged. As Attorney General, he took action to ensure that everyone got fair treatment under the law. He saw to it that people in the public sector were paid equally. He enshrined in Ontario’s Human Rights Code the principle that no one can discriminate against another human being on the basis of sexual orientation. This was not a purely academic discussion for Ian. Ian himself demonstrated that while our sexual orientation is part of who we are, it has nothing to do with our God-given talents and skills and how we choose to use them. Ian would have us understand that he was never a talented gay man; he was a man with tremendous talents, and he chose to put those to the service of others—a man who

happened to be gay. And we honour Ian Scott by bringing this perspective to our work on behalf of all Ontarians, regardless of their sexual orientation.

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Ian took an activist approach to the law. He abolished appointments as Queen's Counsel, introduced freedom-of-information legislation and introduced an independent, arm's-length panel to appoint judges.

When he left public life, Ian returned to practising law and teaching and mentoring a new generation of civic-minded young people. Even after a stroke made it difficult for him to speak and get around, he still made his presence felt here in this Legislature by lending his support to a barrier-free Ontario for the disabled.

These are truly remarkable accomplishments, but Ian had something else, a quality that was even more impressive than his CV, a quality that led people on both sides of the House to admire him and earned him the enduring, enthusiastic respect of his peers: courage—the courage to stand up for what was right even when what was right wasn't popular, the courage to insist that in his work, his sexual orientation was just not relevant and the courage to fight back from illness to continue being a contributing and productive member of society.

Ceux et celles d'entre nous qui l'avons bien connu ressentent fortement le poids de sa disparition. Those of us who had the privilege of knowing him well miss Ian very much, and we understand how important Ian's family was to him. I know we all share his sister Martha's regret that she couldn't join us today, but we are honoured to have his brothers Brian and David and his sister Nancy with us here today, as well as his friends Genie Thomas and Neil McCormick.

Speaker, you should know that David Scott is to the Ottawa legal community as Ian Scott was to the Toronto legal community. I once raised this issue with Ian. I said, "Ian, why is it that you came to Toronto and your brother David stayed in Ottawa?" He said, "That's easy. Toronto had first pick."

I am pleased that family and friends are here today, and on behalf of all Ontarians we thank them for their support, their care and their love of our friend Ian Scott. You should know that your loss is Ontario's loss too.

Mais, monsieur le Président, je pense—non, je sais—que l'Ontario est une société meilleure, plus juste et plus forte parce que Ian Scott en a fait partie. Ontario is a better, more just and stronger society today because of Ian Scott: because of his eloquence, because of his action, and because of his courage. His career and his example are a reminder to all of us, each of us privileged to sit in this House as a representative of our people, that what binds us together, our shared calling to serve the people of Ontario, is greater than the parties that separate us, and that we are not here to serve some abstract ideology; we are here to serve our people with every gift and talent at our disposal: our hearts, our minds, our unfailing energies. It seems to me that was the benchmark set by one Ian Scott, and that is a standard to which each of us must strive.

Mr. John Tory (Leader of the Opposition): I rise to join the Premier and Mr. Hampton in paying tribute to the late Ian Scott. On the day of his passing, I was quoted accurately as saying he was a wonderful and courageous and funny and smart and dedicated man. That may seem unusual coming from someone in another political party, but I really liked this man. I really admired this man, even if I disagreed with him on issues from time to time.

Much of that affection and admiration in my own case came from a long time before politics for both of us. As a young lawyer in 1980, I was junior to Bob Armstrong, now a justice on the Ontario Court of Appeal, and we prosecuted doctors in front of the discipline committee of the College of Physicians and Surgeons. The discipline committee consisted then, as I think it still does today, of doctors and lay people, not lawyers, and as a result there was no judge who could deal with legal issues that arose during the course of those hearings. That job was given to Ian Scott. What an experience—it really is similar to what the Premier had to say—for a first-year lawyer like me to watch him argue a point with legal counsel in front of that tribunal, but perhaps even more importantly, to watch him dispense advice and in effect rule on legal points. He was articulate, he was balanced and, even in those very difficult circumstances, often in those cases that were complex and difficult for all concerned, he was witty. He went out of his way to teach me, as a young lawyer who was there, a brand new lawyer, to explain things to me and quite frankly to kid me about my misguided political ways. I don't suppose I recognized until much later how lucky I was to have even had those brief exposures to Ian Scott as a teacher, as someone who taught me about the law.

In public office, he was a fighter for progressive change and played a role as such within his party, an important role which every political party needs, without exception, to push back against the inevitable influences of the status quo. His many public policy legacies are prominently on display still to this day in the statutes of this province and have passed the test of time very well indeed. As a parliamentarian—and I had the chance not just to watch him on television but I was here during some of the early years, helping Larry Grossman and others, when he was in Parliament here—he was, in my view, without peer in his generation. I watched some old question period tapes in preparing to come here for the first time, and it was wisely suggested by a number of people on all sides that I should watch as much Ian Scott as I could, both asking and answering questions.

I thought the very best of many good obituaries about Ian Scott was written by Jim Byers in the Star. It included what I thought was a very short but incredibly accurate description of Ian Scott in the Legislature, and I want to quote from it. He said, "In the Legislature, Scott was daily theatre, sometimes sighing slightly as he rose to answer questions, pitying his overmatched interlocutor, fingering his bifocals as a prop, habitually licking his lips in preparation for the oratorical kill." And you know what? As I thought about it, I remembered all of those

things: the licking of the lips, the fingering of the glasses and how he really did look like he was taking pity on someone he was about to do in. It was an entirely accurate, very short description of Ian Scott here in this Legislature.

What was perhaps talked about the most in the articles written about him was his courage. He was a courageous lawyer. And he was a courageous lawyer in many different places; for example, arguing personally Ontario's case on separate school funding in the Supreme Court of Canada. That was something he took a personal risk to do. He was, as I mentioned, a courageous legislator, and many evidences of that rest on the books of Ontario today. In his own way and in his own time, as the Premier mentioned, he was courageous in how he handled his personal life within the context of what is sometimes a bit too public a public life, as we all know.

But the greatest courage of all came following his stroke, when he once again led by example, never giving up, never showing any wavering from that classic determination that he had. I noticed that the twinkle never went out of his eye and that smile was never off his face when there was an occasion to smile, so that even if he couldn't speak the words, which was really one of his greatest gifts earlier on, he could convey a lot of messages with the few words that he did speak and with that smile and with that twinkle in his eye.

Dans sa vie professionnelle, en public et en privé, la façon dont il a relevé les défis de la vie, Ian Scott a été un exemple. In his professional life, in his public life and in his private life, in how he handled some of life's biggest challenges, Ian Scott was an example. Notwithstanding our partisan differences, we were friends. I'm very glad I had the chance to work with him. I'm only sorry I didn't get the chance to serve here with him within the context that the Premier mentioned today. I'm very happy to have had this chance to stand here today to thank his family and to thank him for a life too short but very well lived.

Mr. Howard Hampton (Kenora–Rainy River): I am also pleased to be able to say a few words about the contribution of Ian Scott to this Legislature, to Ontario's legal system and to Ontario in general. I first met Ian Scott under what might be called by him some embarrassing circumstances. This was shortly after the 1985 election. At the time, the New Democrats and the Liberals had written an accord, and the accord called for a number of measures to be implemented in law in Ontario. Ian Scott had been sworn in as Attorney General, and he actually came to my part of the province to announce a new community legal clinic. I had been one of the people who had been part of the group that had been struggling to get the legal clinic established for some time. When the announcement was over, Ian Scott came over and shook my hand and wanted to know what I did. I said, "I'm a lawyer. I practise here." He said, "Well, we're looking for a candidate to run here in the next election." I wasn't sure what to say, so I didn't say anything, at which time he tried to interest me in running as the

Liberal candidate. After this had carried on for a few minutes, I said, "Well, sorry to inform you, Mr. Scott, but I'm running as the NDP candidate."

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I paid for that from 1987 to 1990 when I was the NDP critic of Ian Scott, because there were a number of measures that Mr. Scott had before the Legislature, and of course part of your job is to ask questions and, from time to time, to offer up a critique. So, as Mr. Tory has described, I got to experience the licking of the chops, the anticipation of the response that was designed to poke fun at the questioner. I must say, though, that I enjoyed every bit of that work, I enjoyed those three years because it was a very interesting time in terms of things that were introduced, debates that happened and things that were passed in the legislation.

I want to give credit to Ian Scott. He introduced Ontario's first freedom of information act as part of the NDP-Liberal accord. But if we think about it today, it's hard to imagine now how 20 years ago it was virtually impossible for members of the public to obtain even basic information about what their government was doing. Now we do freedom of information requests all the time, much to the embarrassment of the government.

He also introduced Ontario's first pay equity bill, again as part of the New Democrat and Liberal accord. It was a bold step towards equality in this province and it made a huge difference in the lives of thousands of working women. Again, it's hard to imagine today how groundbreaking this was at the time. With much pain, he overhauled Ontario's family law system, and part of what we debated here between 1987 and 1990 was, again, some of the changes that were not done easily and sometimes were done with much disagreement. And he amended Ontario's Human Rights Code to ensure that no citizen of Ontario could be discriminated against on the basis of sexual orientation.

One of the most interesting times for me, though, was immediately following the 1990 election. About three weeks after the election, I was in my office—no cabinet had been selected—and I was told that Ian Scott wanted to talk to me on the phone. So I answered the phone and we exchanged pleasantries and he said, "I want to talk to you about some issues at the Attorney General." I said, "Oh, okay." He said, "Where do you want to meet?" I said, "Well, I'll come over and meet you." So I went over to what was then going to be his MPP office, and first we talked about the election. I said, "When did you first think you were in trouble?" He said, "The very first day I went out and canvassed. I tried to talk to somebody about the Constitution and they slammed the door on me. I realized then that the public of Ontario was going one way on the Constitution and the Peterson government was going another way and we were in big trouble."

But the second thing he wanted to talk about was—he said, "I think you're going to be the next Attorney General, and I want to talk to you about some of the things that are going to fall on your plate. One of them is the Askov decision, which I expect the Supreme Court of

Canada will bring down about two or three weeks after you become Attorney General. I just want you to know that it was the Conservatives' gift to me and now it's my gift to you." Some gift it was. Literally, we had about 15,000 criminal charges that were in danger of being thrown out of our courts virtually overnight. But he was very gracious about it and said, "Look, we have been underfunding our court system for many, many years. I was not able to get all the financial support from my government. Now it's a crisis, and this will have to happen."

He was also very gracious about explaining to me where some of the other land mines lay in the ministry of the Attorney General and what he thought had to be done. I thanked him for that. I didn't thank him after that when he became my critic as the Liberal spokesperson on Attorney General issues.

We have, indeed, lost someone who made a huge contribution to Ontario. As much as Ian Scott loved the debate and took no prisoners in the debate, at the end of the day for him it was very much about doing the right thing for the people of Ontario. If we reflect on his record and reflect on all that he did here and before coming here, and the tremendous struggle that he put into life after leaving here, we would all agree we have lost a great Ontarian and somebody who is worthy of all of our respect.

The Speaker: I will see that the Hansard of today is forwarded on to the family.

VISITORS

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I know this is not a point of order, but I'd very much appreciate having the opportunity to introduce Nana and Ben Curtis from the wonderful riding of Scarborough East. Their son Andrew is serving us well as a page in this session of the Legislature.

ORAL QUESTIONS

CHILDREN'S AID SOCIETIES

Mr. John Tory (Leader of the Opposition): My question is to the Premier. Earlier today I sent the Premier a letter advising him that I would be asking some questions today about the issue that arose in the House last Thursday with respect to reports of gross mismanagement of money within children's aid societies.

The Minister of Children and Youth Services refused to answer questions that were asked of her at that time, stating that she could not comment on the auditor's report before it was released. Without in any way asking for comments on the findings of the Auditor General, which of course we'll all see tomorrow, will the Premier please tell us on what specific date his government first had any information of any kind from any source which sug-

gested questionable spending of taxpayers' money by children's aid societies on things such as expensive cars, trips and gym memberships? What was the specific date on which his government first had information with respect to this kind of questionable spending?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I, again, appreciate the advance notice of the leader of the official opposition's interest in this issue. I do not doubt for a moment his sincerity in obtaining some of the details in which he is so greatly interested. But I say this: Out of respect for both this Legislature and the Auditor General, what I can say is that after we received information from the Auditor General—we received a draft report—I can tell you that the minister quickly began to get to work on this. She has met with representatives of the children's aid societies, and she has an announcement to make in this House tomorrow. We think that's the appropriate place for her to make that announcement. We think we owe the Auditor General the courtesy of allowing him to present his formal report first thing tomorrow. We think that is the appropriate way in which we should proceed in the circumstances.

Mr. Tory: We all want to, probably no people more so than the opposition, give the Auditor General the courtesy of presenting his report. But in your answer just now—in the Premier's answer, Mr. Speaker—you implied that there was some date in the past before last Thursday, which is the day the media reports arose on this matter, on which the government knew about allegations of misspending on the part of children's aid societies across the province, taxpayers' money that was meant to go to vulnerable children and families and in fact went to buy expensive cars, gym memberships and trips to the Caribbean.

We know that the minister received quarterly reports from the children's aid societies. We know, because the Premier just made allusion to it, that there was a draft report from the Auditor General. All we're after, and it is not discourteous to the Legislature or to the Auditor General, is to know from you—and you seem to have some idea of the date, I say to the Premier—what was the date on which your government first knew of the information with respect to allegations of misspending? What was that date? We want to know that, and I think we're entitled to know it. I would hope the Premier could answer that question.

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Hon. Mr. McGuinty: The case that the leader of the official opposition here, of course, is trying to build is that somehow we were negligent or irresponsible in failing to act on information when we first received it, and I understand why it would be in his interest to try to put forward that case.

Without getting into the details of the announcement for tomorrow, I would ask Ontarians to look at what we've done as a government. We have created the first-ever Ministry of Children and Youth Services. We have passed legislation allowing, for the first time, the Auditor

General to look at the books of the children's aid societies. In 1994, 1997, 1999, 2000 and 2002, the Auditor General looked at the child welfare program and protection services but he couldn't get access to the children's aid societies. We have changed that so that he has access to those particular files. The minister has also recently introduced independent child advocate legislation so that never again will Ontario's child advocates be muzzled by the government of the day.

I think our actions clearly demonstrate our commitment to Ontario's children, particularly those who are vulnerable and who are under the responsibility of the children's aid societies.

Mr. Tory: What we're seeking here is a date. I don't know how the Auditor General's report coming out tomorrow and an announcement the minister is going to make tomorrow, or any of the other things you've talked about, many of which went on in the past, have anything to do with the Premier's giving a specific answer to a very specific question that I had the courtesy to supply to him in advance.

You're talking all around the fact—the Premier is, Mr. Speaker—that there is a date you could name on which people in your government knew of these allegations of misspending. It's not about who set up a ministry and it's not about who allowed the Auditor General in to look at these books; it is about the day on which you were informed of allegations of misspending of taxpayers' money meant for vulnerable children. All I'm asking you to do is to have the courtesy—when we talk about courtesy—to tell this Legislature: What was that date? When did your government know about these allegations, and ideally from whom? But let's just start with the date: When did you know, and why won't you tell us?

Hon. Mr. McGuinty: The leader of the official opposition is focused on a particular date. We're focused on getting results for Ontario's children. That's the difference.

There are five important things that I would speak to in terms of demonstrating our resolve to support and lend assistance to Ontario's vulnerable kids. Again, we've created the first-ever Ministry of Children and Youth Services. We've passed through legislation allowing the Auditor General to look at the books of the children's aid societies. We've passed Bill 210, legislation to create an independent appeals process for children's aid society complaints to the Child and Family Services Review Board. Fourthly, we've introduced independent child advocate legislation, and we hope we get the support of the opposition parties in that regard. And finally, tomorrow in this House, the Minister of Children and Youth Services will make an announcement fully responding to the concerns raised by my friend today and, more importantly, the concerns raised by the Auditor General.

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

Mr. Tory: My question is to the Premier, on the same subject.

I would point out to him that the first minister responsible for children in Ontario was Margaret Marland, appointed by a Progressive Conservative government.

I would make the case that, in refusing to name a date, what you're really calling into question is whether you're serious about doing all of these things for real that you talked about, because this speaks to the question of money being misspent that was meant for the vulnerable children. It's being misspent, and you won't even answer with the date on which you first found out it was being misspent or if there were any allegations brought to your attention.

I gave you advance notice of a second question, and you have suggested that there was some date which you won't share with us for reasons best known to you. Let's try the second question, which is: On that date, which you won't share with us, what specifically was done by your government, by the minister, by you or your office? At that time, what specific steps were taken? What meetings were convened? What instructions were given to stop this kind of misspending on cars, trips and gym memberships of money that was meant for the children of Ontario?

Hon. Mr. McGuinty: A few things: First of all, I beg to differ in terms of the categorization of Margaret Marland's responsibilities. That was a secretariat. There was no line item in the budget devoted to that, no staff, no real effort made to address that issue. I think it's important to keep that in mind.

Secondly, I think it's appropriate that we allow the Auditor General to present his report in the first instance. What I can tell the leader of the official opposition is that, upon receiving the information, the Minister of Children and Youth Services began immediately to put together a plan. She met with representatives of the children's aid society. She's going to make that plan public tomorrow.

I think we owe that, as a modicum of courtesy to the Auditor General, to allow him to present his report and for us to formally respond to that report once he has done so.

Mr. Tory: I find it fascinating that you can get up and respond directly to the comment about Margaret Marland but you can't answer a direct question which I provided you with advance notice on, and now a second direct question. And I want to repeat it. It's fine for you to say that somebody's coming here tomorrow to say something about all this. You have now suggested, first of all, that there was a date on which your government knew about these allegations of misspending. All I'm trying to get at now is: If you could give us the date, that would be great. But secondly, what we want to know is: On that date, whenever it was—and especially if it was a long time ago, but whenever it was—was there action taken at that time, not an action plan that's been cobbled together because of a bad day in the House last week or because the Auditor General or a media outlet got on to you about it? When the government first knew about cars and trips and gym memberships being purchased with money that

was meant for kids, what did you do about it at that time on that day to say no to that kind of misspending of taxpayers' money? That is the question. That is a question that families out there want to know about. It's a question—

The Speaker: The question has been asked.

Hon. Mr. McGuinty: I disagree entirely with the leader of the official opposition. I don't think families want to know anything about the internal process and the machinations of government; I think they want to know specifically what we're going to do in response to the information which we made available by changing the law in Ontario so that the Auditor General, for the very first time, has access to the children's aid society books. The only reason that he's able to come up with this information and to present these facts is because we invited him to do so. He was never permitted to do so in the past under the Conservative or NDP governments. We've changed the law in Ontario so that the Auditor General has access to that information.

We want to put in place a higher standard. Tomorrow we'll be announcing what we're going to do in terms of putting in place that higher standard. We deplore the kinds of events that were brought to the light of day because of the Auditor General's new authority, and we'll be acting on that directly tomorrow.

Mr. Tory: We'll all look forward to that, but at the end of the day it still leaves the question as to why you won't share with us—this could have been going on for months; it could have been going on for years. It may well be that the government first learned of this long before the Auditor General had the power to look into this. That's the part that you won't tell us. The Minister of Children and Youth Services said last week that we should all relax about this. She said she had nothing to hide. If that's so, why are you hiding the date on which you had this information made available to you for the first time, and why won't you tell us, as of that date—not tomorrow. It's fine to bring in an action plan after the Auditor General reports. What we want to know is, when did you first know about this? And by the way, I think people out there are very interested in knowing if, for months and months and months, their money was being spent on cars and trips and gym memberships. They're very interested in knowing: When did you know, and at that time, what did you do to put a stop to it?

Hon. Mr. McGuinty: I think that one of the things Ontario families want to know is, where was the indignation, where was the expressed concern, in 1994, 1997, 1999, 2000 and 2002 when the Auditor General looked at the child welfare programs in Ontario and their protection services but he couldn't get access to the children's aid society files? He couldn't because they wouldn't let him get access to that information. We've changed the law in Ontario. We've invited the Auditor General to come in. We said, "Please tell us exactly what has been going on there for years and years and years. Bring that information to the light of day. Bring that to us so that we can make that public. Let us develop a plan, let us act on

that." That is exactly what has happened, and that's what's going to happen tomorrow in this House.

The Speaker: New question.

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Premier, last week the people of Ontario learned that more than \$1 billion of children's aid funding is being spent with little oversight by the McGuinty government, and that some of that money was being spent on luxury cars and on exotic trips instead of helping Ontario's most vulnerable children.

My question is about one of the children who fell through the cracks. Jeffrey Baldwin died because the children's aid society failed to check the criminal records of his grandparents, who were convicted child abusers. My question is this: Has the McGuinty government done anything to follow up on that tragedy? What have you done to ensure that all foster parents in Ontario have a criminal records check conducted on them before they receive children in their care?

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Hon. Mr. McGuinty: To the Minister of Children and Youth Services.

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): First I'd like to suggest that this is a case that is currently in the appeals process. The leader of the third party would probably know that the coroner has also expressed an interest in conducting an investigation here. It is very important that we allow that process to go forward.

In terms of the types of things that we are doing to protect children, the Premier has mentioned several. One that I will add, which is one that we added in February of this year, was the deployment and implementation of new regulations that are intended specifically in cases of kinship care, where societies are required to do background checks on every single adult in a prospective home, regardless of where that adult has lived currently or in the past.

Mr. Hampton: One day the minister says she doesn't want to comment on the auditor's report, and then she says she doesn't want to comment on criminal record checks. I'm not asking you about Jeffrey Baldwin; I'm asking you, are we seeing criminal record checks now in the aftermath of that unfortunate event? We know that in fact you're not conducting criminal record checks in all cases. We know that. We know that placement decisions have gone undocumented, that agreements between foster parents and children's aid societies were lost or unsigned, that visits by children's aid society resource workers never happened when they should have, and that some foster parents didn't receive necessary training. This is still going on under the McGuinty government.

My question is to the Premier. After the tragic death of Jeffrey Baldwin, why didn't the McGuinty government take action to make sure that proper procedures for recruiting, approving, training and monitoring foster parents were followed up and documented?

Hon. Mrs. Chambers: Again, I cannot comment on anything related to the case that the leader of the third

party is referring to. If I could comment, I would correct some of what he just said, but I cannot comment on that case.

I can also tell you that there was no common information system for children's aid societies whereby they could do this kind of work in the past. This is something that we inherited and are working really hard to address: a single information system that will allow individual children's aid societies to inquire on cases in other children's aid societies with specific time frames.

In addition to that, Bill 210, which the Premier made reference to, includes a new, independent, neutral third-party complaints process whereby a wide range of complaints can be brought forward—

The Speaker: Final supplementary.

Mr. Hampton: Again, I'm not asking about Jeffrey Baldwin; I'm asking about what the McGuinty government has done as a follow-up from that unfortunate incident. Jeffrey Baldwin died a few years ago. You've had a lot of time to get the proper procedures in place. But we know that there has been a lack of oversight, and this has resulted in kids waiting too long for help from children's aid societies, in some cases with more tragic consequences.

One child, whose aunt and school principal called the children's aid society, waited 19 days to see a case-worker. Meanwhile, that child was physically beaten again and again. Another child waited five months, and a third child had moved out of the jurisdiction by the time front-line CAS workers got to the child.

Premier, don't you agree that children's aid societies should investigate, assess and document all referrals promptly?

Hon. Mrs. Chambers: Even though the leader of the third party suggests he's not asking about a specific case, he continues to cite examples of or make references to that case. He will not—he will not—have me fall for that.

I want you to know that every single tragic event is indeed more than tragic. We are firmly committed to the idea that a child in need of protection is supposed to be better off because the child protection system in this province has been involved in their life. Every single one of those situations is tragic. Having said that, although I believe child protection service workers—I also want to recognize that this is a very, very difficult line of work. I kind of suggest that they do God's work, but I know they're not well loved. But the almost 300,000 kids who are served by our children's aid societies every year appreciate that—

The Speaker: Thank you. New question.

Mr. Hampton: Again to the Premier: Your government has had several warnings about problems and challenges at children's aid societies. The unfortunate death of Jeffrey Baldwin was just one of too many.

Then we have heard from the Ombudsman, who for over a year now has come before your government and said, "There are serious problems here. I want to have independent investigative oversight authority of children's aid societies so we can get to the bottom of some of the problems."

Your government has had several warnings from people who have credibility. What I'm seeing here today, and what we saw last Thursday, is the McGuinty government trying to hide behind reports. I want to know, why hasn't the McGuinty government already taken action to protect these vulnerable children? Why have you allowed needed government funding to be used in ways that haven't protected vulnerable children?

Hon. Mr. McGuinty: The leader of the NDP said that we're making efforts to hide behind reports, I gather to hide information or hide activities of some kind or another. The fact is that we brought more transparency than any government ever before to child protection services in Ontario.

Again, the first thing we did was establish a Ministry of Children and Youth Services. We passed a new law allowing the Auditor General to get access to children's aid societies' books—the first time ever. We've passed legislation to create an independent appeals process for children's aid society complaints to the Child and Family Services Review Board. We have introduced just recently independent child advocate legislation. Never again will Ontario's child advocate be muzzled by the government of the day. Tomorrow, the minister responsible for children and youth services will be disclosing yet more steps in our plan to strengthen child protection services in the province of Ontario.

Obviously, I strongly disagree with the leader of the NDP's perspective that somehow we are hiding things from Ontarians.

Mr. Hampton: Let me ask the Premier this question, then. The Ombudsman, who has excellent credibility in terms of doing the investigative work, who has a staff of people who have the expertise, has been asking your government not once but repeatedly over the last year for the authority to conduct investigative oversight of children's aid societies. Your government has voted against motions to do that. You have denied the need for that when we've asked here in the Legislature. Yet there has been warning after warning that there are some serious problems at children's aid societies and that children are being put at risk, and unfortunately some children are dying.

You claim that you've taken action. Can you tell us why you've denied the Ombudsman the authority to do this kind of investigative work when some of these issues could have been headed off over the last year?

Hon. Mr. McGuinty: The leader of the NDP is apparently unsatisfied with the fact that we've created Ontario's first-ever Ministry of Children and Youth Services, something he himself would not do when they were in government. He said he's not satisfied with the fact that we've allowed the Auditor General to look at the books of children's aid societies, something that he himself would not do in government. He said he's not happy with the fact that we've introduced legislation that will create an independent child advocate, something that he himself would not do in government.

I wonder how many legislative officers—something tells me that if we put in the Ombudsman, he would say

that still was not enough. He'd dream up some other individual.

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We think we're on the right path. We think we've brought unprecedented levels of transparency. We think we've taken unprecedented steps to improve the quality of protection that we're providing for Ontario children. Tomorrow in this House, the Minister of Children and Youth Services will be disclosing still more steps in our ongoing plan to protect children in the province of Ontario.

Mr. Hampton: You may think it's a brilliant political strategy to try to blame an event which may or may not have happened 15 years ago for the fact that children are still at risk today, but let me tell you, Premier, to people out there who see children at risk, children's aid society front-line workers who see children at risk and don't see the resources necessary to address that, they take no comfort in your answer.

The reality is that in your fourth year of government you've had several warnings from several different agencies, from the courts, from the Ombudsman of Ontario, saying that there are very serious problems with a number of children's aid societies across the province. Here we are in your fourth year of government, and you have still not taken effective action.

When is the McGuinty government going to stop hiding behind reports and start taking the action that's necessary; for example, give the Ombudsman the authority he has requested to do the independent investigative and oversight work that our children's aid societies so obviously need?

Hon. Mr. McGuinty: We're not going to do that. We have a different approach. We think it's intelligent and we think it's responsible. We have created a Ministry of Children and Youth Services. We've passed new legislation allowing the Auditor General to conduct these kinds of investigations. We've introduced yet still more legislation, a new bill just recently that will create an independent child advocate.

The leader of the NDP raised the notion that somehow there may be an issue of resources connected with the children's aid societies. That's not my sense of what little information we have received from the Auditor General so far.

I do want to remind the leader of the NDP that, in government, they cut children's aid society funding. I just want to make sure Ontarians understand where this government and this particular minister are coming from when it comes to supporting quality improvements in the services we provide to Ontario children in need.

Again, tomorrow in this House the Minister of Children and Youth Services will be making an important announcement about more steps we'll be taking in response to the Auditor General's report.

BOTTLE RECYCLING

Mr. John Tory (Leader of the Opposition): This question is for the Premier. It's been nearly three months

since the government hastily brought out a bottle-return program, announced on a Sunday in September when the Premier was taking his beer bottles back. At the time, we raised concerns here in this House about the fact that the details weren't thought out, another example of the willingness of the McGuinty Liberals to say anything on a topic.

Specifically, I asked the Premier about the 237 million wine and spirit bottles that would be sold between the date of the announcement and the effective date for the program which had been announced, and I asked him what he was going to do if people started saving their bottles for return in February. He said, "... he should not begin to save up his bottles," referring to me. "What I can say is that bottles that will be covered by this new return policy will be specially marked. They will be specially identified."

Now we read in the *Globe and Mail* this past weekend that there is no such plan to mark these bottles, so my question is this: What plan is in place to cover the tens of millions of dollars in uncollected deposits that people will be expecting back when they go into the Beer Stores after February 1? What is the cost to the taxpayers of this oversight, of your not having any plan or any answer as to what you're going to do about this?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The Minister of Public Infrastructure Renewal.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I thank the member for the question, because this is an historic moment of leadership in this province, to finally introduce a deposit-return system, something that both previous governments refused to do.

In an earlier response to the statement, the member opposite asked, how are the craft brewers going to feel about this particular contract? I'd like to read a quote from John Hay, president of the Ontario Craft Brewers: "The Ontario Craft Brewers are impressed with the level of transparency and accountability built into the government's contract with the Beer Store. It sets a great precedent. The government has worked very hard to negotiate a fair contract with its service supplier—a contract that supports our shared commitment to supporting environmental protection in Ontario."

So in answer to the member's question, there are the appropriate transparency and accountability provisions as evidenced by support from John Hay of the Ontario Craft Brewers. If the public wishes to see it, of course the contract is—

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

Mr. Tory: Only the McGuinty Liberals could turn a historic moment of leadership into a historic moment of incompetence. It's going to be incompetence. That is because they think the taxpayers' money is just monopoly money; it's just play money and doesn't really matter.

The *Globe and Mail* said on the weekend: "Indeed, there is nothing in the plan to stop them.... The govern-

ment abandoned plans to institute a sticker system that would identify only those bottles purchased after Feb. 5 as too costly.

“It is now considering passing a regulation that would prohibit returns of bottles purchased before Feb. 5 but a spokeswoman acknowledged it would be difficult to enforce.”

This could cost the taxpayers tens of millions of dollars due to people hoarding bottles. Indeed, the Brewers Retail is about to go out and advertise, saying to people, “Collect up your bottles and save them up and take them in.” These are bottles on which people have paid no deposit, but they’ll be able to collect one back. It’s taxpayers’ money. How could you possibly enter into a scheme where you have no answer as to what is going to happen with these tens and tens of millions of dollars of taxpayers’ money that could be paid out to people who bring in bottles on which they have paid no deposit? How could you be that incompetent?

Hon. Mr. Caplan: It gets better because, in fact, Doug Reycraft of the Association of Municipalities says that the LCBO deposit return makes good environmental and economical sense for Ontario’s municipalities. The only one who seems opposed to a deposit-return system is the member opposite. One day he was in favour, now he’s opposed.

But it gets better: Former Conservative member, now Niagara regional chair, Peter Partington: “Ontario municipalities have been asking the province for decades to implement a deposit-return program on beverage containers. This announcement is welcome news and will assist us in meeting our waste diversion goal.”

Municipalities, alcohol beverage stakeholders and environmentalists know the leadership that Premier McGuinty has shown and know the lack of leadership that exists on that side of the House.

HIGH-SPEED TRAIN ROUTE

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Weston is a vibrant community in the city of Toronto, but today the community of Weston is at risk. The McGuinty government is about to rubber-stamp the terms of reference for an environmental assessment process that could result in the community of Weston being cut in two by a private high-speed train route.

Premier, Weston residents were promised a full and meaningful environmental assessment of the socio-economic and environmental impacts of alternative routes. Before any environmental assessment can go forward, your government has to set the terms of reference. My question: Will the McGuinty government listen to the Weston residents and reject the narrow terms of reference that are before your government today?

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

Hon. Donna H. Cansfield (Minister of Transportation): I thank the member for the question. The

province is committed to hearing from all sides with regard to this particular issue. In fact, I’ve met with the Weston folks myself. The terms of reference will be for a full environmental assessment. I believe that there are a significant number of alternatives that will be addressed in a full environmental assessment and that there are options that are available that are out there and which will come to light in terms of a full environmental assessment. So we are committed to hearing from a wide range and a full variety of folks on an environmental assessment that will look at all forms of options and alternatives in terms of looking at a broader transit strategy.

Mr. Hampton: I still didn’t hear an answer to my question. What we know now is that the terms of reference before the McGuinty government are rather narrow. The people of Weston do not want to see their main street chopped in half and shut down. They don’t want to see 144 trains blasting through their community at 75 kilometres an hour every day. The Environmental Assessment Act requires a thorough examination of alternatives, yet the terms of reference before the McGuinty government now barely look at alternative routes.

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My question is very specific. Are you going to ensure that the narrow terms of reference that are before you now are rejected? Are you going to ensure that there is meaningful consideration of alternative routes from a socio-economic perspective and an environmental perspective? Yes or no?

Hon. Mrs. Cansfield: The member simply doesn’t understand the word “full.” “Full” means that it looks at the entire impact on the community. Also, obviously the member hasn’t been listening throughout the last few months when we’ve speaking about the whole concept of sustainable transportation, where we’re now talking about inter-modal transportation, about broader strategies of transportation, that we’re not looking at just one specific but at a broad context with respect to how we deal with transportation in this province, which includes public transportation, rail transportation, marine transportation and land transportation. So when we say “a full environmental assessment,” of course it includes everything. Again, I just say to the member, what part of “full” does he not understand?

IMMIGRANT SERVICES

Mr. Peter Fonseca (Mississauga East): My question is for the Minister of Citizenship and Immigration. Our diversity is one of our most valuable assets. It’s an asset that previous governments had virtually ignored. The McGuinty government has demonstrated that newcomers are essential to Ontario’s future growth.

Ontario received more than 50% of newcomers to Canada, and over 60% of adult newcomers to Ontario have at least some post-secondary education. Each year, 18% of working immigrants who enter Ontario hope to find work in a regulated profession or trade.

Peel region welcomed 74,000 of these immigrants in the period of 2003–05. Many of these newcomers chose

to settle in my riding of Mississauga East. The McGuinty government has invested a total of over \$320,000 in Mississauga East agencies, such as the Dixie Bloor Neighbourhood Centre and the Maximilian Kolbe Foundation, to assist these newcomers in the area of integration.

Minister, my question is, can you explain how the new ESL and FSL initiatives are so important to the success of our newcomers?

Hon. Mike Colle (Minister of Citizenship and Immigration): I thank the member from Mississauga East for the question. The major change is that the non-credit ESL for adults has been brought over to my ministry. That's \$53 million a year that is now totally focused on helping newcomers achieve language success. We are doing a complete curriculum overhaul. We are now focusing ESL on occupation-specific English and also on an enhanced level of English, because we've been told by people in Peel and by people all over Ontario that one of the major barriers is this language barrier. With this new investment and enhancement of the curriculum, we are going to break down those language barriers.

Mr. Fonseca: Along with those investments that you listed, this year you introduced Bill 124, the Fair Access to Regulated Professions Act. I understand that it's gone through second reading this fall and is currently going through committee process. The proposed legislation includes a new access centre for internationally trained individuals, the first of its kind, and is designed to help newcomers navigate through the registration system.

Minister, for those in my riding of Mississauga East who are internationally trained, being able to access this information readily is important when seeking opportunity to practise in their profession or trade. Could you tell us what this proposed access centre will do to break down those barriers?

Hon. Mr. Colle: This centre—an access, research and resource centre for the internationally trained—would be a mentorship centre, providing mentorship networks and also internship networks all across the province, while at the same time helping newcomers through professional staff within the government giving support to people trying to access this complex system of professional accreditation. The resources will be there, the proper counselling and supports will be there, and also the promotion of internships, mentorships, and the linking of foreign-trained professionals with our 80 partners across the province that help newcomers. So the access centre is a critical component of Bill 124.

APPRENTICESHIP TRAINING

Mr. Jim Wilson (Simcoe-Grey): I want to ask the Minister of Training, Colleges and Universities about apprenticeships and specifically about electrical trade apprenticeships. Minister, I want you to look to the gallery above you. Sitting there are a number of young Ontarians who all want to become electricians. Each of these

Ontarians has brought with them today their prospective employer, an electrical contractor who is interested in hiring them as electrical trade apprentices but can't because of the regulations governing journeyman-apprenticeship ratios. Minister, will you draft new regulations that will ensure that these young people can get an apprenticeship position in their chosen field?

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): To ensure that there are more positions in the trades, we have the apprenticeship training tax credit, which enhances the incentive for employers to take on apprentices; we've invested in in-class placements to ensure that, once they get their place, they will be able to carry through; we have invested in additional programs to ensure that those who need to can get from high school to employers; and we've set up an apprenticeship action table to work with businesses, contractors, labour unions and educators to find the issues, such as ratios, which might be holding apprentices back, but to ensure that those who are taken on are taken on where it's safe, where they're going to get the type of apprenticeship experience they need to pass, to become journeypersons. At the end of the day, it's all about ensuring that we have the right supply of skilled journeypersons for the businesses and labour in the province of Ontario.

Mr. Wilson: Safety is a red herring that people use because they don't want to change the ratios. Nine other provinces and territories have accepted a one-to-one ratio—

Interjections.

The Speaker (Hon. Michael A. Brown): Order.

The member for Simcoe-Grey.

Mr. Wilson: Nine other provinces and territories, including BC and Alberta, have accepted a one-to-one ratio between journeyman and electrical apprentice. You are simply in the pockets of the union, Minister. You will not change the ratios. What could be safer—use your brain—than one electrician and one electrical apprentice? What could be safer? And yet you use that excuse, and the excuse has been used for years.

You have lost manufacturing jobs to the tune of 113,000 in the last 18 months in this province. You've got young people sitting above you today, with their prospective employers. If you would only make a small regulatory change, they could get on with their lives and get a good job in the electrical field.

Hon. Mr. Bentley: Eight and a half years you sat in the Legislature, and in eight and a half years you did nothing: didn't invest in the programs, didn't invest in the placements, didn't invest in the apprenticeship training tax credit. Where was the passion and the fire and the energy then? It was absent. In fact, he would know that the ratio is one-to-one, two-to-one, and it only does not vary at the one-to-one above five.

But I will say very directly to him and to those who want to be apprentices that health and safety is never an irrelevant issue. Some 300,000 people were injured in the province of Ontario when we became the government.

They cut health and safety inspectors. We restored them. We're reducing the injuries. We want you to get a job but we want you to stay alive. That's our commitment now, today, and always in the province of Ontario.

ACCESSIBILITY FOR THE DISABLED

Mr. Michael Prue (Beaches–East York): My question is for the Premier. I'm asking the Premier this question because it involves many ministries.

Ontarians with disabilities have historically faced barriers to full citizenship and participation. In 2005, the Accessibility for Ontarians with Disabilities Act was enacted to recognize and to address those very barriers. Ontario now seeks ways to engage citizens, with their government and their communities, in electoral change. Barriers to access to democratic and electoral processes are still continuing to face persons with disabilities, those candidates, volunteers and electors during provincial and municipal elections.

My question is a complicated one. Can you tell members of this House what your actions, timelines and implementation of regulations are under the Accessibility for Ontarians with Disabilities Act, the Ontario Elections Act and the Municipal Elections Act to ensure equal access for candidates, volunteers and electors to be allowed to participate fully and, most importantly, to ensure that ballots are available in accessible formats?

1540

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Community and Social Services.

Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs): As you know, this House has adopted unanimously the Ontarians with Disabilities Act in May 2005. Since then, we have been working very hard. We are developing standards to ensure that all Ontario will be fully accessible by 2025. When I say that, 2025 is the end, not the beginning. So my ministry is working very hard and very closely with the employer community, with the municipalities, with all sectors in developing standards to ensure that Ontario will be fully accessible.

We already have two standards that have been developed, and we are working on the third standard. We are choosing the members of this committee, and we will move forward soon on the third one.

Mr. Prue: Madam Minister, between now and 2025 there will be at least four more municipal elections and five provincial elections. My question has to do with the electoral process and how the disabled get involved. In the spirit of this International Day of Disabled Persons, will you make a commitment to introduce and pass a government bill to include regulations on funding guidelines in the Elections Act and the Municipal Elections Act for access and accommodation provisions for persons with disabilities who are candidates, volunteers and electors, and will you do that prior to the upcoming pro-

vincial election so that they can be full participants in that election?

Hon. Mrs. Meilleur: I want to repeat what I've already said. We are working very closely with the business community, with the public and private sectors to ensure that Ontario will be fully accessible by 2025. We're not going to amend the legislation right now. We have to work with all our partners in the community to develop these standards, and so far it has been working very well and we have everybody on board. We will continue to work hard because probably most of us, later on, will need accessibility. We will need accessible buildings; we will need some tools to communicate; we will need accessibility in many sectors, especially in employment. So we will continue to prepare for a fully accessible Ontario by 2025.

BOTTLE RECYCLING

Mr. Bas Balkissoon (Scarborough–Rouge River): My question is to the Minister of the Environment. Minister, my constituents are thrilled to hear that our government will be implementing a deposit-return system for LCBO containers beginning in February 2007. I'm proud to be part of a government that is offering Ontarians more opportunity to do their part in protecting the environment and in strengthening recycling in this province. Ontarians and municipalities have been asking for a deposit-return system for years, yet the previous Conservative and NDP governments decided to ignore Ontarians and turn their backs on an initiative that will keep our province clean and green.

Minister, please tell the obviously confused members of the Conservative and NDP caucuses about this great environmental initiative.

Hon. Laurel C. Broten (Minister of the Environment): I want to thank the member for the question. I want to say to his community of Scarborough–Rouge River to all Ontarians thank you for embracing this exciting new initiative in Ontario. Ontarians right across the province are telling me that they are anxiously awaiting February 2007. And why are they awaiting and why are they anxious to see this deposit-return program come into place? They are so anxious because deposit-return will help protect the environment and will build a better sustainable future for all of us.

Unlike the members opposite, who chose to ignore the call of municipalities and environmentalists alike who wanted to ensure that our bottles were diverted from landfill, because that is the goal of this program—in fact, the Leader of the Opposition continues to be against such a program. This is about finding ways to reduce waste. It's one of the most important issues facing our municipalities. We're pleased to be working with AMO and others to deliver, on February 1, 2007, an opportunity to better —

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

Mr. Balkissoon: Minister, when the Premier announced our deposit-return program back in September,

he said that our program has the potential to divert 80 million bottles a year from landfill—wow; 80 million bottles. Clearly, a deposit-return system is the right thing to do for the environment. Obviously, the members of the Conservative and NDP caucuses have turned their backs on yet another good environmental initiative.

Even though my constituents love the blue box and recognize the blue box's great success at diverting recyclables from landfill, the reason many of my constituents have wanted to see a deposit-return system is because they believe it will divert even more containers from landfills, especially when they see that many of the bottles they put into the blue box often break. Minister, how will a deposit-return system for LCBO containers improve waste diversion in Ontario?

Hon. Ms. Broten: You're quite right that this will divert some 80 million bottles from landfill. You only need to go to one of our sorting facilities for recyclables to see what happens when the glass bottles we put into our blue box program are broken. This diversion program will ensure that our blue box is freed up to put other products in so that we can continue to divert waste, and that our beverage containers are used to their highest and best use in end uses like glass bottles or fibreglass insulation. It is a call to action across Ontario so that Ontarians know that when they're making the effort and diverting that waste, it will not end up back in landfill. We will build on the success of the blue box. We will divert 80 million bottles from landfill, and that will ensure a cleaner, greener future for generations to come.

OBSTETRICAL CARE

Mr. Jim Wilson (Simcoe–Grey): My question is to the Minister of Health and Long-Term Care. What are you doing to address the upcoming closure of the maternity ward and birthing unit at Stevenson Memorial Hospital in Alliston?

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): We're working vigorously across all quarters to enhance access to health care services in the province of Ontario. We think that it's crucial that all of these services, including those mentioned by the honourable member, be provided in a fashion that appropriately balances out the capabilities of doing them in all local communities and the necessity of ensuring that they're done on a platform that offers the maximum safety for all involved. So I want to say that this is a matter that continues to receive the appropriate attention, and I look forward to the honourable member's supplementary.

Mr. Wilson: Last Wednesday, over 500 citizens gathered in Alliston to express their outrage that their local birthing unit will be shut down and there was no public consultation. Apparently, your ministry is in cahoots with the hospital board. You have provided \$1.5 million to convert the maternity ward to a women's wellness centre, with no birthing unit and without consulting the community or me.

Minister, the message from the public meeting is clear: Women in my community want to give birth in Alliston. By closing the local maternity ward, women will be forced to travel 45 minutes to Southlake hospital in Newmarket to give birth. Why don't you spend the \$1.5 million on finding new obstetricians for Stevenson Memorial Hospital so that women in my community can give birth in Alliston?

Hon. Mr. Smitherman: Speaking of daddies, this is awfully rich coming from the honourable member who, more than any other person in this Legislature, caused doctor shortages. It was under his auspices—

Interjection.

Hon. Mr. Smitherman: Oh, the truth is striking the honourable member a little too close to his core. Perhaps it is that the honourable member is offended that people—

Interjections.

The Speaker (Hon. Michael A. Brown): Order. Minister.

1550

Hon. Mr. Smitherman: What we really saw in the honourable member's question was a level of sadness on his part associated with the fact that the local hospital board chooses not to see him as relevant. But that's not my decision; that's a decision that was agreed upon locally. I recommend to the honourable member that he seek to be more actively engaged in the lifeblood of the Alliston community.

In the meantime, we think it's important that obstetrical services be provided on a platform which, at the heart of it, is safe. It is not practical to provide this in every quarter. All of the evidence, all the clinical data, is so clear that it is necessary to provide these services on a platform where there is volume. And we've worked hard to enhance midwifery services in the Alliston community as one—

The Speaker: Thank you. New question.

HUMAN RIGHTS

Mr. Howard Hampton (Kenora–Rainy River): To the Premier: When the McGuinty government presented your scheme to privatize Ontario's human rights, some of Ontario's most vulnerable citizens objected. They objected to your scheme to force them to pay out of pocket to defend their human rights. Most importantly, your government had not bothered to talk to them about your scheme. Then you promised to hold broad public hearings, broad public consultation. You promised to listen. But now you're going to cancel the public hearings and you're going to deny democracy.

Premier, how do you justify cancelling what you promised and denying the most fundamental democratic right to citizens of this province: the right to be heard on important human rights legislation?

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

Hon. Michael Bryant (Attorney General): In fact, the government did listen and benefited from actually

years and years of consultation—task force, commission and more—and of course a tremendous amount of debate in this Legislature. Very importantly as well, the input was received in the hearings that took place across the province. So we received recommendations from a number of groups of people such as OPSEU, AODAA and the African Canadian Legal Clinic to make amendments to the appointment criteria of commissioners. We listened to them, we heard them and we made that amendment.

We were asked by the Ontario Human Rights Commission to make amendments so that the commission would make an annual report to the people, would report to the people through the Legislature. We listened, we heard and we made those amendments.

We were asked by the Canadian Hearing Society, local agencies serving new Canadians, and the Ottawa chapter of the Chinese Canadian National Council to provide public inquiry powers, to ensure that we have enforced compliance. We listened, we heard and we made those amendments.

Mr. Hampton: B'nai Brith, the Afghan Association of Toronto, the African Canadian Legal Clinic, the Canadian Arab Federation, the Chinese Canadian National Council, the Canadian Council on American-Islamic Relations: All of them oppose your plan. Now you have denied them a most basic democratic right: the right to speak and be heard about your legislation that could substantially affect their lives, their human rights. Your chief Human Rights Commissioner, Barbara Hall, says you're wrong. June Callwood, of the Order of Canada, says you're wrong. Tell us, why is the McGuinty government so afraid of democracy, so afraid of real public debate and discussion on the fundamental issue of protecting human rights in Ontario?

Hon. Mr. Bryant: I would ask the New Democratic Party, of all parties, why they are so afraid of reform, why they are so afraid to change a human rights system that has been the subject of talk about reform for so many years. The New Democratic Party minister rose in the House in 1991 to say, "But the" human rights "backlog is symptomatic of a more fundamental problem: outdated enforcement procedures that cannot respond to the increasing and complex cases of today."

NDP ministers, NDP members and an NDP-assigned task force have been calling for reforms of this system for many years. We have heard, have listened to and will continue to listen to Ontarians in their calls for reform. I know he disagrees with the process through which we have followed, but we have an opportunity this afternoon to debate a bill before this House—and we will have that opportunity in a moment—and an opportunity to vote in this Legislature on a matter of fundamental reform that this government was calling for back in 1992.

CHILD CARE

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): My question this afternoon is for the Minister of Children and Youth Services. Last Friday's Toronto Star included

a report on a mother in Durham who was concerned that she could lose her child care fee subsidy. As a single mother she is, like many in our communities, working hard to provide for her children, but has reportedly run into some obstacles. She's concerned that her fee subsidy may be cut off.

The McGuinty government works hard every day to support hard-working families in Durham, Pickering–Ajax–Uxbridge and throughout Ontario. Your ministry has been working hard to build a new model for determining child care fee subsidies. Minister, can you please tell this House: Will the new model for determining eligibility-for-fee subsidies help this mother?

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I'd like to thank my colleague the member for Pickering–Ajax–Uxbridge for his advocacy on behalf of families who need affordable child care.

I read that article as well and, yes, I'm very pleased to say that, from what I read in that article, that family will indeed benefit from very progressive changes that we're making to the child care system, focusing on a very simple, progressive method of determining subsidy eligibility. In fact, in January next year, we will start implementing the new income-based model. I also want parents to know that the federal government's universal child care benefit will not be included in the calculation of income for the determination of fee subsidies.

The best news is that at least 25,000 more children will benefit from this change in the calculation of fee subsidies. I would like to encourage this mother to keep the faith, because she will qualify for continued assistance.

PETITIONS

LONG-TERM CARE

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

"Whereas the proposed Long-Term Care Homes Act is extremely lengthy and complex and requires full and extensive parliamentary and public debate and committee hearings throughout the province; and

"Whereas the rigid, pervasive and detailed framework proposed is excessive and will stifle innovation and flexibility in the long-term-care sector; and

"Whereas the additional burden, red tape and punitive measures imposed by the proposed legislation will aggravate and exacerbate the chronic underfunding of the sector, to the detriment of residents of the homes; and

"Whereas the proposed legislation will have serious implications for the viability of the for-profit and not-for-profit, charitable and municipal long-term-care sectors;

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

“We demand that the McGuinty government withdraw the proposed act, or remove the offending sections, and fulfill its commitment by a substantial increase in funding on a multi-year basis in the order of the promised \$6,000 per resident, per year.”

I have affixed my signature in support.

PENSION PLANS

Ms. Andrea Horwath (Hamilton East): This petition is to the Legislative Assembly of Ontario. It reads:

“Whereas the seniors of Ontario request full access and control of their locked-in pension funds at age 55, without the current restriction imposed by government regulation;

“Whereas the current government regulation restricts what seniors and pensioners are able to do with their own savings and limits their options for an affordable and comfortable retirement;

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

“That the Ontario Pension Benefits Act be amended to give seniors of Ontario the option to transfer their locked-in pension funds (LIRA, LIF, LRIF) into an RRSP at the age of 55, as is the case for seniors in the province of Saskatchewan.”

I agree with this petition and have signed it. I send it to the table by way of page Sarah.

1600

EDUCATION FUNDING

Mr. Frank Klees (Oak Ridges): “Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

“Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

“Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

“Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

“Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

“Whereas the cultural survival of the affected minority groups is at stake;

“Whereas faith-based schools produce responsible and productive citizens; and

“Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

“We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded.”

I support this petition. I affix my signature and I will pass it on to page Kelsea.

The Acting Speaker (Mr. Ted Arnott): I regret to inform the members who still have petitions that, pursuant to standing order 30(b), it being 4 p.m., I am now required to call orders of the day.

ORDERS OF THE DAY

HUMAN RIGHTS CODE AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LE CODE DES DROITS DE LA PERSONNE

Mr. Bryant moved third reading of the following bill:

Bill 107, An Act to amend the Human Rights Code /
Projet de loi 107, Loi modifiant le Code des droits de la personne.

The Acting Speaker (Mr. Ted Arnott): Mr. Bryant has moved third reading of Bill 107, and I'll return to the Attorney General for his leadoff speech.

Hon. Michael Bryant (Attorney General): Thank you, Speaker. We have today an opportunity to speak to Bill 107. This is third reading debate. I would anticipate that there will be some discussion about the process that got us here. There will be some discussion about the process that is the current system, and I will be speaking to that as well. Of course, we have had a debate around the process. We have had a debate on the time allocation motion, and all parties were heard on that subject. That matter went to the House, on which there was a vote, and now we are here to speak, I hope, to the substance of the bill. I am concerned that we will end up having a debate about the process that led to this moment, and maybe the process that is the current system.

As I went back and looked at the third reading debate for the legislation that consolidated all of the human rights laws in Ontario and established in law the Human Rights Commission—and at the time it was the commission alone; there was no Human Rights Tribunal—you will see that the debate was all about the substance. In fact, they were debating an amendment to the bill as to whether or not age discrimination ought to be a part of our human rights system. The government position was that the ability to enforce it was not yet there. The gov-

ernment, led by Premier Robarts, and the official opposition's position was that we needed to enshrine that right and address issues of enforcement, I guess, on another day. It was discussion about not only the Universal Declaration of Human Rights but also the innovations and statutes that existed in Canada and in Ontario at the time. It was a debate about the substantive rights that were covered under the human rights system and a specific debate about whether or not the breadth of human rights were, under the Human Rights Code as it was existing at that time during that debate on March 1, 1962, adequately protected in the province of Ontario. It was a debate where the government was concerned about the breadth of the Human Rights Code of the day, but also the importance and the ability to enforce those rights.

The leader of the official opposition has spoken with great pride about the fact that he shares a party name with one Premier Robarts, who created our human rights complaint system that we have today, and did so in 1962. I would encourage him to read the speeches of Mr. Robarts of that time and to see that the discussion was not around the legislative process. The discussion was not around, in fact, the specific mechanisms to enforce human rights, although he was concerned about the idea of having rights without a remedy, something that this government is very concerned about many, many years later.

There has been some discussion about the historical accuracy of saying that this is the first time that we have changed the human rights complaint system since 1962. It is the first time in which we have before the Legislature a bill that will change the human rights complaint system since 1962; it is not the first time that the Human Rights Code has been amended. It is not, and that point has been made by several people quite helpfully. Certainly, nobody in the government benches means to suggest for a moment that the Human Rights Code has not been amended from time to time, because it has. It has been amended by the Conservative government; it has been amended, as was said by the Premier, by the Peterson government, specifically by Attorney General Scott. But the complaint system has basically been the same one that has existed since 1962, at least in legislation.

Of course, there have been changes to the complaint system over the years. It is because of those changes that we have had, for some time now—for, I would say, 20 years, but certainly this Legislature has been debating this subject since 1990-91—the prospect of reforming the enforcement procedures that exist right now. The rough history that was presented to me in the last seven years that I've been in this House with respect to the human rights system since 1962 is something like this: that the Human Rights Commission was given the ability to resolve human rights complaints, and did so. But the commission had two focuses: Firstly, to promote human rights and prevent human rights discrimination was one of its focuses and, secondly, to resolve complaints.

I'm advised that for many years the system worked extremely well, was a model human rights complaint

system for the rest of the country, and the rest of the country followed and formed human rights systems that are very similar, if not identical, to Ontario's. Then what happened over the years was—and, I'm told, at some point in the 1980s—a series of rulings, a series of changes, a change in terms of the volume of cases that went into the system.

1610

A number of other factors led to what I would call process gridlock that backlogs the system in a chronic way. It certainly did not help that from time to time in governments past there were budget cuts to the Human Rights Commission. I'm very proud to serve in a government where we have increased the budget for our human rights system every year that we've been in office. I know that I have made the point in question period before and in debate that governments past, Conservative governments and NDP governments too, actually, back to back—there was a time there in the 1990s where they received back-to-back-to-back-to-back cuts from both NDP and Conservative governments, budget cuts, to the system.

I think it's an error to imagine that resolving these backlogs could simply be found through fiscal remedies, although, as I've said, we have made budgetary increases to the human rights system and will continue to do so. But rather, we need to address what Minister Ziembra said on December 10, 1991, when she rose in the House on International Human Rights Day. She was the Minister of Citizenship and the minister responsible for human rights at the time. She said, "Clearing the backlog of cases is absolutely critical to providing justice to complainants who have waited far too long." This is in 1991. This isn't 2001; this isn't a couple of years ago. This is 15 years ago in this House that the minister responsible for the human rights system said, "But the backlog is symptomatic of a more fundamental problem: outdated enforcement procedures that cannot respond to the increasing and complex cases of today." And so the government of the day announced the creation of a task force to undertake, in her words, "an independent review of the procedures for the enforcement of human rights in Ontario, and to make recommendations for amendments to the code to ensure a fair and practical enforcement process."

The government appointed task force chairperson Mary Cornish, who was described as "a lawyer, co-founder of Ontario's Equal Pay Coalition and long-standing human rights activist." Minister Ziembra of the New Democratic Party said, in 1991, "We are very fortunate to have someone of her expertise and stature to head this review."

The task force was given six months to complete their review and provide the government with a report of the findings, conclusions and recommendations in the summer of 1992.

The minister talked about the consultations that she had had with a range of individuals and groups across the province and the reform and what she referred to as the "informal process," which "generated a lot of ideas and

suggestions, but the top priority,” the government said in 1991, “is the need for an overhaul of human rights enforcement procedures.”

That’s what this bill—

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr. Speaker: Quorum call, please.

The Acting Speaker: Would the table assist me to ascertain if there is a quorum?

The Clerk-at-the-Table (Ms. Lisa Freedman): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

The Clerk-at-the-Table: A quorum is now present, Speaker.

The Acting Speaker: I’ll return to the Attorney General.

Hon. Mr. Bryant: I appreciate Mr. Kormos’s intervention there. I don’t know if it’s out of envy or embarrassment that he hears a former NDP minister talking about his government’s commitment to reforming enforcement procedures. It is, in fact, a part of our history and a part of our Legislature that we’ve been debating this matter for so long. It is important, I think, to understand not only how many people have been calling for changes to our human rights system and for how long, but also the broad range of people who have been calling for changes to our human rights system, and that includes the NDP government of the day.

So what happened to that task force that was created and brought in by the NDP government? It came in and the task force recommended a direct access system. A direct access system allowed a person who had a human rights complaint to go directly to a tribunal to get a remedy for what they believed to be a moment of discrimination. As I say, the purpose of the 1962 human rights complaint system that was established in law was to provide remedies for these legal rights that existed in the common law and in various statutes, had not been consolidated as they were back in 1962 and did not have a place to which a person who was a victim of discrimination could turn to to get a remedy.

My concern is that we have known for so long that the complaint system and the changes that were brought upon it, in fact, brought us back, to some degree, to a place where, for many, many people who were turning to our human rights complaint system, they found that they had these rights on paper and in law, but had no place to obtain a remedy. If I could sum up why this bill is before this Legislature today, it is for that.

You’re going to hear about different processes. You’re going to hear about different ways to achieve—I hope we’re going to hear about that—the goal. But I would have thought that the goal is the same, and that is to provide a remedy for people’s human rights. Yes, we have this great Human Rights Code in Ontario that led the nation, but for too many Ontarians it has been the case that it has been a Human Rights Code with too many dead letters, too many rights on paper that were not translating into rights with remedies for Ontarians.

1620

The reason that the Cornish task force recommended to the NDP government of the day a direct access system was because they felt that was the best means to that end. The goal, the end, was not the process itself. It wasn’t about direct access being the vastly superior and only way in which to deliver the remedy. It was seen as preferable to the enforcement procedures of the day, based on the experience of that time and, to a certain degree, also based on the evolution of Canadians’ experience with human rights.

Do you remember 1962? There was not even a Canadian Bill of Rights at the time. There was certainly no Canadian Charter of Rights and Freedoms. So in 1962, a complaint system was set up. Now, it was set up for a lot of very good reasons. If somebody felt they were a victim of a human rights injustice in early 1962, before the bill was before the Legislature, basically that person could retain counsel at their own expense, not with publicly supported legal support, they would have to bring their matter and sue the respondent via either existing statutory right or under the common law, tort law, and they would go before the superior court of the day. Without meaning to in any way be critical of the superior court of the day, this was not a court which had the human rights expertise that a human rights commission or tribunal would have. So the system at the time was: You’re on your own.

Again, if I can sum up in brief what we are trying to do today, it’s to better provide public support to people who are seeking to get a remedy for their human right. Instead of going to the Human Rights Commission—although they’ll be able to go to the Human Rights Commission under this new system, if this law passes in a vote before this Legislature, for systemic matters. They will be able to get assistance from the Human Rights Commission and see the Human Rights Commission as an intervener in matters that go before the tribunal—an intervener, I should add, as a right under this legislation, thanks to amendments that were brought to the bill at the behest of the Human Rights Commission to entrench the powers they felt were important. We listened to them and ensured they were in this bill by way of the amendments that we brought before the standing committee on justice and social policy.

The goal is to provide a human rights legal support centre, which was not seen as having appropriate clarity in the original form of Bill 107. That led to the call for amendments to clarify the role of the human rights legal support centre, which was provided in the amendments that were brought to the justice committee. The human rights legal support centre will be there, a new pillar of the human rights system, alongside the commission and the tribunal, that will provide support to Ontarians as they come forth with complaints to the human rights system; a place where people can get advice and representation; a place, obviously publicly funded, where Ontarians will be able to get the public support that they did not have before the human rights complaint system was brought in prior to 1962. So you get that support, but you also get expertise.

The Human Rights Commission has long embodied the expertise in the human rights system that made the Human Rights Commission, at the time it was created, a leader in the nation, one which people in other provinces and other countries turned to.

I think, going back to the two purposes of the commission, that at some point along the way, one of those purposes was not being served, not because the commission did not want to serve it—believe me, it did—but the Human Rights Commission at some point—and I don't know if it happened in the 1980s, I don't know when it happened in the 1980s, but it certainly happened at some point, and it was recognized by the NDP government in 1991—became primarily a complaint resolution institution. If you look at the work of the commission, the way in which it spends its money and the way in which it does its work and its budget, the vast majority of the work that the Human Rights Commission has been doing in the last few years—I would argue, in the last 15 years—has been overwhelmingly focused on the complaints resolution process. Yet every year, they have still managed to do an incredible job to educate the public, to be sure, to bring forth very independent reports, to hold governments and other public and private institutions' feet to the fire. In doing so, it has played that role of promoting human rights and seeking to prevent human rights discrimination. But its ability to do so is significantly limited by the fact that most of its budget is devoted towards the complaint resolution process.

What this new system that we're proposing in this bill will do, the bill that is before the Legislature in the form of Bill 107 that we are debating today, is to give the commission the ability to, yes, promote human rights and prevent human rights discrimination by allowing it to focus primarily on that, but also to do something that is very important. It is part of a response to—I'm sorry to call it the new generation of human rights discrimination; it's not all that new at all—systemic discrimination, which in the case of some institutions unfolds unwittingly, in some cases not so unwittingly, whereby statistically it becomes very clear that there are barriers, often glass ceilings—not the kind of discrimination that was the focus of the debate in 1962, where they were debating whether or not to add age discrimination as a grounds of discrimination within the Ontario human rights system, but something that is far more subtle, pervasive and arguably extremely destructive.

The Human Rights Commission will have powers under this bill to bring forth claims of systemic discrimination on behalf of Ontarians; not just the 2,000 or 3,000 Ontarians who bring complaints to the human rights system every year, who, I am arguing and this bill argues, the Cornish task force argues, the United Nations Human Rights Committee reports argue, the La Forest commission argues and many Ontarians who came and spoke to this government and spoke to the justice committee also argued by way of a direct access system—it's a preferable way to provide remedies for human rights infringements. Not only does this bill allow for that direct

access to provide a real, timely and effective remedy for Ontarians facing discrimination, but it allows for the commission to go forth and bring systemic claims on behalf of those Ontarians who don't come to the human rights system.

Maybe they don't come to the human rights system because they have heard and understood that if they go to the human rights system, they will not see a remedy for years, notwithstanding the hard work and all of the efforts undertaken by the people who work in our human rights system, and the commission in particular, because of the process gridlock that unfolded over the years. In fact, it was brought upon the commission, and this process gridlock is upon the commission; it was upon the commission, I would argue, in 1991. It wasn't just me who argued it; it was Minister Ziemba who said that the backlog "is symptomatic of a more fundamental problem: outdated enforcement procedures that cannot respond to the increasing and complex cases of today."

That was 1991. So much time has passed and so many people have continued to be caught up in the web of this process gridlock. So many people thereby have been denied the remedies that they deserve and they expect, and they should expect. They read in the Human Rights Code that they have these rights and then they turn to the system and find that the remedies are not forthcoming, in many cases, for just far, far too long.

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By enabling this focus on systemic discrimination by the Human Rights Commission and giving them powers under this bill, through the amendments in particular—amendments that they asked for and that we worked very closely with the commission to develop—the commission will be able to bring remedies for so many thousands of Ontarians who right now would not otherwise have that opportunity. They can do so by way of complaints, applications, if you like, directly to the tribunal, or they may bring it as an intervener before the tribunal as the tribunal is considering a particular case. That is what this bill is all about. As we hear calls for rights to a particular process, I would ask Ontarians to consider the many people who work in our human rights system and have contributed to the task force's studies, consultations, papers, reviews and reports. I'd ask them to consider the fact that this Legislature has been considering for many years the importance of providing a remedy for these rights, these rights that are Ontarians' rights and these remedies that they incredibly deserve.

Bill 107 has been discussed. It has been considered. It has been praised. It has been criticized. It has been debated in academic forums, in conferences, in meetings, in community halls, in news conferences held by a whole variety of groups. Certainly we've seen a considerable amount of attention in newspaper columns and opinion pages, in committee hearings, in the halls, the corridors of the Legislature and, of course, here in this chamber as well. We've heard from a wide variety of advocates in our human rights system. We've heard from women's organizations, human rights groups, community activists,

cultural organizations, disability groups. We've heard from the academy, from legal clinics, from former human rights commissioners. We've heard from the people who work in the system every day and have been working in the system every day. We've heard from labour organizations. We've heard from individual citizens. We've heard from complainants past and their experiences. Their testimony speaks to the real injustices that come from justice delayed and justice denied that was flowing from the process gridlock that has been in place for so long and so clearly needed change in 1991, as was acknowledged by the NDP government of the day and is being recognized and accepted. We're moving forward with those Cornish task force recommendations in this bill.

We proposed a number of amendments to improve the bill. We heard from a wide variety of groups. We heard from groups who disagreed with this bill and who brought forward changes nonetheless. I appreciate the fact that the people who disagreed with the direct-access approach nonetheless brought forward recommendations for changes. Many of those recommendations are found in the amendments that were put before the justice committee. I recognize that in the time that I have here, it is important to recognize the contribution they made, but there are a lot of amendments, and a lot of people who contributed to those amendments. In addition to the commission, I also—

Interjection.

Hon. Mr. Bryant: The justice critic for the third party laughs at the contributions made by the Human Rights Commission. In fact, the commission did participate, I say to the member, in these amendments. As I acknowledged at the time, the work that the commission did resulted in a lot of changes to the bill. It is a great credit to the people who worked on those changes that the vast majority of the changes they asked for are found in this bill.

I know the justice critic for the third party is going to want to talk about the process that led to this debate and I know he's going to want to talk about the right to process; that is his clarion call. I'm more interested in, and I believe that Ontarians are more interested in, what the NDP government said they were interested in in 1991, and that was providing remedies for those rights. The discussion in the debate in 1962, the discussion in 1991, when there was talk finally about addressing the fundamental problem of outdated enforcement procedures, was about the substance, the rights, the problem of somebody being denied their human rights in Ontario and how quickly we can get their remedy—not the process rights that I know the third party today clings to with enormous fervour, but the substance, the need to provide remedies to injustices that take place to Ontarians. It is my view, and I believe it is the view of most Ontarians, that to heap another injustice on top of that by providing people with nothing more but year after year after year of no remedy at all heaps injustice upon further injustice.

Who came forward to support Bill 107? The individual and organizational advocates of women's equal-

ity rights, including the Ontario Coalition of Rape Crisis Centres, the Chatham-Kent Women's Centre, the Metropolitan Action Committee on Violence Against Women and Children, the Centre for Equality Rights in Accommodation, the coalition of community legal clinics, including Ruth Carey of the HIV and AIDS Legal Clinic Ontario, Kathy Laird of the Advocacy Centre for Tenants Ontario, and the Canadian Auto Workers, as well as a number of individuals who have had an opportunity to work in our human rights system.

I'm looking in the members' gallery at a former human rights chief commissioner, Raj Anand, who not only made a contribution to this debate but has been working in this system for so many years and came to the standing committee to talk about his experience in the system, not only at the time in which he was the chief commissioner of the Human Rights Commission, but also his experience in terms of trying to assist people who were working in the system today. We heard from past Chief Commissioner Frazee, who also lent her voice of support for Bill 107, who again talked about her experience in the system, not only at the time in which she was leading the system, but also the time in which she was working in human rights, the most recent past, and of course again today.

I want to spend the remaining time talking about the future in the event that Bill 107 receives the support of this Legislature, because anytime you change a complaints system for the first time in more than 40 years, you're going to have a tough, hard and vigorous debate. That has happened. As I said many times, we've been having that debate in this Legislature quite literally for more than 15 years. We've been having that debate by way of question period, second reading debate—now third reading debate—and committee time for more than 200 days, in addition to the time that we spent consulting with Ontarians, and in addition to, of course, the task force brought about by the NDP government.

But in the event that Bill 107 receives the support of this Legislature, people are going to be, obviously, working with the government to try and ensure that this bill is implemented in the way that I would hope everybody would want it to be implemented—again, not presuming to know what the Legislature will do with this bill.

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So I can thank in advance not only people like former Chief Commissioner Raj Anand and former Chief Commissioner Catherine Frazee, and I can not only thank in advance the people who have supported Bill 107, but I certainly want to say on behalf of the government that we also very much want to work with those people who I understand played a significant role in this debate. They may not have agreed with the direct access system, but I know they agree with public assistance and support for complainants, I know they agree with having effective remedies for victims of discrimination and I know they agree that the goal is timely access to justice. We may have to agree to disagree on how much process rights we

need to surround the substantive rights that need to be delivered to Ontarians.

But I do want to say that this government does wish to work with those people—and I mean everybody—who have participated in the past and will be participating in the future in our human rights system, no matter what happens with this debate and not presuming to know what the Legislature will do with this bill. I want to say to all those people that we do wish to sit down with you, that we do wish to work with you, that we do want to have you working together on the implementation of this bill, that we do want to ensure that in fact people are getting that public assistance and we want to work with you to determine the best way to deliver that. We want to do what I hope all members of this Legislature want to do, and that's to deliver timely remedies to the rights that Ontarians deserve. I hope that is what all members of this Legislature want. That's certainly what this government wants. I look forward to working with members of this Legislature and all Ontarians on this important reform in the future.

The Acting Speaker: Further debate?

Mrs. Christine Elliott (Whitby–Ajax): Bill 107 was meant to be about hope, about equality and about justice for all Ontarians. Instead, it's about a denial of justice for the most vulnerable people in our society. The people who most needed the government to be their advocate, to protect and advance their rights as valued citizens, have been betrayed. It did not have to be like this.

I was not a member of this Legislature when the Accessibility for Ontarians with Disabilities Act was passed in June 2005, but I'm told it was considered to be tremendously significant in advancing the cause of accessibility and inclusivity for disability and racialized minority groups in Ontario. At the time however, many were concerned about the enforcement provisions of the act. But they were assured by the Attorney General that the Human Rights Commission would be strengthened and would be the appropriate enforcement agency.

In February 2006, the Attorney General announced that there would be an overhaul of the Human Rights Code and that all interested groups would be given the opportunity to provide input with respect to the changes that would be required to enhance and strengthen the commission and the tribunal. No one at this time had any reason for concern, based on the Attorney General's previous assertions that the commission would be the appropriate enforcement agency and that full consultation would take place.

Imagine, then, the sense of betrayal felt by so many individuals and groups when the Attorney General announced first reading of Bill 107 on April 26 of this year. Reaction from the communities most affected was immediate. There was outrage when the Attorney General implied that he had been engaging in consultation prior to the introduction of the legislation. During first reading, he stated, "This legislation is the culmination of perhaps more study and consultation than ever before in the history of this Legislature." The day following first

reading, the Premier stood up in an attempt to corroborate this statement and said, "To provide a bit more information to the Leader of the Opposition and to the House with respect to with whom the minister consulted, just some of those groups include: the Metro Toronto Chinese and Southeast Asian Legal Clinic, the African Canadian Legal Clinic, the Ontarians with Disabilities Act Committee"—and the list continued.

In a letter dated May 1 to the Premier, Margaret Parsons, executive director of the African Canadian Legal Clinic, stated, "We read with great concern your remarks in the Legislature on April 27, 2006, with respect to your government's human rights bill. The African Canadian Legal Clinic has not been consulted at any time by the Attorney General on this bill. To the contrary, we have been ignored and deliberately excluded by the Attorney General and his staff from consultations on this bill, despite our many requests." She continues on to say at the end of her letter, "It is indeed a shame that your government continues to mislead the public on the consultation process."

In fact, several groups announced quite forcefully that they had not been consulted. Interestingly enough, I should point out that three of the groups the Premier chose to highlight as groups with whom the Attorney General had consulted would later form a coalition to express their indignation at the government's decision to invoke closure on this bill without consultation.

At any rate, at the time the Attorney General said, "No problem" to all these groups: "we are going to be consulting with you," and he went on to state, "With this introduction of the bill, we are seeking to advance the debate. We need to continue to have public debate and consultation. That must continue. We will continue to meet with those in the human rights community to get their input as the bill progresses through the Legislature, and I look forward to province-wide public hearings on this bill to take place as soon as possible."

So even though there were still significant doubts on the bill, everyone wanted to believe that it would be amended and that they would be consulted, and so it was left.

I should note at this point that there's no question that all of the parties—the official opposition and the third party, as well as the government—agreed that there need to be changes to the Human Rights Code, that there are significant delays and backlogs, it needs to be modernized and so on, but at no point did we ever have the opportunity to have a discussion with respect to anything other than the direct-access model. That was the only thing that was presented. That was the only thing we were allowed to continue to debate.

There were a number of groups that were quite frustrated at the lack of some other ways of dealing with modernizing and amending the bill. There were some interesting comments that were made by a number of presenters on this point, specifically Ms. Elisabeth Brückmann from the Parkdale Legal Clinic. I have some significant quotations from her evidence before the

justice policy committee. Also, Mr. John Rae from the Alliance for Equality of Blind Canadians and the Accessibility for Ontarians with Disabilities Act Alliance had some suggestions about how the existing system could be reformed in a much more cost-effective manner, but again that was something we were never really allowed to fully consider.

In any event, the justice policy committee hearings were then scheduled, after the announcements by the Attorney General, and took place in early August in London, Thunder Bay and Ottawa. It was known at that point that the hearings would also take place in Toronto at a later date.

In the spirit of co-operation and based on the Attorney General's assertion that full consultation was necessary in order to realize meaningful and effective change to the Human Rights Code, it was unanimously agreed in committee in August that every attempt would be made to accommodate everyone who wished to present, because it was such an important and fundamental issue. Arrangements were therefore made to lengthen the hours for the hearings, and I should note that the committee staff went above and beyond in order to accommodate that. We had some quite lengthy hearing days that were attended of course by all members of the committee, and the staff was very gracious in accommodating those requests.

But in all three locations essentially the same points were made. The overwhelming number of presenters were, first of all, upset that the Attorney General had proceeded to committee hearings without consultation on the drafting of the bill in the first place, and with respect to the content of the bill, they were concerned that the direct-access model, coupled with the reduced role of the commission, would mean that complainants would be left without adequate representation and would be forced to act on their own behalf throughout the entire process. This would, in their view, and as expressed to us in committee, be even worse than the existing system, because at least with the existing system, the commission staff investigate the complaints and assist in bringing issues before the tribunal if a case is warranted.

It should be noted that even the supporters of the bill in the committee hearings supported the bill with such significant caveats that it really could be argued that in fact they didn't support the bill at all. The major problem with the bill from their perspective was the fact that the legal support centre which was the supposed third pillar of the legislation, along with the Human Rights Commission and the Human Rights Tribunal of Ontario, was not entrenched in the legislation itself. There was a real concern that it didn't have any substance and that it actually wasn't going to be what it was supposed to be.

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Instead, paragraph 46 of the bill, as originally drafted, provided that the Attorney General could make financial arrangements with other service providers in order to be able to provide the necessary legal services. In fact, that's the problem with the direct-access model being advanced

in the bill, from the perspective of the PC Party. The notion of direct access is not in and of itself objectionable, but the Cornish and La Forest reports, both of which advocated the direct-access model, indicated that the direct-access model would fail if the legal support centre was not fully funded. Though I wasn't present, I can imagine that these hearings were a little bit of a cause for concern at the Ministry of the Attorney General because they didn't indicate the level of support that I believe was originally anticipated.

The matter lay dormant until late October, when the justice policy committee met again to plan and organize the hearings for Toronto. Both the member for Niagara Centre, Mr. Kormos, and I indicated that it was important that all who wished to present be given the opportunity to do so, given the importance of the subject and also the fact that the precedent had been established during the travelling committee hearings in August. There was general agreement that the hearings would be fully advertised, at a total cost of \$106,000. It was also understood that the hearings would need to continue into the winter months in order to accommodate the many, many groups and individuals who wished to present. The list outstanding from the first ads contained over 160 individuals and groups, and it was certainly anticipated that the second round of ads would result in many more presenters.

The report by the subcommittee was presented to the committee on the first day of Toronto hearings on November 15 and was unanimously accepted by all members of the committee. The Attorney General had asked to appear before the committee on the 15th, and again, in the spirit of allowing everyone who wanted to appear before the committee to do so, there was unanimous consent. The Attorney General indicated at that time that he would be tabling a number of amendments to the bill that would strengthen and clarify it. He provided a document which purported to explain the amendments, but in fact it did nothing more than muddy the waters and cause even greater anxiety, concern and frustration on the part of the many individuals and organizations concerned about the bill.

At this point, I would like to quote from a letter that was sent by Ms. Toni Silberman—she is the immediate past president of the League for Human Rights of B'nai Brith Canada—to Premier McGuinty on November 21. She indicated, "A subsequent technical briefing delivered by Ministry of the Attorney General's staff confirmed our fears that the amendments were not, in fact, amendments, but further amorphous promises with neither the fullness of thought nor the wherewithal necessary to implement them."

Then, without warning, the McGuinty muzzle motion was introduced on November 21. The effect of the motion was to invoke closure on Bill 107 and to choke off all further debate. All presentations after November 23 were summarily cancelled, even though there were still ads appearing in local newspapers for winter hearings. Among other things, what a total waste of taxpayers' money.

To say that there was outrage among the communities most affected is an understatement. I would like to quote from a sampling of the comments made by a number of groups and individuals with respect to the McGuinty muzzle motion. Again, in her letter to Premier McGuinty of November 21, Ms. Silberman stated, "We now understand that the government has filed, without warning, a motion, not only to cut off public hearings on the bill, but also to force short debates ... on so-called amendments and third reading. We find this action unconscionable because the first four days of hearings were replete with supporters of the bill. Many of those who oppose the bill were scheduled to appear through the rest of the month and throughout December, having submitted their request months ago. They will no longer be afforded that opportunity, having spent months preparing their submissions. These are the very individuals and groups that the Attorney General did not consult prior to drafting its widely criticized reform of the human rights system. And their views are being muzzled. It is ironic that the government is denying them the right to a hearing before the standing committee, when the government's strongest argument in favour of Bill 107 is the fact that it supposedly ensures everyone a right to a hearing at the Human Rights Tribunal." How ironic indeed.

I'd like to quote from a letter sent by Ms. Barbara Hall, the current human rights commissioner, also to the Premier and also dated November 21, wherein she stated, "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 human rights act.

Further on in the letter she also stated, "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 within the law and, particularly, in regard to human rights. Such rights have come to form the foundation of our democratic principles. There are those who will see your actions as a denial of those principles."

In conclusion, Ms. Hall stated, "On behalf of the commission, I urge you to withdraw the motion for closure. This should be a time to encourage discussion, for consultation and for healing of divisions. All sides share the goal of a stronger, more effective human rights system for Ontarians and care passionately about human rights. It is crucial in this context to seek common ground, for the sake of the people we both serve. Please, let their voices be heard."

Finally, in a further letter from Ms. June Callwood, also addressed to the Premier and to the Attorney General and dated November 21—it should be noted that Ms. Callwood was one of the early proponents of the direct-access model—she stated, "To my great dismay, these hearings have been cancelled, and the government will not have the benefit of listening to thoughtful analysis of those elements which could in future cause some injustice.

"This bill is much too valuable to be hurried through these critical final stages. I beg you, I urge you, to reschedule the hearings.

"We all want what you want—the finest solutions to the human rights process that can be produced."

Notwithstanding the comments made by these very eminent and incredible people, the government refused to budge.

There are many significant concerns with respect to the substantive provisions of Bill 107 that remain unresolved because of the McGuinty muzzle motion.

First, the Liberal members of the justice policy committee defeated our proposed amendment—that is, proposed by the official opposition—that would entrench in the bill a person's right to have their case heard within one year. The Attorney General had stated that, under this bill, cases would be heard within one year. During debate on the motion to invoke closure on this bill, the Attorney General stated, "This is a process where somebody can go to the human rights system and within a year you can get a result. That's justice." If that were his intention, then why was he not prepared to entrench it in the legislation? Nothing in this bill, as amended, sets any timelines within which a case must be heard.

Secondly, the Attorney General promised that the new process would be "stronger, faster and more effective to better serve the people of our province." Well, there are several reasons why this is unlikely to be the case.

Pursuant to sections 37, 38 and 39 of the bill, the Human Rights Tribunal can make its own rules and establish its own procedures, subject to the requirement of fairness. Although I believe it was intended that the process be made more flexible so that it would be easier for complainants to present their case before the tribunal, the fact is that the issue of fairness is subjective. Fairness to the members of the tribunal might not be fairness to the complainant who's trying to advance his or her complaint before the tribunal.

The situation is also made much worse by the fact that the tribunal is not bound by the rules of natural justice that are established within the boundaries of the Statutory Powers Procedure Act. In the case of a dispute between the rules set out in the SPPA and the rules established by the tribunal, the latter will prevail.

Moreover, the bill gives the tribunal the authority to independently examine witnesses and even to conduct its own inquiry to review a complaint. This is a huge departure from the commonly established rules for administrative tribunals, and has the potential to lead to an inquisitorial system wherein the tribunal members can potentially hijack a proceeding and leave both complainants and respondents without the ability to control their own presentations, arguments and evidence. It certainly can be argued, and I would submit to you, that this is not a course of action that should be followed and it is not in the best interests of all Ontarians, particularly when it comes to the advancement of human rights.

1700

There's also the significant concern remaining regarding the role of the Human Rights Commission in the future. The Attorney General has indicated that the intention of the change was to free the commission from the

requirement of investigating individual complaints and to allow it to pursue education, advocacy and investigation of complaints of discrimination that are systemic in nature. Many presenters, however, expressed the concern that it was difficult, if not impossible, to separate individual from systemic cases of discrimination. This was commented on by a number of presenters, but I would like to quote from one of the presenters who was quite eloquent and very aptly made a number of arguments with respect to this point. Her name is Elisabeth Brückmann, and she's a staff lawyer with the Parkdale legal clinic. She noted that there was a long list of legal aid clinics on the list of supporters of the bill but, in fact, very few of these clinics had any experience with matters before the Human Rights Tribunal. I'd like to quote directly from her testimony before the justice policy committee on November 22 on several occasions, the first of which is:

"We were really quite surprised when we saw that 55 legal clinics had signed on to a letter urging the government to move forward with this supposed reform. We were dismayed when a number of our colleagues at other clinics—Kathy Laird from ACTO and a number of others from two other clinics—spoke and said they were speaking for the clinic system. I took a look at the list at the back of this letter. I realized that what was not noted is whether these clinics practise human rights law. I can tell you that the vast majority do not. It's not really surprising, because legal aid clinics in Ontario are extraordinarily underfunded. Clinics across the province lack the resources to assist people with human rights violations because they barely have the staff to help low-income people maintain housing or social assistance. There's just no staff time for human rights."

She then went on to say: "The debate over this crucial piece of legislation, which speaks directly to people's need for equal accessibility, is now inaccessible. A piece of legislation founded on the premise that everyone should have a right to be heard is being rammed through without everyone being heard. The promises we received from the Attorney General that the consultation notably missing from the beginning of the process—apart from one that was held 15 years ago—those promises that consultation would be held have been broken. I find it depressing and demoralizing and hypocritical. I am also, as a clinic lawyer, desperately worried, because this bill is profoundly flawed."

Finally, with respect to the separation of systemic and individual complaints, she indicated that, "First of all, the notion that systemic and individual complaints can be separated from one another is completely unrealistic. I find it very, very hard to believe that there is an expert in human rights out there who would suggest otherwise. I have never presented an individual human rights case that did not have a systemic element, because all individual cases are located in a societal context and that societal context of discrimination is brought to our attention through those individual cases. To attempt to separate the individual from the systemic is to fundamentally miss the point of how discrimination works....

"Under Bill 107, the role of the crown is lost. Each complaint loses its systemic context and it loses the societal support provided by the crown. The violations become just another private dispute between two parties. It's a contract dispute or a personal injury. While this sort of neat, private dispute may be very attractive to lawyers who want to have their matter neatly bounded, it's not what is wanted by the communities for whom maintaining a basic human rights system is an element of survival. They need to know that what they suffered is a harm that has been suffered by us all and that we all perceive ourselves as needing the crown to step forward to prosecute."

Finally, one must consider the linchpin of the bill, the most fundamental piece of the legislation, which is the legal support centre. This is where the flaws of this bill, both substantively and procedurally, converge. Bill 107, as originally drafted, provided in section 46.1(1) that "The minister may enter into agreements with prescribed persons or entities for the purposes of providing legal services and such other services as may be prescribed to applicants or other parties to a proceeding before the tribunal."

The statement by the Attorney General on November 15 before the justice policy committee did nothing to allay the concerns of those who suggested that, given the fact that the justice sector budget was flatlined through 2008-09 and that the existing legal aid system is stretched to the limit and can barely maintain and carry on with its current mandate, there's no way a fully funded legal support centre is going to be possible under this legislation.

Yet, on two occasions in this Legislature, the Attorney General assured everyone that there would be a lawyer for everyone who needed one, to and through the tribunal, in the full prosecution of their complaint. Contrast this to statements made by the minister's staff at the so-called technical briefing to stakeholders following the Attorney General's statements before the justice policy committee on November 15 and you'll see the discrepancy.

I was not in attendance at that technical briefing, but again, Ms. Bruckmann was. She also commented on that in her statement before the justice policy committee. What she had to say about it is quite revealing. Again, I'll quote: "For me, the most serious"—and this is with respect to concerns about the bill—"of these is the gaping hole that is the human rights support centre. This centre, we've been told, is the third pillar of a shiny new system, the pillar that will make direct access work. It's the pillar that's going to make our new, innovative system the envy of all. Every time a critic raises concerns about low-income people trying to navigate this new system alone, we are told, 'No, no, there will be a human rights support centre and everyone will be supported.' It is the answer for everything in Bill 107. But what does a pillar look like? We tried to find out at this technical briefing. We don't know, I don't think that any of you know, and at the technical briefing, it became clear that the Attorney

General's staff don't know. When pressed, they said, 'It's too soon to know.' We were actually told that we needed to stop thinking about worst-case scenarios and be more optimistic—you know, these are the smart people. When we pointed out that we weren't optimistic to begin with and proceeded to ask further questions, we got the same answer. Is there a budget for the centre? They don't know. Has a model been chosen? They don't know. Would it look like a legal clinic? They don't know. The Attorney General's staff does not know, and I find that terrifying. You're being asked to endorse a dramatically different model of human rights enforcement, one which failed in another province, based on 'I don't know.'

"One thing they do know, though, is that not everyone will get representation—they were clear about that—and not everyone will get a lawyer. The support of a lawyer is crucial. Human rights are very complicated; it is a complicated area of law."

It's pretty clear that Ms. Bruckmann didn't put a lot of faith in what was going to be done in order to advance the human rights centre, and, it would appear to me, with good reason. This is the most important part of this bill, and it's no wonder that people are outraged, because there are still no answers and this bill is about to be passed.

As I said at the outset, it didn't have to be this way. Since it's clear that this government has no idea yet how it's going to fund the centre, how much it's going to cost or even how it's going to operate, there is no big rush. It's clear the consultations could and should have continued on this bill, yet they've been summarily cut off and now we're never going to have the opportunity to know what the best system would be for the enforcement of human rights in Ontario.

Ms. Bruckmann, again—I'll quote her one more time because she was very eloquent on the subject. She summed it up with these comments: "The bill is a disaster waiting to happen. The bill will not make Ontario a leader in human rights. It's going to reproduce the embarrassment that the government in British Columbia faced.

"But the political fallout is not my clinic's problem. My problem is going to be the low-income people who come to our door, when all this is said and done, and say, 'I went to the commission and they sent me to the tribunal. I went to the tribunal and they sent me to the legal support centre. I went to the legal support centre and they said they couldn't take my case.' Then I'm going to have to say to them that I can't take their case either because I'm stretched thin; I can't take any more. I'm going to have to tell them that the human rights protection that they thought they had under the Human Rights Code is meaningless. This isn't just a political disaster, it is a tragedy that robs the people of Ontario of any hope of a functional human rights system."

In my submission, Ms. Bruckmann is right. How sad that a piece of legislation that could have had so much promise and could have done so much to reform the human rights system in this province has been ignored.

Debate has been choked off. We've only been given one opportunity to debate on one proposed model. I fear it is a disaster that's waiting to happen.

To conclude, we're being forced to deal with one day of third reading on this debate, and we're going to have to vote on it tomorrow. How ironic that the debate happens on the International Day of Disabled Persons. It's a really sad day in Ontario.

1710

Mr. Howard Hampton (Kenora–Rainy River): I want to inform everyone that I will be sharing my time with the member for Niagara Centre, who has been our very able critic with respect to this legislation.

I want to confine my remarks to the process of how we got here. I want to start out by saying that I think most fair-minded people would recognize that human rights legislation is in the nature of quasi-constitutional legislation, that it is legislation that is more important than regular bills that we might see from time to time in the Legislature. There's a good reason for that: because it defines people's human rights in the sense that the Universal Declaration of Human Rights of the United Nations sets out rights that are universal not just to this society but to all nations, all societies in the world. So we're not dealing with just run-of-the-mill legislation here; we are dealing with quasi-constitutional legislation that can have very deep and long-lasting effects upon people's lives and can have very deep and long-lasting effects upon whole identifiable groups of individuals.

This is the kind of legislation which in fact should receive more debate, more discussion, more examination and more cross-examination than any other bill which might proceed through this Legislature. That, I think, would be the expectation of the average citizen of Ontario. It would certainly be the expectation of anyone who has any knowledge of human rights and human rights protection. That's what we should be doing. But alas, human rights protection is being sacrificed by the McGuinty government in the political interests of the McGuinty government.

As I read Ian Urquhart's column today in the Toronto Star, I think Mr. Urquhart has correctly perceived the government's decision. This is a government that knows it's headed to an election within nine and a half months and doesn't want any discussion about this kind of fundamental issue in the run-up to an election campaign. So it has made the crass political decision and sacrificed human rights protection in order to protect the government's narrow, political, partisan interests. That's why we are here now. That's why the government has cancelled the public hearings. That's why the government has taken a battering ram to shove this legislation through the Legislature with a minimum of debate and discussion.

I'll let the government defend that kind of decision going forward from here. But I believe any fair-minded individual who looks at the process so far could not help but come away with the conclusion that I've just set out.

The government offers up excuses. One of the excuses that was offered up was that my colleague Mr. Kormos

was going to filibuster. If all nine New Democrats in the Legislature used all of our allotted time in the debate and discussion of this bill, we might be able to examine it for about a day and a half of legislative time. Apparently, what the McGuinty government is saying is that a day and a half of debate and discussion would be too much, that that is too much discussion, too much examination and cross-examination of their human rights scheme. If that is the position of the McGuinty government, then what they have put forward must indeed be flawed, because if it can't stand a day and a half of discussion by nine New Democrats, if that's their definition of filibuster, then this must indeed be fundamentally flawed, and the government doesn't want to subject it to any kind of inspection or any kind of analysis.

Why would the government not want to have its legislation subjected to that kind of analysis? Let me suggest a couple of reasons. It has been the tradition in this province that the protection of human rights is not just a private matter but a public matter, that the public has an interest in advancing and protecting human rights, that the public has an interest in ensuring that where there has been discrimination, where there have been human rights breaches, not only is the complaint of the individual person addressed, but we look at the systemic issues as well and we look at what is needed to ensure that whatever the particular breach of human rights may be, we take effective action publicly to guard against it. The McGuinty government says that there are flaws and problems with that, and there may indeed be. But what the government wants to offer up now is what we New Democrats call, in effect, the privatization of human rights. The public is going to assume a much, much smaller role, and, according to the McGuinty government, they want to see more and more private litigation. As a lawyer who's dealt with private litigation, here is the reality that is presented all too often across Ontario every day: If you have money and you can afford to litigate, you count; if you don't have money and you can't afford a lawyer, you don't count.

The government will then say, "Oh, yes, but we're going to put some money in a legal aid account" or, "We're going to put some money in a community legal clinic" or, "We're going to set aside some money to look after those folks who cannot afford a lawyer." Actions speak louder than words. The legal aid system has never been in as much trouble as it is now under the McGuinty government. Literally tens of thousands of people across Ontario are written off every day. They cannot retain a lawyer with their own resources they cannot get a legal aid certificate under the McGuinty government. They're simply told, "You don't count; you don't matter." I suggest that, given the spotty record that the government has put forward with respect to this human rights scheme, we're going to see more of the same, only now it won't just be with respect to workers' compensation; it won't just be someone who needs representation with respect to criminal law, family law or poverty law issues. Human rights issues now will also fall into the same sort of

category. If you have money and you can afford to retain a lawyer in Dalton McGuinty's Ontario, your human rights count. If you don't have money and you can't afford to retain a lawyer, then join the waiting list for legal aid and discover how little your human rights count. I suggest that's where we're headed.

What is a real travesty here is, first of all, that this is a government that once again promised that it would be different. This is a government that promised not that long ago that it was going to hold extensive hearings, that it wanted to hear from all those people it had not spoken to and had not raised these issues with. And what do we find? Just as people were prepared to answer the ads in the papers, just as they were prepared to ask for time to be heard, the McGuinty government slams the door and says, "We don't want to hear from you, and whatever you have to say doesn't matter to us."

1720

In the time I've been around here, I don't think I have seen a more cavalier attitude on the part of a government, any government, with respect to human rights than we're seeing now from the McGuinty government—a completely cavalier attitude, an arrogance that says, "We don't need to talk to you; we don't need to hear from you; we don't need to consider your point of view. We're not interested in your arguments; we're not interested in your insights; we're not interested in your experience and we're not interested in how this may affect you. We, the McGuinty government, in our arrogance, know better than any and all of you. Therefore, we're simply going to roll over democratic rights. We're going to put the selfish, narrow, partisan political interests of the McGuinty government ahead of human rights protection, and people can just get over it."

If I may suggest, I don't think people are going to just get over it. This is one promise that I sincerely believe is going to come back to haunt the McGuinty government in a very big way in many communities across this province. Never have human rights or human rights protection been treated in such a cavalier fashion by any government.

Earlier today, we had an opportunity to pay tribute to a former Liberal Attorney General, Ian Scott. Let me say, if Ian Scott were here today, he would be one very angry individual. He would be very upset at the course this government has taken. He would be very upset at the process, or the lack of process, the lack of democratic process, that this government has tried to force down the throats of vulnerable groups across this province.

This is completely, completely out of line with any measures, any process taken with respect to human rights in this province in not just the last 10 years, not just the last 20 years, but the last 30 or 40 years. This will come back to haunt the McGuinty government over and over again.

Mr. John Tory (Leader of the Opposition): I wanted to come and join what is unfortunately the tail end of this third reading debate because I just thought it was worth following on some of the comments of the

leader of the New Democratic Party and others who have spoken, and of course the very excellent job that's been done by our critic, the member for Whitby–Ajax. I really just wanted to state my profound regret at the fact that in an area such as this, where over the years we've had so many good traditions established as to how things are done in this area, this government has chosen, as the leader of the New Democratic party just said, to place its own political interests ahead of protecting and preserving and respecting those good traditions that have been established in this most important area of legislating.

I'm not sure there is another area that's more important in terms of the role we play here and the function that we perform here than the protection of basic human rights. When I talk about good traditions, I talk about the tradition that has existed throughout time. I referred in the speech I gave earlier on this subject—I've forgotten what debate it was in, but it was on Bill 107—to the fact that in years gone by there was great care taken to make sure there was multi-party co-operation on the development and passage of human rights legislation. That tradition has been abandoned.

The next point I'll come to, which is about community consensus—I'm not complaining about the fact that perhaps we haven't had time to state our point of view, but we're here on behalf of people who need to have a voice. We haven't had time because we've been choked off in our ability to talk about this matter. So the tradition of multi-party co-operation has been abandoned.

The tradition of community consensus around human rights legislation has been abandoned. It was always the case that you worked and you worked and you took the time that was necessary to make sure you had the consensus of the community, standing behind something that has been described accurately as quasi-constitutional legislation, and you tried your best to make sure that happened. That has not only been abandoned; it's been stomped on by this government under the instructions of the Premier's office. I'll come back to that in a moment. The Attorney General has not stood up and done his job in terms of making sure that that tradition, which was a good tradition, an honourable tradition in this province, was respected. There was a good tradition that complainants would know, could know and did know that when they complained, there would be someone in their corner and that they didn't have to go out and hire somebody or pay somebody. They wouldn't have to reach into their own pocket in order to advance a complaint in respect of their own human rights.

I experienced that when I was a business leader. You would get the communications from the Human Rights Commission of Ontario acting on behalf of people who had filed a complaint and who had worked for or somehow dealt with the company. The fact is that those were good people who did a good job. They may not have been resourced adequately, and I'll come back to that too, but the fact is that they did their job. People didn't have to lay out a penny from their pockets to get it done, and in many cases they settled satisfactorily those very same

complaints without people ever having to reach into their pockets or get involved in something that was excessively legalistic.

Another good tradition was that the commission had a role to play that was clearly defined and understood in terms of ensuring that systemic issues were aired and addressed. I think that, notwithstanding suggestions and amendments that were put as to how that could be made better in this legislation, which this government is in such an incredible rush to get passed for political reasons and because it's Christmas and they want a more peaceful winter, the good tradition that the commission had its clearly understood role to play in advancing and airing systemic issues has been seriously called into question.

I regret to say this, but the last one I want to mention, which I think is a good, important and time-honoured tradition around here and in other British-based Parliaments, is that the Attorneys General of the province in past years, including the one we paid tribute to earlier today, who was a great Attorney General in this province—and Attorney General McMurtry and Attorney General Wishart and so on—somehow always managed to position themselves, because they saw it was an important part of their office, in a slightly different position from all of the other cabinet ministers in terms of how they did things: how they moved legislation through here, how they actually listened to and respected that desire to have multi-party co-operation on the issues that related to the legal and justice system and human rights and how they actually respected the need for community consensus, in terms of having that before you could proceed forward with something as important as quasi-constitutional human rights legislation.

I will say, putting the best possible light I can on it in this instance, that it is unfortunate that the Attorney General has allowed the Premier's office to stomp on that tradition too—whether it's in the questions and answers we've had in this House, whether it's how the amendments have been treated and dealt with—and, most particularly, how so many members of the public, hundreds of people representing thousands of people who have the biggest and most profound concerns about this legislation and about their rights going forward, have been stomped on, have been shut out, have been told to shut up. They've been told their views don't matter; there's no time to listen to them.

I will put the best interpretation possible on it by saying that that is a construction of the Premier's office, which has forced this Attorney General to abandon the time-honoured manner in which that office is conducted in this Legislature and as part of the government of Ontario. The only disappointment I have is that the Attorney General hasn't stood up and said, "I object to this abandoning of that tradition," which I think is an important one that speaks to the effectiveness of the Office of the Attorney General and the role it plays.

I have a short time available to me, but of course we have the bad tradition that is being followed through on. I'm not going to give a lot of comments about closure or

time allocation and so on. People are fond of saying that it was done 103 or 603 times. What does it matter? We're talking here today about this piece of legislation. We're talking, as the leader of the New Democratic Party said, about the fact that Mr. McGuinty—the Premier—said in the election campaign, “I will be different.” He said he would bring change to Queen’s Park. All that has happened since he got here as Premier is that Queen’s Park has changed him. The man who said he was going to come down here and stand up for the right to have this kind of open discussion, to listen and take the time to listen, to respect people and what they had to say, especially on matters as fundamental as human rights, has certainly changed, because we’re seeing absolutely none of that now.

Instead, what we have is the adoption by this government of the bad tradition, which is that you pass a piece of legislation now and ask questions later: “Don’t worry. Everybody’s going to a lawyer. There’s no need to worry about that.” “Okay. How much is the budget?” “We don’t know that.” “Where is the clinic, and who’s going to run it?” “We don’t know the answer to that question either.” “How about putting a guarantee into the bill, as the member for Whitby–Ajax and others did? As the Attorney General himself said, ‘Fine. People should be guaranteed that their case will be dealt with in a year.’” “No, no, we can’t have that. We’re voting that down.” There were all kinds of amendments of that kind.

1730

By the way, I should say that I don’t apologize for one second for anybody, or on anybody’s behalf, including our own party, for the fact that a backlog existed. That’s not acceptable, but there was never any opportunity given to people to come in here and say how you might properly have funded the current system to make it work better, how you might have developed some other system that wasn’t developed by this government in the dark recesses of their own little corners without any input. There just wasn’t. They said, “Look, this is the way we’re doing it. If you don’t like it, lump it. We’re going to jam it down your throats.” The very fact that it’s a bad tradition that they’ve adopted, which is to take steps, pass legislation and ask questions and answer them later, I think is inexcusable. That’s the way it has always been done and that’s why people have no faith in this place. Good traditions are gone, bad traditions are picked up by this government—very unfortunate when it’s a matter as fundamental as this.

Mr. Kormos: I’m not pleased at all to be speaking to this bill on third reading under these circumstances and in these conditions: but two hours permitted by this government in their McGuinty muzzle motion for third reading debate on one of the most substantive, and at the same time incredibly flawed, bills that this government has put forward. The government promised score after score of individuals and organizations that wanted to speak to this legislation that they would have their chance to speak to it. The government published over \$100,000 worth of advertising, that continued to appear after it shut down

the committees, telling people they had under December 15 to apply to appear before committees that would meet throughout the winter months, when this Parliament was in the course of its winter break and when legislators had all sorts of time on their hands to listen to those people.

The government, in the course of promoting its agenda around Bill 107, either in its own right or through its spokespeople, defamed, libelled and slandered people working in the Ontario Human Rights Commission, those front-line workers and their managers and, inherently, the commissioners. The government members of the legislative committee promised that those front-line workers would have a chance to appear before the committee to respond to some of the incredibly scurrilous—and, I say to you, we would have discovered in no small part mythical—stories being told about them, and so-called delays, delays that are undeniable. We’ve been raising this in the Legislature over the course of the last decade and change; of course we have. An understaffed, under-resourced commission is not going to work very efficiently or very effectively. And a gutted commission, a commission that’s been abandoned, a commission that’s been locked and padlocked and simply left to rot with no staff and resources and no legislative structure, is going to be even less effective.

“Debate is not a sin, a mistake, an error or something to be put up with in Parliament. Debate is the essence of Parliament.” Stanley Knowles said that in our federal Parliament in 1968. It was as valid then as it was 20 years earlier, and it’s as valid today as it was then. What is government afraid of? This government broke some very significant promises to a huge number of people in this province in its flight from the debate on this legislation, its flight from the debate, its refusal to hear from people who have something very important to say about not just the legislation but about the principles involved, the fact that this is the privatization of human rights enforcement in the province of Ontario. Just as we prosecute criminal code offences, crimes, publicly, and we investigate them publicly with our police forces and prosecute them at the crown attorney’s offices, and the style of the action is the Queen versus whomever, if I in turn want to sue the thief who stole the radio from my car, I can go to Small Claims Court or Superior Court, and the style will be Kormos versus thief. They’re two very different concepts, two very different approaches with two very different rationales. One is for the individual to get individual redress and the other is to address the broader issue and the public concern around crime, and the development and assurance of safe communities.

You see, it’s not called the individual rights code, it’s called the Human Rights Code. Individuals who are complainants are but that, and that’s a good thing. You can’t talk about an individual complaint without talking about systemic concerns, because if there weren’t systemic concerns, there wouldn’t be individual complaints. Discrimination doesn’t happen in a vacuum. It doesn’t happen one on one. It’s not a binary thing. Discrimination is a societal thing that lives in a structure, that feeds on attitudes, misbeliefs and certain perverse values.

It's not about the relationship between me and another person; it's about the fact that discrimination can thrive, the fact that we have to address it, expose it, confront it and eliminate it, and you don't do that by privatizing the human rights system here in the province.

Let's talk about some of the amendments that the government brought forward. The government insists that the commission is going to focus its attention on systemic discrimination, but of course there will be no investigative capacity on the part of the individual complainant. Just like people don't tend to commit crimes in full view of others, people don't tend to discriminate while scribes are recording and documenting the evidence. Discrimination, as so many victims know, can be so insidiously and sometimes politely subtle, yet have as significant an impact as the literal slap in the face, the literal blow to the body.

Let's look at what this government in its wisdom proposes for investigative powers on the part of a commission. I recall in committee—because I made notes on the government amendments that I had read; I'd be reading around 7:30, 8 o'clock in the morning, and Mrs. Elliott was there—I had written, “Stupid, stupid, stupid,” on this particular amendment.

Let's look at what the government proposes for search warrant powers on the part of the commission conducting an inquiry. The commission may go to a place, knock, knock, knock on the door and in writing request the production of a particular document if it's conducting an investigation into discrimination and it believes that that document is relevant. The party is not compelled to turn over the document. It is only after the commission—knock, knock, knock—attends at the place and in writing requests a copy of that document that the commission, if it's denied that document, can go to a justice of the peace and obtain a search warrant. Oh, please. Why don't we start telling our police, “You can go down to the outlaw biker club. You have to go there first and request their drugs. It's only when you go there and request them, identifying yourselves as police officers, and they say ‘Sorry, I don't think so,’ and slam the door in your face that you can go to a justice of a peace and get a search warrant?” That's what the government's amendments were to Bill 107 in terms of the investigative powers of the commission. That's what the commission has to do before it can get a search warrant. Have you people never heard of paper shredders? This is 2006, for Pete's sake. People who discriminate—corporate entities that discriminate, employers that discriminate—sure as hell aren't going to keep the evidence sitting around for a commission investigator to go running after, after they've attempted to knock: “I want those employment records that we believe will demonstrate continuing discrimination against a particular applicant. And if you don't give them to us, we're going to come back with a search warrant.” Do you really think they're going to be there when you get back?

1740

Even more insulting, you give the tribunal the authority to appoint an investigator, but you don't even give

that investigator the capacity or the opportunity to obtain a search warrant. The investigator on behalf of the tribunal is entirely at the mercy of the volitional participation by the subject of an investigation in providing evidence of their discrimination against a person or persons. Regardless of where you stand on the issue of privatization of human rights enforcement or retaining that very important public role, that's just bad legislation, and it is, with all due respect, Speaker, as I noted a week ago at 8 in the morning in my office, stupid, stupid, stupid.

I know that the Attorney General has somehow expressed nothing but disdain for process. I for one think that process is important. That's why we have principles like due process that are so thoroughly embedded in our sense of fairness in the application of law. Understand that the tribunal makes its own rules, that the tribunal can make rules in contravention of the Statutory Powers Procedure Act. Understand that there isn't a single section of the Statutory Powers Procedure Act that the tribunal has to comply with if the tribunal so chooses. This isn't the result of regulation passed by the Lieutenant Governor in Council. It's not the result, even, of an edict by the Attorney General, never mind law passed in this Legislature. It's about the tribunal being able to override one of the most fundamental pieces of codified natural justice, amongst other things, that's ever been—the Statutory Powers Procedure Act was a turning point in the development of law, of administrative and tribunal law here in the province of Ontario. This is a cornerstone of the assurance of justice in these contexts.

Take a look at 37.1, yet again an amendment to Bill 107. This is scary, scary, scary stuff. This should even cause the advocates for Bill 107 to stop and think again:

“The tribunal shall dispose of applications made under this part by adopting the procedures and practices provided for in its rules or otherwise available to the tribunal which, in its opinion, offer the best opportunity for a fair, just and expeditious resolution....”

It doesn't even require that the standard they meet be one set by a third party—rules that “in its opinion, offer the best opportunity for a fair, just and expeditious resolution....” Reading the amendments that the government passed, notwithstanding concerns and objections, Mrs. Elliott and I learned that there doesn't even have to be a hearing in person, there doesn't even have to be evidence given orally, there doesn't even have to be evidence given by sworn statement. The tribunal has the power to choose that it will determine a claim on the basis of unsworn statements. That's what the bill says. Those are the government's studied amendments to this legislation? I indicated in committee that if I had voted for any of those, I would have felt compelled to report myself to the law society. I'm serious. If I had voted for any of those amendments, I would have reported myself to the law society. I would have insisted that they discipline me in one way or another.

I've told you about how the tribunal's search powers in the course of its investigations don't provide for search warrants at all. The tribunal is invited to enter the fray by

performing in an inquisitorial manner. It can conduct an examination in chief or cross examination of witnesses. “The rules may be of general or particular application.” You know what that means? It’s subsection 39(4). The tribunal can create rules that are “one of,” that are tailored for any given case. In other words, you don’t know what the rules are going to be when you embark on your complaint or, as a respondent, when you embark on your defence, if you will, to the allegations made against you. This is oh, so unattractively Soviet in its character and nature. People are being hauled into or are calling upon someone else to enter into a litigation process when they won’t even be assured that there’s any forenotice of the rules that will be applied. This is the sort of stuff that drove Kafka to brilliance, because the rules can change literally not just day by day, but hour by hour, never mind case by case. How do we then develop a body of, as lawyers would call it, jurisprudence around this stuff?

How do we avoid—because, don’t forget, we’re talking about the privatization of the system. We’re talking about discriminators, people who abuse other people’s human rights, being able to, well, settle the case—even, should the tribunal deem it expedient, expeditious, to settle a case with a nondisclosure clause. We know how notorious those have become in terms of the debate around them and whether or not they serve any valid public interest.

Is this an invitation? Is this a wide-open door for rich Human Rights Code violators, for wealthy ones, be they employers, be they landlords, what have you, to violate human rights helter-skelter as long as they can pick off, buy off, pay out—so-called “compensate”—victims of discrimination one at a time, one after the other? I say to you it is, and it’s very dangerous turf for us to embark upon. It is the antithesis of what the model and structure has been from its very beginning. It is the absolute antithesis. It is not only not in the public interest; if it’s not in the public interest, it can’t be in the individual interest either. It doesn’t serve our ultimate goal, which has to be to design a human rights enforcement system that has as its final, ultimate goal the eradication of human rights abuses, of discrimination, of violations of this code here in our province and beyond.

This is serious stuff. We witness escalating levels and rates and frequencies of discrimination in any number of areas. I tell you, Ontarians with disabilities who counted upon this government to maintain the Human Rights Commission, as it promised, when they supported this government’s Ontarians with Disabilities Act are not just shocked and horrified; they’re afraid, because an ODA without an effective commission is nothing more than literally mere paper, like this. That’s it; nothing more than that.

1750

Tell me, friends, how this indicates on the part of this government any sincere commitment to fighting racism. The government buries an anti-racism secretariat in the skeleton, in the shell of the commission it maintains: no independent minister, be he or she with or without portfolio; no independent budget. Indeed, on behalf of con-

cerned people, Ms. Elliott and I moved amendment after amendment that would have given the anti-racism secretariat its own budget and a capacity to function in its own right, hopefully with the specialization and expertise developed by virtue of being an anti-racism secretariat, to deal with racism in every facet, including the prosecution of racist discrimination. The government has defeated that amendment. It did the same with the disabilities secretariat. The government defeated that amendment. Make note that there’s no appeal on these decisions as a result of this government’s bill.

The government’s spokespeople were rather dismissive of those courts that had acted as appellate courts in the current regime, in the current system. I say that the government was being less than forthright, because there’s a litany of cases cited where the courts of this province and this country have taken good tribunal decisions and given them the strength of law.

This government says it’s going to shorten the waiting time. Well, by eliminating the section 34 function, this government is going to expand the waiting time. This government will create a two-tier system of human rights enforcement for those with the money, those with the pocketbooks, those with bank accounts, those with the Mercedes-Benz S600s. Oh, isn’t that ironic? They will be able to buy their way to the front of the line with high-priced lawyers.

A support system? What, like the Office of the Worker Adviser, Mr. Attorney General, who have their own waiting list of two and two and a half years before you can even get an appointment because your government won’t fund them? Like legal aid clinics that have had to limit the scope of their practice because you won’t fund them? Like legal aid certificate programs where women who are victims of violence in their homes and whose lives are at risk because of that domestic violence can’t get family lawyers to represent them on a legal aid certificate because you capped the number of hours, and a competent lawyer knows he or she can’t perform the job that has to be done for those women with that limited number of hours? Is that what you have in mind?

People on this side of this chamber care just far too much about the future of human rights enforcement in this province to permit you to simply say, “Oh, we’re tired of the debate.” “We’re bored,” the Attorney General says. “We’re bored; we’ve heard it all before.” Yet in fact, if it weren’t for the Brückmann evidence, the evidence of Elisabeth Brückmann given on November 22, 2006, we would not have been advised of the outright fraud that was perpetrated on committee members by presenters who purported to act for human rights complainants but who were revealed to be so far removed from human rights advocacy activity in this province as to merely, on a good day, imagine themselves in that role.

New Democrats don’t support this legislation. It’s wrong, it’s bad, it’s unhealthy—

The Acting Speaker: Pursuant to the order of the House dated November 21, 2006, I am now required to put the question.

Mr. Bryant has moved third reading of Bill 107, An Act to amend the Human Rights Code.

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

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

I wish to inform the House that I have received a deferral notice from the representative of the government whip:

"Pursuant to standing order 28(h), I request that the vote on the motion by Minister Bryant for the third reading of Bill 107, An Act to amend the Human Rights Code, be deferred until tomorrow at the time of deferred votes."

It being close to 6 of the clock, this House stands adjourned until later on this evening at 6:45 p.m.

The House adjourned at 1756.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon. / L'hon. Michael A. Brown
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Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Arnott, Ted (PC)	Waterloo–Wellington	First Deputy Chair of the committee of the whole House / Premier Vice-Président du comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Ajax–Uxbridge	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Balkissoon, Bas (L)	Scarborough–Rouge River	Parliamentary assistant to the Minister of Community Safety and Correctional Services (Community Safety) / adjoint parlementaire au ministre de la Sécurité communautaire et des Services correctionnels (Sécurité communautaire)
Barrett, Toby (PC)	Haldimand–Norfolk–Brant	
Bartolucci, Hon. / L'hon. Rick (L)	Sudbury	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Bentley, Hon. / L'hon. Christopher (L)	London West / London-Ouest	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	Deputy government whip / whip adjoint du gouvernement
Bisson, Gilles (ND)	Timmins–James Bay / Timmins-Baie James	Chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Boutrogianni, Hon. / L'hon. Marie (L)	Hamilton Mountain	Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Bradley, Hon. / L'hon. James J. (L)	St. Catharines	Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement
Brotten, Hon. / L'hon. Laurel C. (L)	Etobicoke–Lakeshore	Minister of the Environment / ministre de l'Environnement
Brown, Hon. / L'hon. Michael A. (L)	Algoma–Manitoulin	Speaker / Président
Brownell, Jim (L)	Stormont–Dundas–Charlottenburgh	Parliamentary assistant to the Minister of Tourism / adjoint parlementaire au ministre du Tourisme
Bryant, Hon. / L'hon. Michael (L)	St. Paul's	Attorney General / procureur général
Cansfield, Hon. / L'hon. Donna H. (L)	Etobicoke Centre / Etobicoke-Centre	Minister of Transportation / ministre des Transports
Caplan, Hon. / L'hon. David (L)	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement
Chambers, Hon. / L'hon. Mary Anne V. (L)	Scarborough East / Scarborough-Est	Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse
Chudleigh, Ted (PC)	Halton	Deputy opposition whip / whip adjoint de l'opposition
Colle, Hon. / L'hon. Mike (L)	Eglinton–Lawrence	Minister of Citizenship and Immigration / ministre des Affaires civiles et de l'Immigration
Craiton, Kim (L)	Niagara Falls	Parliamentary assistant to the Minister of Community Safety and Correctional Services (Correctional and Emergency Services) / adjoint parlementaire au ministre de la Sécurité communautaire et des Services correctionnels (Services correctionnels et situations d'urgence)
Crozier, Bruce (L)	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice-Président, Président du comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga West / Mississauga-Ouest	Parliamentary assistant to the minister responsible for seniors / adjoint parlementaire au ministre délégué aux Affaires des personnes âgées

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Dhillon, Vic (L)	Brampton West–Mississauga / Brampton-Ouest–Mississauga	Parliamentary assistant to the Minister of Government Services / adjoint parlementaire au ministre des Services gouvernementaux
Di Cocco, Hon. / L'hon. Caroline (L)	Sarnia–Lambton	Minister of Culture / ministre de la Culture
DiNovo, Cheri (ND)	Parkdale–High Park	
Dombrowsky, Hon. / L'hon. Leona (L)	Hastings–Frontenac–Lennox and Addington	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Brad (L)	Scarborough Centre / Scarborough-Centre	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Municipal Affairs) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Affaires municipales)
Duncan, Hon. / L'hon. Dwight (L)	Windsor–St. Clair	Minister of Energy / ministre de l'Énergie
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Ajax	
Flynn, Kevin Daniel (L)	Oakville	Parliamentary assistant to the Minister of Energy / adjoint parlementaire au ministre de l'Énergie
Fonseca, Peter (L)	Mississauga East / Mississauga-Est	Parliamentary assistant to the Minister of Health Promotion / adjoint parlementaire au ministre de la Promotion de la santé
Gerretsen, Hon. / L'hon. John (L)	Kingston and the Islands / Kingston et les îles	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Gravelle, Michael (L)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Horwath, Andrea (ND)	Hamilton East / Hamilton-Est	
Hoy, Pat (L)	Chatham–Kent Essex	
Hudak, Tim (PC)	Erie–Lincoln	
Jeffrey, Linda (L)	Brampton Centre / Brampton-Centre	Parliamentary assistant to the Minister of Intergovernmental Affairs and minister responsible for democratic renewal / adjointe parlementaire à la ministre des Affaires intergouvernementales et ministre responsable du Renouveau démocratique
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / Niagara-Centre	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton–Springdale	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Kwinter, Hon. / L'hon. Monte (L)	York Centre / York-Centre	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	Parliamentary assistant to the Minister of Economic Development and Trade and to the Minister of Small Business and Entrepreneurship / adjoint parlementaire à la ministre du Développement économique et du Commerce et au ministre des Petites Entreprises et de l'Entrepreneuriat
Leal, Jeff (L)	Peterborough	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
Levac, Dave (L)	Brant	Chief government whip / whip en chef du gouvernement
MacLeod, Lisa (PC)	Nepean–Carleton	
Marchese, Rosario (ND)	Trinity–Spadina	
Marsales, Judy (L)	Hamilton West / Hamilton-Ouest	
Martel, Shelley (ND)	Nickel Belt	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Deborah (L)	London North Centre / London-Centre-Nord	Parliamentary assistant to the Minister of Community and Social Services and minister responsible for women's issues / adjointe parlementaire à la ministre des Services sociaux et communautaires et ministre déléguée à la Condition féminine
Mauro, Bill (L)	Thunder Bay–Atikokan	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
McGuinty, Hon. / L'hon. Dalton (L)	Ottawa South / Ottawa-Sud	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
McMeekin, Ted (L)	Ancaster–Dundas– Flamborough–Aldershot	Parliamentary assistant to the Minister of Education / adjoint parlementaire à la ministre de l'Éducation
McNeely, Phil (L)	Ottawa–Orléans	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire à la ministre des Transports
Meilleur, Hon. / L'hon. Madeleine (L)	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	Chief opposition whip / whip en chef de l'opposition
Milloy, John (L)	Kitchener Centre / Kitchener-Centre	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire au ministre de la Formation et des Collèges et Universités
Mitchell, Carol (L)	Huron–Bruce	Parliamentary assistant to the Minister of Public Infrastructure Renewal / adjointe parlementaire au ministre du Renouvellement de l'infrastructure publique
Mossop, Jennifer F. (L)	Stoney Creek	Parliamentary assistant to the Minister of Culture and minister responsible for francophone affairs / adjointe parlementaire à la ministre de la Culture et ministre déléguée aux Affaires francophones
Munro, Julia (PC)	York North / York-Nord	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
O'Toole, John (PC)	Durham	Deputy opposition whip / whip adjoint de l'opposition
Oraziotti, David (L)	Sault Ste. Marie	Parliamentary assistant to the Minister of Natural Resources and minister responsible for aboriginal affairs / adjoint parlementaire au ministre des Richesses naturelles et ministre délégué aux Affaires autochtones
Ouellette, Jerry J. (PC)	Oshawa	
Parsons, Ernie (L)	Prince Edward–Hastings	Parliamentary assistant to the Minister of Community and Social Services (Disabilities) / adjoint parlementaire à la ministre des Services sociaux et communautaires (Personnes handicapées)
Patten, Richard (L)	Ottawa Centre / Ottawa-Centre	Parliamentary assistant to the Premier / adjoint parlementaire au premier ministre
Peters, Hon. / L'hon. Steve (L)	Elgin–Middlesex–London	Minister of Labour / ministre du Travail
Peterson, Tim (L)	Mississauga South / Mississauga-Sud	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Phillips, Hon. / L'hon. Gerry (L)	Scarborough–Agincourt	Minister of Government Services / ministre des Services gouvernementaux
Prue, Michael (ND)	Beaches–East York / Beaches–York-Est	
Pupatello, Hon. / L'hon. Sandra (L)	Windsor West / Windsor-Ouest	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
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	Parliamentary assistant to the Minister of Health Promotion / adjoint parlementaire au ministre de la Promotion de la santé
Racco, Mario G. (L)	Thornhill	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Ramal, Khalil (L)	London–Fanshawe	Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire au ministre des Affaires civiles et de l'Immigration
Ramsay, Hon. / L'hon. David (L)	Timiskaming–Cochrane	Minister of Natural Resources, minister responsible for aboriginal affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Rinaldi, Lou (L)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs (Rural Affairs) / adjoint parlementaire à la ministre de l'Agriculture, de l'Alimentation et des Affaires rurales (Affaires rurales)

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Runciman, Robert W. (PC) Ruprecht, Tony (L) Sandals, Liz (L)	Leeds–Grenville Davenport Guelph–Wellington	Opposition House leader / leader parlementaire de l'opposition Parliamentary assistant to the Minister of Education / adjointe parlementaire à la ministre de l'Éducation
Scott, Laurie (PC) Sergio, Mario (L)	Haliburton–Victoria–Brock York West / York-Ouest	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Housing) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Logement)
Smith, Monique M. (L)	Nipissing	Parliamentary assistant to the Minister of Health and Long-Term Care / adjointe parlementaire au ministre de la Santé et des Soins de longue durée
Smitherman, Hon. / L'hon. George (L)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Deputy Premier, Minister of Health and Long-Term Care / vice- premier ministre, ministre de la Santé et des Soins de longue durée
Sorbara, Hon. / L'hon. Greg (L)	Vaughan–King–Aurora	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Sterling, Norman W. (PC) Tabuns, Peter (ND) Takhar, Hon. / L'hon. Harinder S. (L)	Lanark–Carleton Toronto–Danforth Mississauga Centre / Mississauga-Centre	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Tascona, Joseph N. (PC)	Barrie–Simcoe–Bradford	Second Deputy Chair of the committee of the whole House / Deuxième Vice-Président du comité plénier de l'Assemblée législative
Tory, John (PC) Van Bommel, Maria (L)	Dufferin–Peel–Wellington–Grey Lambton–Kent–Middlesex	Leader of the Opposition / chef de l'opposition Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs (Agriculture and Food) / adjointe parlementaire à la ministre de l'Agriculture, de l'Alimentation et des Affaires rurales (Agriculture et Alimentation)
Watson, Hon. / L'hon. Jim (L)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Health Promotion / ministre de la Promotion de la santé
Wilkinson, John (L)	Perth–Middlesex	Parliamentary assistant to the Minister of Research and Innovation / adjoint parlementaire au ministre de la Recherche et de l'Innovation
Wilson, Jim (PC)	Simcoe–Grey	Deputy opposition House leader / leader parlementaire adjoint de l'opposition
Witmer, Elizabeth (PC) Wynne, Hon. / L'hon. Kathleen O. (L)	Kitchener–Waterloo Don Valley West / Don Valley-Ouest	Minister of Education / ministre de l'Éducation
Yakabuski, John (PC) Zimmer, David (L)	Renfrew–Nipissing–Pembroke Willowdale	Parliamentary assistant to the Attorney General / adjoint parlementaire au procureur général
Vacant	Burlington	
Vacant	Markham	
Vacant	York South–Weston / York-Sud–Weston	

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

Estimates / Budgets des dépenses

Chair / Président: Tim Hudak
Vice-Chair / Vice-Président: Garfield Dunlop
Kim Craitor, Bob Delaney,
Garfield Dunlop, Andrea Horwath,
Tim Hudak, Linda Jeffrey, Phil McNeely,
Jim Wilson, David Zimmer
Clerk / Greffier: Katch Koch

**Finance and economic affairs /
Finances et affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-Président: Phil McNeely
Ted Arnott, Wayne Arthurs, Toby Barrett,
Pat Hoy, Judy Marsales,
Deborah Matthews, Phil McNeely,
Carol Mitchell, Michael Prue
Clerk / Greffier: Douglas Arnott

General government / Affaires gouvernementales

Chair / Président: Kevin Daniel Flynn
Vice-Chair / Vice-Président: Jim Brownell
Jim Brownell, Vic Dhillon, Brad Duguid,
Kevin Daniel Flynn, Jerry J. Ouellette,
Tim Peterson, Lou Rinaldi,
Peter Tabuns, John Yakabuski
Clerk / Greffière: Susan Sourial

Government agencies / Organismes gouvernementaux

Chair / Présidente: Julia Munro
Vice-Chair / Vice-Présidente: Cheri DiNovo
Cheri DiNovo, Brad Duguid,
Michael Gravelle, John Milloy, Carol Mitchell,
Julia Munro, Laurie Scott,
Monique M. Smith, Joseph N. Tascona
Clerk / Greffière: Tonia Grannum

Justice Policy / Justice

Chair / Président: Vacant
Vice-Chair / Vice-Présidente: Maria Van Bommel
Bas Balkissoon, Lorenzo Berardinetti,
Christine Elliott, Frank Klees, Peter Kormos,
David Oraziotti, Shafiq Qaadri,
Maria Van Bommel, David Zimmer
Clerk / Greffière: Anne Stokes

Legislative Assembly / Assemblée législative

Chair / Président: Vacant
Vice-Chair / Vice-Président: Mario G. Racco
Ernie Hardeman, Linda Jeffrey, Rosario Marchese,
Ted McMeekin, Norm Miller, Jennifer F. Mossop,
Tim Peterson, Shafiq Qaadri, Mario G. Racco
Clerk / Greffière: Tonia Grannum

Public accounts / Comptes publics

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-Président: Ernie Hardeman
Wayne Arthurs, Ernie Hardeman, Lisa MacLeod,
Shelley Martel, John Milloy,
Richard Patten, Liz Sandals,
Monique M. Smith, Norman W. Sterling
Clerk / Greffier: Katch Koch

**Regulations and private bills /
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath
Vice-Chair / Vice-Président: Vacant
Gilles Bisson, Bob Delaney,
Andrea Horwath, Jeff Leal, Dave Levac,
Gerry Martiniuk, Bill Murdoch,
Lou Rinaldi, Mario Sergio
Clerk / Greffière: Susan Sourial

Social Policy / Politique sociale

Chair / Président: Ernie Parsons
Vice-Chair / Vice-Président: Khalil Ramal
Ted Chudleigh, Peter Fonseca,
Kuldip Kular, Jeff Leal,
Rosario Marchese, Bill Mauro, John O'Toole,
Ernie Parsons, Khalil Ramal
Clerk / Greffier: Trevor Day

Electoral reform / Réforme électorale

Chair / Présidente: Caroline Di Cocco
Vice-Chair / Vice-Président: Norm Miller
Wayne Arthurs, Caroline Di Cocco,
Kuldip Kular, Norm Miller, Richard Patten,
Michael Prue, Monique M. Smith,
Norman W. Sterling, Kathleen O. Wynne
Clerk / Greffière: Anne Stokes

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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