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## **Official Report of Debates (Hansard)**

## **Journal des débats (Hansard)**

**Tuesday 3 April 2007**

**Mardi 3 avril 2007**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 3 April 2007

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 3 avril 2007

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ASSISTANCE TO FARMERS

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** Ontario's farmers hoped for respect prior to this year's budget, and, regrettably, Dalton McGuinty paid no attention to the much-publicized farm crises.

Ontario tobacco farmers are in dire straits. With a budget surplus of \$310 million, it's unconscionable that the McGuinty government couldn't find one penny more for farmers. I encourage ag minister Dombrowsky to roll up her sleeves and to work co-operatively with the federal government on this.

Your budget added insult to injury by cutting \$191 million from the ag budget. Turn to page 166: Last year you spent \$809 million on your ministry, plus \$278 million on assistance to the ag sector; that totals just under \$1.1 billion. This year you're spending \$876 million on your ministry plus \$20 million in assistance. That totals \$896 million, or \$190 million less. The result: fewer dollars for beef, pork, tobacco, cash crop.

Dalton McGuinty has broken his election promise to develop a new generation of farm safety nets. The risk management program that farmers have been asking for since June has been ignored once again. When will this government address the farm crisis? How many times do farmers have to come to Queen's Park begging? I'm curious to hear what you'll tell farmers as the election draws near, and I point out that there are tobacco farmers from my riding in the House this afternoon. I ask you to join in welcoming them.

#### INTERNATIONALLY TRAINED PROFESSIONALS

**Ms. Andrea Horwath (Hamilton East):** The face of Hamilton is diversely multi—multicultural. Excuse me, Mr. Speaker. I put a mint in my mouth because I didn't think I was going to be going yet, but unfortunately, it doesn't look like any of the Liberal members have any statements. So I'm going to start again.

The face of Hamilton is diversely multicultural. Our city is proud to be home to people from around the world. On March 25, I was pleased to celebrate the

advent of the Iranian New Year with hundreds of Iranians from Hamilton and surrounding communities. Together, we marked Norouz, symbolizing the first day of spring: a new beginning, a clean slate and fresh perspectives, an occasion when all differences, political and otherwise, are put aside and people celebrate as a community.

On Saturday, I attended another Norouz, this time with Hamilton's vibrant Kurdish community.

Also on Saturday, I sat down with a group of people to discuss particular concerns arising from within our diverse communities. The issue that keeps coming up is foreign-trained professionals being unable to work in the fields for which they were trained, accredited and educated in another country. That ever-elusive requirement of Canadian experience continues to be a barrier for well-educated and highly skilled people who immigrate to Ontario. Many I speak to believe that employers use Canadian experience as a cloak to veil their discriminatory and unfair hiring practices. They tell me it is far easier for them to be hired in their chosen field in the United States and elsewhere, even the country they left in search of a better life.

This is a disturbing thing to hear. Starting with funding for small ethnocultural groups in Hamilton who are bridges for helping newcomers, this government needs to look at the effects on youth, particularly, to adjust to a new culture.

#### RENEWABLE FUELS

**Mrs. Liz Sandals (Guelph–Wellington):** Today I am pleased to recognize a business in my riding. I was proud to attend UPI Energy's launch of its first E85 gas station in Guelph. UPI plans to launch a second E85 facility in Chatham later this year. Both gas stations are full service and are open to the public seven days a week.

UPI's E85 is a high-octane gasoline which contains up to 85% ethanol. E85's ethanol content is seasonally adjusted and it's made from ethanol produced right here in Ontario.

E85 benefits the environment by lowering vehicle carbon monoxide emissions, generating less carbon dioxide discharge and releasing fewer volatile organic compounds and particulate matter than conventional gasolines. What does all that mean? A reduction in the pollutants that contribute to smog, haze and acid rain.

UPI's E85 is safe to use in all flex-fuel vehicles. Several auto manufacturers produce vehicles that can run on any combination of ethanol and gasoline up to a maxi-

mum 85% ethanol content. The flex-fuel vehicles tend to be larger sedans and pickup trucks. They are a good solution for big families and people who have lots of stuff to haul but who also want to be environmentally responsible.

Unfortunately, the new federal auto tax rules penalize people who buy flex-fuel cars. It's important to educate the public and the federal government that E85 fuel is an exciting new option and it's available in Guelph.

#### WATER QUALITY

**Ms. Lisa MacLeod (Nepean–Carleton):** Water quality in rural Ottawa is rapidly reaching crisis levels and there is no support from the McGuinty Liberals to improve this crumbling infrastructure.

One day after the McGuinty budget was tabled, I met with disillusioned residents from my riding in Lynwood Trailer Park with Ottawa city Councillor Doug Thompson, just minutes from Ottawa South, Dalton McGuinty's constituency. What they told me and what they showed me was utterly disturbing. The water sample would turn your stomach. It was brown; the size of the particles suspended in the water was beyond belief. They described health problems as a result of the poor water quality. They described how they can't even wash their clothes because the water stains the fabric. They showed me pictures of overflowing septic tanks.

The Minister of the Environment says this water is drinkable, but let me read a quote from the Lynwood residents that was received a day after this budget was tabled: "This, in the Premier's hometown of Ottawa, where we pay Ottawa's mill rate for property tax, have dirt roads, no storm sewers, resulting in flooding of lawns and driveways, no street lights, poor dial-up Internet, no cable service and no drinkable water," Minister of Health Promotion.

These are Third World conditions and they should not be tolerated in Ontario, especially in the national capital.

The recent budget handed down by this Liberal government has no plans to fix crumbling infrastructure in rural Ottawa. It is shameful and, quite frankly, rural residents in Ottawa deserve better than a rudderless McGuinty ship.

#### TRANSIT SERVICES

**Mr. Mario G. Racco (Thornhill):** For years I have been advocating on behalf of my constituents to have the Spadina-York subway extended to York University and beyond into Thornhill.

It was over seven years ago that I founded the Spadina-York subway extension committee when I was a councillor in the city of Vaughan. Through this committee, I worked tirelessly along with my colleagues from Vaughan and the region of York and from the city of Barrie, the city of Brampton, the city of Toronto and York University to ensure that one day our vision of

having the subway would become a reality. Finally, it has happened.

There are many benefits of having a subway in Thornhill. The subway will ease traffic congestion, provide an affordable and efficient alternative for commuters and promote growth for local business and taxpayers.

I would like to thank my fellow colleagues in the McGuinty government for recognizing the significance of this project by committing funds towards the extension over a year ago. I would also like to thank Councillor Sandra Yeung Racco, the current chair of the Spadina-York subway extension committee, who has been a passionate and effective advocate for the subway extension.

Of course, the subway extension will revolutionize public transportation in the region of York. I again want to say thank you to the McGuinty government for making that a reality.

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#### ONTARIO LOTTERY AND GAMING CORP.

**Mr. Robert W. Runciman (Leeds–Grenville):** During the course of public discussion surrounding the lottery corporation scandal, the minister responsible for OLG and his boss, Premier McGuinty, have consistently used the defence that OLG is an arm's-length agency, that government doesn't get involved in its operations. The lie was put to that claim last week when the Toronto Sun revealed that top Liberal strategists Warren Kinsella and Jim Warren had met to devise ways to discredit the report by CBC's Fifth Estate and, indirectly, the ripped-off ticket purchaser, Bob Edmonds, who, sadly, passed away yesterday. The Liberal effort at misdirection was further revealed yesterday when we found out that the head of the Liberal re-election team and former chief of staff to Premier McGuinty, Don Guy, also attended this spin meeting.

The Premier, Minister Caplan and other Liberal apologists are treating Ontarians with disdain when they justify their failure to protect lottery ticket purchasers in this province by telling them they have nothing to do with OLG operations, while at the same time their top election officials are calling the shots, more interested in protecting political hides than in the protection of trusting Ontarians. So much for arm's length: They cut off the arm when it's convenient.

This is nothing short of shameful conduct by the McGuinty government. The minister needs to resign and an independent investigator has to be called in.

#### POST-SECONDARY EDUCATION

**Mrs. Carol Mitchell (Huron–Bruce):** Yesterday I had the opportunity to host the Minister of Training, Colleges and Universities, the Honourable Chris Bentley, for two announcements at the Bruce Power training centre that will help to provide greater access to post-secondary education for the residents of Huron–Bruce. In

what is great news for the community's largest employer, Bruce Power and the Power Workers' Union Training Inc. are training up to 25 industrial millwright mechanic co-op apprentices from Fanshawe College's mechanical technician diploma program. The minister was on hand to announce that this government will be funding the program with a \$400,000 investment in the college. This co-op diploma apprenticeship program will combine a college diploma with apprenticeship training, which will add flexibility to the apprenticeship system and respond to the needs of employers while attracting more youth to the skilled trades.

Minister Bentley also announced Kincardine's new distance education access centre which, under the Contact South program, is being supported by a \$2.2-million investment in 2007 to implement the new network in five small or rural Ontario communities. This new program will provide students in rural areas with better access to post-secondary education, with a focus on co-operative education, apprenticeships and trades training.

These two announcements are absolutely prime examples of how the McGuinty government is putting opportunities for post-secondary education and training right at the fingertips of our youth.

#### ONTARIO TRAILS

**Mr. Dave Levac (Brant):** It's a pleasure to rise today to support and proclaim the recent \$2-million grant that has been awarded to the riding of Brant to connect its trail and bikeway system that had previously been cut in half by Highway 403. This wonderful grant further demonstrates the McGuinty government's commitment to improve infrastructure in the riding of Brant and indeed the province of Ontario, as the money will help the city of Brantford build a safe road for pedestrians and cyclists over Highway 403 at the Wayne Gretzky Parkway.

But the benefits do not end there, as this project is expected to create as many as 300 jobs for people in Ontario, and it will also help to promote healthy living by providing the people of Brant with yet another opportunity to get out there and get active and get walking. When the Brantford trail integration project is completed, we can also expect to see an upsurge in our growing ecotourism industry, as the improved trail system will undoubtedly attract visitors from all over Ontario.

I would also like to take this opportunity to acknowledge the efforts of Mr. Bob Scott, chairman of the trails and bikeways committee, and Mary Welsh, who have both tirelessly advocated for the improvements to the trail system throughout the riding and indeed the province of Ontario.

Thanks to the investments made by the McGuinty government, the citizens of Brant will soon enjoy the trail system that inspires many people and their families to get out to walk and stay active and get fit. And I don't take mints because I'm always ready to speak when I'm asked to.

#### ACCESS TO GOVERNMENT SERVICES

**Ms. Deborah Matthews (London North Centre):** Last week, the member from Whitby–Ajax said, "I think most Ontarians would feel that we're not seeing better performance and service." I want to take this opportunity to highlight steps taken by the McGuinty government to modernize and restore the delivery of key services to Ontarians.

Before, Ontarians were waiting nearly 18 to 20 weeks for regular certificates. Now we're delivering birth, marriage and death certificates, from desktop to doorstep, in 15 days or it's free. This is the first public service guarantee of its kind in North America.

Not only has our government reformed service delivery, we've restored stability to vital services after more than eight years of deep Tory cuts. We've added food safety and meat inspectors, safe drinking water and nutrient management staff, social assistance workers and workplace safety inspectors. The McGuinty government is strengthening services to Ontarians by strengthening the public service.

We all recall the Auditor General's 2002 report blasting the Tory government for wasting taxpayer dollars on expensive consultants. In fact, the Tories spent \$1 billion on consultants. The McGuinty government initiated a consultant conversion strategy to bring work done by—

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

#### WEARING OF FLOWERS

**Mr. Kim Craiton (Niagara Falls):** On a point of order, Mr. Speaker: I'd like consent from the House to be able to wear the daffodil that was provided to members from the Canadian Cancer Society. The month of April is cancer fundraising month and the daffodil is in recognition of that.

**The Speaker (Hon. Michael A. Brown):** Mr. Craiton has asked for unanimous consent to wear the daffodil denoting April as Cancer Awareness Month. Agreed? Agreed.

#### INTRODUCTION OF BILLS

##### INCOME TAX AMENDMENT ACT (PUBLIC TRANSIT EXPENSE TAX CREDIT), 2007

##### LOI DE 2007 MODIFIANT LA LOI DE L'IMPÔT SUR LE REVENU (CRÉDIT D'IMPÔT POUR DÉPENSES DE TRANSPORTS EN COMMUN)

Mr. O'Toole moved first reading of the following bill:

Bill 196, An Act to amend the Income Tax Act to provide for a tax credit for expenses incurred in using public transit / Projet de loi 196, Loi modifiant la Loi de l'impôt sur le revenu afin de prévoir un crédit d'impôt

pour les dépenses engagées au titre des transports en commun.

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

The member may wish to make a brief statement.

**Mr. John O'Toole (Durham):** I'd first like to thank a fourth-year Ohio university intern student, Tsa Alexander, who has helped in the construction of this bill. Bill 137 was introduced in the last session and was heard before the estimates committee.

Transit is an important option for commuters and people frustrated with gridlock. Two years ago, as I said, I introduced the bill, and the federal government actually—Minister Flaherty and Prime Minister Stephen Harper—adopted the idea, which would seem to endorse it. Today's bill harmonizes the federal and provincial entitlements.

For the people who use transit today, the average commuter spends about \$100 a week. That's \$5,000 a year, and for a family that could be \$10,000 a year. I'm asking for a little support from the minister and from the Premier for the hard-working people of Ontario.

#### SAFEGUARDING AND SUSTAINING ONTARIO'S WATER ACT, 2007

#### LOI DE 2007 SUR LA SAUVEGARDE ET LA DURABILITÉ DES EAUX DE L'ONTARIO

Ms. Broten moved first reading of the following bill:

Bill 198, An Act to amend the Ontario Water Resources Act to safeguard and sustain Ontario's water, to make related amendments to the Safe Drinking Water Act, 2002 and to repeal the Water Transfer Control Act / Projet de loi 198, Loi visant à modifier la Loi sur les ressources en eau de l'Ontario afin d'assurer la sauvegarde et la durabilité des eaux de l'Ontario, à apporter des modifications connexes à la Loi de 2002 sur la salubrité de l'eau potable et à abroger la Loi sur le contrôle des transferts d'eau.

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

The member may wish to make a brief statement.

**Hon. Laurel C. Broten (Minister of the Environment):** I'll speak during ministerial statements. Thank you.

#### SALE OF VQA WINE AND ONTARIO MICROBREWERY BEER AT CONVENIENCE STORES ACT, 2007

#### LOI DE 2007 SUR LA VENTE DE VIN DE LA VQA ET DE BIÈRE DE MICROBRASSERIE ONTARIENNE DANS LES DÉPANNEURS

Mr. Craitor moved first reading of the following bill:

Bill 199, An Act to amend the Liquor Control Act to permit the sale of VQA wine and Ontario microbrewery beer at convenience stores / Projet de loi 199, Loi modifiant la Loi sur les alcools afin de permettre la vente

de vin de la VQA et de bière de microbrasserie ontarienne dans les dépanneurs.

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

All in favour will say "aye."

All 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 1352 to 1357.*

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

#### Ayes

Arnott, Ted	Hudak, Tim	Ramal, Khalil
Arthurs, Wayne	Lalonde, Jean-Marc	Ramsay, David
Barrett, Toby	Levac, Dave	Ruprecht, Tony
Bentley, Christopher	MacLeod, Lisa	Sandals, Liz
Bradley, James J.	Marsales, Judy	Savoline, Joyce
Broten, Laurel C.	Martiniuk, Gerry	Scott, Laurie
Cansfield, Donna H.	Matthews, Deborah	Smitherman, George
Chan, Michael	Mauro, Bill	Takhar, Harinder S.
Colle, Mike	McMeekin, Ted	Tascona, Joseph N.
Craitor, Kim	McNeely, Phil	Van Bommel, Maria
Crozier, Bruce	Meilleur, Madeleine	Watson, Jim
Delaney, Bob	Miller, Norm	Wilson, Jim
Dhillon, Vic	Mitchell, Carol	Witmer, Elizabeth
Dombrowsky, Leona	Murdoch, Bill	Wynne, Kathleen O.
Duguid, Brad	O'Toole, John	Yakabuski, John
Dunlop, Garfield	Ouellette, Jerry J.	Zimmer, David
Fonseca, Peter	Patten, Richard	
Hardeman, Ernie	Racco, Mario G.	

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

#### Nays

Bisson, Gilles	Kormos, Peter	Parsons, Ernie
Ferreira, Paul	Marchese, Rosario	Tabuns, Peter
Horwath, Andrea	Martel, Shelley	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 52; the nays are 8.

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

The member may wish to make a brief statement.

**Mr. Kim Craitor (Niagara Falls):** The intent of this bill is to help grape growers and wine growers not only of my riding but across Ontario. In my riding, the second-largest industry is the grape growing and wine industry. The bill promotes the excellent concept that consumers should buy Ontario's 100% grown products, like our VQA grapes, peaches, pears, apricots and apples.

The bill is very simple. It amends the Liquor Control Act to allow the LCBO to permit convenience stores to sell 100% domestically grown VQA wines—that's all Ontario wine in the bottle—and microbrewery beers from Ontario, much in the same way as established agency stores sell throughout rural areas of the province. The legislation also provides for an enhanced Smart Serve training component, which will benefit the province and consumers.

It's a unique bill whose intent is simply to assist and promote buy Ontario and support our grape growers and wine industry here in Ontario.

**STATEMENTS BY THE MINISTRY  
AND RESPONSES**

**WATER PROTECTION  
AND CONSERVATION**

**PROTECTION ET CONSERVATION  
DE L'EAU**

**Hon. Laurel C. Broten (Minister of the Environment):** It is an honour to stand before this House today to announce, in conjunction with my colleague Minister Ramsay, legislation of great significance to every Ontarian. If passed, this legislation would conserve and protect our water for future generations. It would reinforce environmental standards and secure our province's water resources. In brief, it would prove our government's abiding commitment to protecting the water of this great province.

Today, we introduced the Safeguarding and Sustaining Ontario's Water Act, 2007. This bill would make the terms of the historic Great Lakes agreement the law. At the same time, it would also, for the first time in Ontario, allow the government to require commercial and industrial users of water to pay for the water they use. Keeping our water clean and plentiful is crucial to our health, our growth and our prosperity for the present and for generations to come.

Three out of every four Ontarians get their drinking water from the Great Lakes basin. In fact, water protection is a mandate and a hallmark of our government. Two years ago, we introduced the Clean Water Act, unprecedented legislation that sets, above all else, prevention as the first principle in water protection. That legislation empowers local communities to manage their own sources of drinking water. In 2006, that act became law.

Over the next few months, we will endeavour to renew the Canada-Ontario agreement, a blueprint for protecting the Great Lakes, their waters and their ecosystem. The signing of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement has given us a new opportunity to take decisive action to protect and preserve our water resources. But even before signing the Great Lakes agreement, Ontario was a leader in protecting and conserving these waters. Our laws met or even exceeded many of the requirements of the Great Lakes agreement.

La signature de l'entente sur les ressources en eaux durables du bassin des Grands Lacs et du Saint Laurent nous ont donné une nouvelle occasion de prendre des mesures décisives afin de protéger et de préserver nos ressources en eau. Même avant de signer l'entente des Grands Lacs, l'Ontario jouait un rôle prédominant dans la protection et la conservation de ces bassins hydrographiques. Nos lois satisfaisaient et parfois dépassaient plusieurs exigences de l'entente des Grands Lacs.

We knew that we needed to do more to protect and sustain these shared waters. We had to work with our neighbours across our borders and put into place the

same kind of rigorous water conservation standards in each state and province across the Great Lakes.

Our water is a precious resource, and today we are taking the next logical step. Water conservation charges are an integral element of this new act. These charges reflect our conviction. We take our stewardship of our environment seriously. We believe that the businesses that benefit from using the province's water resources should contribute their fair share towards the cost of managing it. So we proposed, for the first time, that commercial and industrial users pay a charge for the water that they take.

From the beginning, this government has made protecting and conserving our water supplies a priority. With this new legislation, we can build on the success made possible by the Clean Water Act and further strengthen protections already in place for the Great Lakes basin and our other waters. By doing so, we are helping to build stronger and healthier communities for all people of Ontario. I'm proud to be a member of the McGuinty government—a green government. I'm proud to act on behalf of the Premier as the steward of the province's environment, and I'm proud to sponsor this legislation that is so critical to our sustainable future and our economy. That is a legacy I believe we can all be proud of.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** It was 16 months ago that I was proud to stand in the House to inform the members that Premier McGuinty had just signed an historic agreement with the province of Quebec and the eight Great Lakes states to strengthen protection for the waters of the Great Lakes-St. Lawrence River basin.

Il y a 16 mois, j'ai été fier d'annoncer ici même que le premier ministre McGuinty venait de signer l'entente historique avec la province de Québec et huit États américains du bassin des Grands Lacs visant à renforcer les mesures de protection des eaux du bassin des Grands Lacs et du Saint-Laurent.

Today I'm equally proud that Minister Broten and I inform the members that Ontario is taking the next major step forward in conserving and protecting Great Lakes waters by introducing legislation to implement the terms of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement. Through this proposed legislation, we are taking the next step to conserve and protect the waters of the Great Lakes basin and all our water resources for the long-term environmental, social and economic well-being of Ontario.

In negotiating the agreement, Ontario fought hard for all of our Great Lakes jurisdictions to agree to adopt equally strong laws.

Nous voulions que ces ressources partagées soient protégées à l'échelle des bassins versants. Et nous avons réussi.

We wanted basin-wide protection for this shared resource, and we succeeded. We achieved a virtual ban on diversions of our water out of the Great Lakes basin. We agreed to strengthen conservation measures and basin-wide environmental standards. We agreed to in-

crease the role of science in decision-making and achieved a new commitment enabling dialogue and input of First Nations. We also set a high environmental standard across the basin and created a regional body to oversee water uses made up of representatives from the 10 provinces and states.

Premier McGuinty is the chair of the regional body for 2007, and implementing the Great Lakes agreement during Ontario's term as chair would be a strong and timely demonstration that this province is determined to protect its water resources and its environment.

The amendments we are proposing to the Ontario Water Resources Act include several critical advances in protecting Great Lakes basin waters. Ontario's existing ban on diversions of water out of the Great Lakes-St. Lawrence River basin and other water basins in the province—which is now a regulation—would be placed in legislation.

We would also prohibit new or increased transfers of water from one Great Lakes watershed to another unless strictly regulated criteria are met.

We would create the authority to pass regulations to further support our commitments under the agreement, such as requiring measures to promote water conservation, introducing new environmental standards for water takings in the basin and responding to cumulative impacts on the Great Lakes and the threats of climate change.

Finally, we would allow Quebec and the eight Great Lakes states to appeal to the Environmental Review Tribunal or seek judicial review of decisions by Ontario regarding water withdrawals and transfers from one Great Lakes watershed to another. However, this measure would only come into effect if the other jurisdictions provided Ontario with similar access to their own courts, enabling us to intervene in decisions outside Ontario that may affect the Great Lakes basin waters.

#### 1410

Throughout the process of negotiating the Great Lakes agreement and developing this proposed legislation, we have been diligent in involving stakeholders, First Nations and the public. Their input helped Ontario seek stronger protection of the Great Lakes basin in our negotiations, and it remains vital to our implementation of the agreement.

All those we have consulted are well aware that we continue to face enormous challenges as we move forward to fulfill the terms of the Great Lakes agreement. Climate change is upon us, promising unpredictable shifts in temperature and weather. In the United States, more people are moving to dry southwestern states. Meanwhile, the global population continues to grow, increasing the demand for water worldwide. That's why it's vital that we take every opportunity to conserve and protect our shared waters and encourage our neighbours to do the same.

Today the most compelling action we can take on both counts is to pass the proposed legislation; by doing so, we would help ensure that Ontario will continue to con-

serve and protect a precious resource and build a stronger, healthier, more prosperous future for all our citizens, our environment and our economy.

### CHILD SAFETY

**Hon. Donna H. Cansfield (Minister of Transportation):** I rise in the House today to talk about an issue that is important to all Ontarians and that touches the lives of all Ontarians, and that's the safety of our children.

I'd like to acknowledge, first and foremost, our colleague Ernie Parsons, whose efforts to ensure our children's safety have been instrumental in getting us to where we are today.

I am especially honoured to acknowledge the efforts of the Jelley family. Eve Jelley and her dad, Richard Robertson, are here today in the gallery. They have worked tirelessly to protect the 800,000 students who regularly use school buses in Ontario every day. Mrs. Jelley's son Brandon died in a fatal accident with a school bus, and for a number of years she has worked diligently to ensure that tragedy would never happen to another child, and I am especially pleased to be able to say that I worked with the Jelley family, with this government and with Mr. Parsons to ensure that that does not happen again.

Protecting the safety of our children, when they're traveling on a school bus and in other aspects of their lives, is something that we as a government take very seriously. That's why I'm so pleased to announce that we're investing \$2 million to keep children safe, by helping to pay for the retrofitting of any school buses built before January 2005 that are not already equipped with a crossing arm. The funding will also be made available to school bus operators who added a crossing arm at their own expense.

By January of next year, every school bus in Ontario will have a crossing arm; no exceptions. This requirement is the result of our government's strong commitment to improving school bus safety in Ontario.

Since taking office, our government has made sure that the owner of any vehicle that illegally passes a school bus faces charges regardless of who was driving at the time; we've increased the fines for speeding and have added three demerit points for those who endanger pedestrians at crossings; and our government required every new school bus built after January 2005 to be equipped with more safety features.

Despite the actions we've taken to improve Ontario's excellent school bus safety record, we realized that more needed to be done. Without these changes, it could take up to 10 years to equip all school buses with this safety feature, and we simply cannot wait any longer. That's why we're helping to pay for this retrofit, and that's why we're making crossing arms a requirement next January. This will make the school bus, already the safest vehicle on the road, even safer. We're doing this to safeguard our most important asset: Ontario's children.



I'd like to acknowledge the Ontario School Bus Association, the owners and the drivers who work very diligently every day to ensure that those 800,000 children get to and from school. Remember, it's their first point of contact at the beginning of the day and their last point at the end of the day. So the relationship they have with that school bus driver is so important, and believe me, they are second to none when it comes to ensuring that our children are well cared for.

I would like to acknowledge their work and their efforts, along with the Jelley family and Mr. Parsons, in working together collaboratively with this government to know that we are making a difference. This is the kind of thing where, regardless of where you sit in the House, you have to be really proud to be an Ontarian today, because you know that with just a little bit of effort, you've made a whole lot of difference.

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

#### WATER PROTECTION AND CONSERVATION

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to respond to the Minister of the Environment on behalf of John Tory and the PC caucus and to say we fully support the protection of our Great Lakes and other bodies of water in this province. It's vital that we do that in order to provide our children and our grandchildren with a clean and safe environment.

I do have to hand it, though, to Dalton McGuinty and his ministers, because they know how to put on a show. As per usual, we saw the Minister of the Environment patting herself and her colleagues on the back, almost as if to say, "Hey, we fooled them again."

*Interjection.*

**Ms. Scott:** That's right. In 2003, four years ago, Dalton McGuinty stated in that famous red book, in that promise-breaking ink, "We will stop allowing companies to raid our precious water supplies.... We will end this reckless giveaway."

Let's consider this. We are now in 2007, with the first implementation of today's grandly announced legislation to take place in 2009. Only in Dalton McGuinty's world can a broken promise be excused by an extended date. This is just one more example of saying anything to get elected. We are now only a few months away from an election, so he is kicking this out the door with as much fanfare as the Minister of the Environment can muster in such a short period of time. They did nothing for four years, and now they are pushing this out the door to hide the fact that Dalton McGuinty's environmental rhetoric is just that: It's rhetoric, broken promises, saying anything to get elected. These—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. I really do need to be able to hear the member from Haliburton–Victoria–Brock respond. We need all members to provide the courtesy that needs to be shown to the member for Haliburton–Victoria–Brock.

**Ms. Scott:** Thank you, Mr. Speaker. These water-taking rules won't come into effect until 2009, six years after the 2003 election promises you made. And it goes further than that. Once again, the minister has a profound photo op on legislation where consultation and regulations are yet to be determined. The actual backgrounder that you handed out today says, "This is the first of several steps required...." Nearly four years into your mandate, you've finally taken the first steps. There's no commitment by Dalton McGuinty on meeting his promises. What this amounts to, in usual Liberal fashion, is feel-good electioneering.

**Mr. Norm Miller (Parry Sound–Muskoka):** I would like to respond to the Ministry of Natural Resources part of the statement today. This proposed bill implements terms of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement. That's the agreement between the eight states surrounding the Great Lakes, Quebec and Ontario.

It's important to ban diversions of water out of the Great Lakes-St. Lawrence River basin. It's also important to restrict transfers of water from one Great Lakes watershed to another. I would certainly also like to point out that it's very important for my personal riding, the riding of Parry Sound–Muskoka, where I've had the opportunity to go out each year and meet with the Georgian Bay Association. I would certainly like to give them a lot of credit for the work they've done having to do with water levels in particular. In fact, I believe Mary Muter, representing the Georgian Bay Association, is here at Queen's Park today. The Georgian Bay Association has spent a lot of their own money doing studies on the drain of Lake Huron. They financed the Baird report, pointing out the work that needs to be done to slow down the flow of water out of Lake Huron. I would like to recognize all that good work that the Georgian Bay Association has done and how important water quality and quantity are to all of us in the Great Lakes area.

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#### CHILD SAFETY

**Mr. John O'Toole (Durham):** I also, on behalf of John Tory and the official opposition, would like to express our thanks to Eve Jelley and her family for their advocacy in making our children on school buses safer. It should be recalled that it was our government that introduced the community safety zones and school safety zones where fines were doubled. There was a lot of work done there. I commend the minister for slowly and slightly moving it forward.

However, she said in her remarks that there is certainly more to be done on this topic. If you look at the school bus issue and the challenges before the operators and the drivers, who transport 800,000 children per day, they're inadequately funded, and the Minister of Education knows this. This is a chronic problem with your government of promising one thing and doing another.

So I'm a little bit disappointed when I look at the pressure that you're putting on those operators who transport our children safely each day, and not having enough money to do so adequately. I think you owe the association an apology, quite frankly, for forcing this with inadequate funding once again.

Minister, we're prepared to support this. We, along with you, have always had first in our minds the protection and safe delivery of our children in the school system.

I want to also remind the members that it was our government that worked with the school bus association to look at issues substantive to children's safety in school buses.

#### WATER PROTECTION AND CONSERVATION

**Mr. Peter Tabuns (Toronto-Danforth):** It's not quite a pleasure or an honour but my duty today to talk about the new act that has been put forward by the Minister of the Environment and the Minister of Natural Resources.

As has been said, climate change is going to change the water resources in this province. We already face challenges with quantity and quality, but as the interior of the continent dries out, as Ontario dries out, we are going to face huge demands for water and we're going to face huge demands for high-quality water. This act does not deal with many key elements that have to be dealt with to protect our water.

We are one of the few jurisdictions that can transfer water from one watershed, from one basin to another within its own jurisdiction. That is something that should be controlled, should be taken care of. But in this legislation, the ability to move water from the Georgian Bay-Lake Huron basin to the Lake Ontario basin is not dealt with in the way that it has to be dealt with. It is not dealt with.

The simple reality is that the big pipe, which should have gone through a full environmental assessment, is continuing on. It is going up to Sharon, it's going up to Holland Landing. That pipe in its construction is draining aquifers, springs and creeks. That pipe is going to affect the amount of water available in Georgian Bay and Lake Huron. Those bodies of water are already threatened through climate change with drops in water levels. This bill is going to provide, at best, weak-kneed protection. And frankly, I don't think it's going to get that far.

One of the difficulties we have is that there are other jurisdictions—New Berlin in Wisconsin—that want to get around interbasin transfers, and they'll look at what Ontario is doing and say to their own state jurisdiction, "Well, Ontario is doing it. We want the same consideration here."

The other concern here—and it's been alluded to by the official opposition, alluded to quite well—is the whole question of water-taking fees. In 2003, Dalton McGuinty made very strong, very impassioned state-

ments about the need to charge for our water—four years ago, 2003. Since that time, the New Democrats have been pressing this government to bring forward legislation on water-taking fees. We need fees based on volume taken to protect the quantity of water that's out there and we need that money to fund water protection/source protection activity.

What we get today is a shell. We are told that there will be regulations that will come along sometime. We are not told what the thresholds are. We are not told how this will be executed. We did, at a press conference this morning, get told that, by 2009, some will be paying for water. That's extraordinary: 2009, in power for four years.

We went through this debate during the Clean Water Act. There was an opportunity well over a year ago to bring forward water-taking fees and provide the funding necessary to deal with water quality and water quantity problems in this province. We didn't get it then, and what we have now is a shell.

The Premier spoke to this this morning. There's no question there's an election coming. There's a promise—let's call it broken—on the table, waiting around. He doesn't want to get clobbered with another broken promise hit and so we get this brought forward in the last few months of his term, when he could have acted years ago. It's extraordinary that this government, which opposed putting water conservation requirements in the Clean Water Act, now, in this act, is talking about charges for water conservation. There is no consistency other than to make this issue go away, deal with any political heat that has to be dealt with, but in the end actually not come to grips with it. This government has not acted well to protect the environment and today is another day of the same.

#### SPEAKER'S RULING

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** On a point of order, Mr. Speaker: Yesterday you made a ruling in the House. When the Minister of Public Infrastructure Renewal was answering a question, you said the minister would know that you need to refer to members by their riding names and not their proper names. I have heard that abused several times yesterday and today. I guess we're all prepared to live by whatever ruling is there for all of us, but I think we have to live by a ruling. Either we're allowed to call each other by the proper names or we're not, but I don't think we can have it both ways. I know you've tried to have some flexibility there.

*Interjections.*

**Hon. Mr. Bradley:** I'm sorry there are some interjections over there from people. I didn't want to call Mr. Bisson by his name. I always refer to him by his riding, so that's what I was concerned about. Which will it be?

**The Speaker (Hon. Michael A. Brown):** The Government House Leader has a point of order. It is always

out of order to use members' proper names in this place. You need to refer to members and ministers by their titles or by their ridings.

#### VISITORS

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** I rise to draw attention to a generational hat trick here in the Legislative Assembly today. Not only do we have the distinguished page from the great riding of Ancaster–Dundas–Flamborough–Aldershot, Hayley Levine, here serving us so well, but we also have her father, Dr. Mitchell Levine, here today, as well as her grandmother, Beatrice Levine. Welcome to you.

**Mr. David Zimmer (Willowdale):** On a point of order, Mr. Speaker: I'd like to introduce my younger sister, Anne Schenkel, who's come down from Ottawa to check up on her older brother.

#### ORAL QUESTIONS

##### ONTARIO LOTTERY AND GAMING CORP.

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier, and I want to begin by joining in some comments that the Premier made this morning and noting with sadness the passing of Mr. Bob Edmonds. He was a man, as the Premier noted, who stood up for what he believed in and someone from whom I think everybody can take inspiration. I think we all send our condolences to his family.

My question for the Premier is this. Yesterday, you had three opportunities to confirm something that we knew then and we now know is true, specifically that Don Guy, your former chief of staff and your current lead campaign strategist, participated in a number of meetings with the lottery corporation concerning the lottery scandal. Given that it's true, why would you not have simply confirmed this yesterday on one of the occasions on which you were asked whether or not he attended those meetings?

1430

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** After that particular program was aired on TV on the Fifth Estate, I would certainly have hoped and expected that someone at the OLG would insist on convening a number of meetings in order to determine the very best way to respond to those allegations, which subsequently proved, to a very large extent, to be substantiated. So it is not any surprise to me that the OLG convened a number of meetings. I don't know when they convened these meetings, I don't know who they convened them with, but I would certainly place a very heavy responsibility on them to do just that.

What I think is really important to Ontarians is what came from those meetings. First of all, the OLG itself put

forward a seven-point action plan. Beyond that, the Ombudsman himself specifically looked at this matter, and he came forward with a number of recommendations. We intend to adopt each and every one of those recommendations.

**Mr. Tory:** Actually, the facts show that what came from those meetings was an attempt to spin a story that said that the real reason the insiders were winning more often was because they were buying tickets more often. There's absolutely uncontradicted evidence to the effect that that's what those meetings produced, that some series of studies—that instead of massive fraud ripping people off for their money, what was going on here was just a simple pattern of people buying more tickets and winning more often.

The Premier himself has said that people are buying a dream when they buy these tickets. They expect that the system's going to be fair and trustworthy, and they expect that you will take those interests to heart and deal with those problems when you find out about them—to fix them, as opposed to people trying to cover them up.

We now know that more and more of your top aides—whether they're directly from your campaign organization or people who used to be in your office or people connected to you in one way or another—were involved in concocting this original story. Will the Premier tell us who it was from your team of spin doctors that told Wilson Lee, a member of the minister's staff, that your office thought there was nothing to this story of insider wins and that the CBC story ought to be treated only as a communications issue? Who did that?

**Hon. Mr. McGuinty:** If the leader of the official opposition would do so, I think he would find it very instructive to actually read the Ombudsman's report. Beginning on page 25, he talks about the outcome of a number of meetings. He walks through the various statisticians and professors hired to look at how often retailers should be winning. He hired his own expert consultant, who concluded that the Fifth Estate based its conclusions on what he called unreliable data. That's in his own report. And he recommended that the OLG keep track of what an insider is and the number of times insiders win, and that's exactly what the OLG is going to do.

The Ombudsman also talks about the seven-point trust and security action plan which came out of those meetings, beginning on page 34 of this report. He says specifically, on page 50: "The OLG deserves some credit for finally taking some decisive action to address the fallout from the Fifth Estate..." But of course the Ombudsman went further—significantly further—with some very specific recommendations. Those serve the public interest, and that is why we will act on them.

**Mr. Tory:** I would start closer to the beginning, on page 2, where the Ombudsman says, "In the immediate aftermath of the CBC program, the OLG responded by trying to downplay its revelations." That's what he said on page 2. That represents the activities of your campaign strategists and spin doctors to try to downplay the revelations that the Fifth Estate came up with. That is the

problem here, because people just won't come clean on this issue.

We've been informed that a meeting was held in late August 2006. Remember now that nobody anywhere in your government knew anything about this until October—nobody. Nobody asked, nobody knew anything. We've been told that there was a meeting in August 2006 at which Wilson Lee, the current chief of staff to the minister—who should have resigned by now—is reported to have said that the Premier's office thought there was nothing to this lottery scandal and that it should be treated as a communications problem.

Every single time we've come with information from people who are afraid to come forward because you won't appoint an investigation independently, it's turned out to be true. There was no plan to investigate here. Do you think this was an appropriate way for your office to handle this matter, to say that it's just a communications problem and that people should just forget about it?

**Hon. Mr. McGuinty:** Again, I'm always interested in the partisan perspective brought by my friend opposite, but I think Ontarians would like to hear what the Ombudsman said about our response to this. He says, "This is the kind of support and commitment on behalf of government which is essential if we are to move forward to restore integrity and trust in the lottery system." He then added, "I commend the minister and the government for its openness and responsiveness to my report and recommendations and for their immediate and resolute commitment to ensuring change."

The Ombudsman has done an excellent job. He has come up with some very solid recommendations. Each and every one of those recommendations speaks to what is, in fact, the public interest, and that is exactly why we will uphold each and every one of those recommendations by moving forward on them.

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

**Mr. Tory:** My question again is to the Premier. It's no wonder that people are outraged. Quoting again from page 2 of the Ombudsman's report, right up front, "In the immediate aftermath of the CBC program, the OLG responded by trying to downplay its revelations."

You talk about partisanship. It wasn't my campaign manager who was giving advice to the OLG. It wasn't a person who is one of our spin doctors who was over there doing that. It was your people who were giving this advice described by the Ombudsman, saying they tried to downplay the revelations. The response of your government at every turn has been to duck and try to evade the questions. Yesterday it was Don Guy's involvement; today it's a meeting that Wilson Lee was at. Long before the story broke, you have seen this throughout as nothing more than a small communications issue when people's money was being stolen. The lottery buying public don't want to be spun. They just want to know they've got a fair chance.

It's becoming clear each and every day that what we need here to get to the bottom of this is a non-partisan,

independent, objective examination of matters that haven't yet been looked at. Why won't you do the right thing and appoint such an investigation right now and get on with it?

**Hon. Mr. McGuinty:** I gather that suddenly the leader of the official opposition has lost faith in the ability of the Ombudsman to conduct an impartial, objective, arm's-length assessment of what has happened here. Beyond that, apparently he has also lost faith in the Ontario Provincial Police, to whom we have referred this matter. If we take what is under the table out from there and put it on top of the table, it seems perfectly obvious to me that the leader of the official opposition is pursuing this matter purely for partisan political interests.

This matter was brought to a legislative standing committee in September 2006. Tory members were there at that time. They did not raise a single question related to this matter or to Mr. Edmonds, even though they chaired the committee. They had ample opportunity in the past to do so. They refused to bring this matter forward.

**Mr. Tory:** You know, Mr. Speaker, that is such incredible revisionist history. The fact is that the Conservative members of that committee asked for more time to investigate this matter and your people, the Liberal members, shut that committee down before it finished its work.

Hershell Ezrin said it last night on the TVOntario program the Agenda. He said the standard is set by the boss, and he's right about that. At the end of the day, what we have here are e-mails to the minister's office, meetings in the middle of the summer at which orders are given to treat it as nothing more than a communications problem, your top spin masters having meetings on a Sunday night. They have meetings all the time on a Sunday night on a non-partisan basis to deal with this.

Ultimately, you've got a situation here: The Ombudsman is not investigating your office or the minister's office, the OPP is not investigating and can't investigate your office and the minister's office. That's why we need someone independent to investigate these things others can't investigate. Why won't you simply do the right thing? What are you trying to hide? Appoint an independent investigation if you have nothing to hide and let them look at your office and the minister's office.

*Interjections.*

**The Speaker:** Order. Premier?

**Hon. Mr. McGuinty:** The leader of official opposition is spending so much time these days being outraged that there's a very real danger he's about to become outrageous. He may want to give that some thought as he contemplates his role in this House.

We've had the Ombudsman look at this now. Beyond that—

*Interjections.*

1440

**The Speaker:** Order. We can wait. Premier?

**Hon. Mr. McGuinty:** It may not satisfy the leader of the official opposition, but that's not our purpose on this

side of the House. Our purpose is to uphold the greater public interest. Our purpose is the definition of that as well.

The Ombudsman has reviewed this matter in some real detail. He has come forward with a number of recommendations. We intend to act on each and every one of those recommendations. Some of those were directed to us in our capacity as the government; others were directed to the OLG. Beyond that, the OLG also moved forward prior to the Ombudsman's report with its own seven-point action plan. We think that is also worthy and upholds the public interest.

I think it's also noteworthy to understand that—I think we should ask ourselves, “What has happened to ticket sales?” If Ontarians have had their confidence shattered as a result of this issue, what has happened to ticket sales? The fact of the matter is, they've actually gone up.

**Mr. Tory:** Now the Premier is taking credit for increased ticket sales. Earth to Premier: Any time the jackpot goes up, the ticket sales go up.

The problem the Premier has here is that he is confusing the public interest with his own partisan interest. That's why he sent his campaign manager and assorted other people from his party over. But the fact is, the Ombudsman's report shows that a woman, for example, walked away, it seems, with \$12.5 million of money the Ombudsman concludes she doesn't have. This is about real people buying a dream—real people. What they want and what they need in order to satisfy them that they can keep buying the tickets is an independent investigation.

As Hershell Ezrin says, the standard is set by the boss. So we're asking the boss, namely the Premier: Since the Ombudsman can't look into your office and the minister's office, and the OPP can't, why wouldn't you let someone independent look into those things and get to the bottom of this?

**Hon. Mr. McGuinty:** Just recently, we had the good fortune and the privilege to present on behalf of the people of Ontario a budget which accounted for over \$90 billion in expenditures. You would think that the leader of the official opposition might have some passing interest in that document.

I think the grandest revelation we've experienced in this House in the last couple of weeks is that the leader of the official opposition is desperate not to talk about anything found within that budget. He doesn't want to talk about the fact that we're going to help 1.3 million children with our new Ontario child benefit. He doesn't want to talk about the fact that we're lowering taxes for businesses in the province of Ontario. He doesn't want to talk about GTA pooling, the fact that we're going to get rid of that. He doesn't want to talk about the fact that we've found the actual capacity to balance the budget after his party left us a \$5.6-billion deficit.

Maybe it's not surprising he doesn't want to talk about any of those things, because, when he was asked to name one initiative in our budget that he would reverse, he said, “I can't think of one.”

**The Speaker:** New question. The member for York South–Weston.

**Mr. Paul Ferreira (York South–Weston):** When it comes to Lottogate, Premier, people know that Warren Kinsella and Jim Warren are the dynamic duo of the Premier's damage control team. This morning, the Premier confirmed that in fact it's the three amigos—that Don Guy, his election campaign chair, is part of the cabal that worked to sweep the \$100-million lottery rip-off under the carpet.

If you have nothing to hide, if your fingerprints aren't all over this cover-up, direct the OLG to release minutes of the spinmeister meetings so that we can all get the facts. Will you do that, Premier?

**Hon. Mr. McGuinty:** I can understand why the NDP don't want to talk about our budget either. They're very, very uncomfortable with our new Ontario child benefit. It's going to cost \$2.1 billion over five years. It's going to benefit 1.3 million of our poorest children. They're very uncomfortable with the fact that we are about to increase, over three years, benefits for injured workers—very uncomfortable with that. They are very uncomfortable with the fact that we're going to increase the minimum wage for our lowest-income workers in the province of Ontario, and they're not happy with the fact that we're going to increase the property tax credit for Ontario's seniors. So I can see why it is that they have no interest whatsoever in talking about a budget that's been very well—

*Interjection.*

**The Speaker:** I need the member for Niagara Centre to withdraw that last remark.

**Mr. Peter Kormos (Niagara Centre):** Withdrawn.

**The Speaker:** Supplementary.

**Mr. Ferreira:** Just like his budget, the Premier answers questions with a five-year rollout.

Premier, you've been busted, and your culture of cover-up is now over. When the scandal of what happened to Robert Edmonds hit the airwaves, your Liberal three amigos sat down at OLG headquarters. The Ombudsman described their scheming like this:

“As soon as the ‘insider ...’ scandal was exposed, the OLG took action—but instead of investigating what went wrong ... it reacted like a business facing a public relations nightmare. It hired experts to dispute the CBC's findings, even though, as our investigators discovered, it knew full well that Mr. Edmonds was far from alone.”

Is the Ombudsman mistaken? Will you tell us, Premier? Or are you willing to admit that three of your trusted insiders were engaged in a cover-up?

**Hon. Mr. McGuinty:** The Ombudsman's report specifically says—I quote from page 33 under paragraph number 123, because the issue has been raised about the legitimacy or the accuracy of the figures put forward by the expert retained by the Fifth Estate. The Ombudsman speaks to that:

“For my office's investigation, we retained our own expert, a professor from the department of statistical and actuarial sciences at an Ontario university, to assist with

our analysis of the various competing expert opinions. He echoed the comments of some of the others on the unreliability of the data on which Professor Rosenthal's assessment" had been "based."

He goes on to say, in his view—what he goes on to recommend, to put it in my own words, is that it's simply not sensible for the OLG to have responsibility both for driving ticket sales and overseeing those same said ticket sales. So he recommended that we remove that responsibility from the OLG, which is exactly what we are doing.

**Mr. Ferreira:** Premier, Ontarians are demanding accountability, not culpability. Ontario families do not have confidence in the OLG, and Ontarians aren't going to play a game of chance with your government. The Ombudsman was clear: Your Liberal three amigos—Warren, Kinsella and Guy—met to design a cover-up.

If you want to prove that the Ombudsman is wrong, you'll need some proof. Will you order the lottery corporation to publicly release the minutes of the secret meeting so that we can confirm what we've discussed here today and previously? Or do you have something to hide?

**Hon. Mr. McGuinty:** I think, again, what we're charged with here is defining and then upholding the public interest. There was a very real issue connected with the OLG; there's no doubt about that whatsoever. It was brought most prominently to the light of day as a result of a program that appeared on national TV. That gave rise to some very important questions.

First of all, the OLG reacted: They came out with a seven-point action plan. The Ombudsman did the right thing. He conducted his own investigation, very thorough. He came up with some specific recommendations of his own. We're acting on each and every one of those.

But beyond that, we've done something more than that. We've also referred this matter to the Ontario Provincial Police, and it's now in their hands to determine what, if anything, ought to be done further in that regard. I'm confident in saying that we're doing everything we can to ensure that people who are going to buy that lottery ticket can have confidence in the system and confidence in their government doing what we need to do to uphold the integrity of that system.

1450

**The Speaker:** New question?

**Mr. Ferreira:** Premier, Ontarians may be buying lottery tickets, but they're not buying what you're trying to sell here in this House. Robert Edmonds spent the last few years of his life fighting your lottery corporation for winnings that were rightfully his. And on that, the Ombudsman said, "Instead of investigating what went wrong, as a good public servant would," the OLG "hired experts to dispute the CBC's findings, even though ... it knew full well that Mr. Edmonds was far from alone."

Three of your most trusted advisers, Premier, were at a meeting where these schemes were hatched. Will you order the OLG to publicly release the minutes of the secret meeting so that we can confirm what happened?

**Hon. Mr. McGuinty:** Something I mentioned just a moment ago: There was an issue connected with the credibility of the stats put forward by the Fifth Estate's expert. That's why the Ombudsman himself retained his own expert. He retained a professor from the department of statistical and actuarial sciences at an Ontario university to assist with analysis of the various competing expert opinions. He goes on to say, "He echoed the comments of some of the others on the unreliability of the data" put forward by the Fifth Estate expert.

I think the important point here is that the Ombudsman said, "Look, folks, you've to change this. You've got to start collecting this data," and that's exactly what the OLG has undertaken to do. Beyond that, the Ombudsman said, "You can no longer have responsibility for overseeing ticket sales. You should remove that as a government, take that away from that body, and give it to another," and we are also doing that very thing.

**Mr. Ferreira:** The Premier is refusing to discuss the role of his three amigos: Warren Kinsella, Jim Warren and Don Guy. Is their involvement a coincidence, or is it a cover-up? Clearly, the ugly hands of this scandal reach right into the Premier's office. Premier, if you have nothing to hide, if your fingerprints aren't all over this cover-up, then surely you'll have no problem directing the OLG to release minutes of the meetings of the spinmeisters. So I ask again, Premier, will you reveal all of the facts? Will you do that?

**Hon. Mr. McGuinty:** I think what serves Ontarians' interests best is to understand that the OLG is an arm's-length agency. We do not have responsibility for its day-to-day oversight. There are a number of meetings there that are carried on on a regular basis, of course, in the normal operation of business. A number of different people would be invited to those meetings.

A program was aired on TV. It gave rise to some very legitimate concerns. On the basis of that, OLG put forward a seven-point action plan. Furthermore, on the basis of that airing, the Ombudsman took a specific interest in this issue. He made an inquiry, he came forward with some recommendations, and we will adopt each and every one of those recommendations, as will OLG. But beyond that, we've also referred this matter to the Ontario Provincial Police. We've now turned it over to them to do what they think is appropriate in the circumstances. We will continue to do whatever we need to do to ensure that Ontarians have confidence in the integrity of their Ontario lottery and gaming system.

**Mr. Ferreira:** I believe that Ontarians are best served by accountable and transparent government, and that's not what we're getting here.

Here's what the facts tell us: Senior officials in the minister's office knew about the McGuinty government's \$100-million lottery scandal in April 2006, and the Premier's spin-doctor team worked on covering it up. The scandal hit the airwaves, and the OLG decided to engage in a cover-up to discredit a sick, elderly man, and the spin-doctor team worked on covering it up.

Premier, if you have nothing to hide and you had nothing to do with directing the OLG to release or not

release minutes of the meeting of the spinmeisters, will you present all of the facts? Will you make things clear and transparent for us?

**Hon. Mr. McGuinty:** I know that my colleague opposite would be interested in hearing once more the Ombudsman's assessment of our government's approach. He said, "This is the kind of support and commitment on behalf of government which is essential if we are to move forward to restore integrity and trust in the lottery system. I commend the minister and the government for its openness and responsiveness to my report and recommendations and for their immediate and resolute commitment to ensuring change."

I want to put emphasis on his last couple of words: "ensuring change." We are doing what we need to do to bring about that positive, constructive change at OLG. They are also moving forward on their own seven-point action plan. A number of recommendations have been directed at us and at the OLG. We will move forward on each and every one of those. We will do what we need to ensure that Ontarians can continue to have confidence in their Ontario and the lottery gaming system.

**The Speaker:** New question.

**Mr. Tory:** My question is for the Premier. It's amazing, actually, that the corporation was arm's length when it suited them not to be doing anything in the period when there was fraud going on, but now they're all over it, taking credit for everything. These are the shortest arms in recorded human history, they were hugging them so tight with all their advisers.

Probably the most incredible lottery scandal story concerns a woman who walked away with a \$12.5-million jackpot when there were grave concerns about her being an insider and about how she came to have the ticket. After setting out the evidence as to things the woman confirmed and then denied, stories that changed and so on, the Ombudsman concludes as follows on page 20: "Incredibly, despite all of this, the corporation paid her the \$12.5 million after the ticket expired."

My question to the Premier is, what has your government done to ensure that the lottery corporation leaves absolutely no stone unturned to freeze and recover that \$12.5 million that seems to be in the hands of someone who shouldn't have it? What has your government done about that?

**Hon. Mr. McGuinty:** We've done something that the leader of the official opposition never asked to us to do and which he apparently doesn't support. We referred this matter to the police. We've referred all these issues to the Ontario Provincial Police. We're asking them now to use their best judgment, make whatever determinations and take whatever actions they deem to be appropriate in the circumstances.

**Mr. Tory:** The Premier himself is a trained lawyer. He knows that while it's fine to turn it over to the OPP—and the only concern I've had there is that there are certain things they can't investigate, like your office and the minister's office—the fact is that if you want to protect that money or freeze that money or try to get the

money back from someone who shouldn't have it, that involves civil proceedings of some kind or other that would have to be engaged in by the lottery corporation. You know that.

My question was simply this: What specific steps has your government requested the lottery corporation to take, or what have they told you they're doing? Have you even bothered to ask them if they're taking any steps at all on the civil side to try to freeze and protect that money and get it back, so that someone who shouldn't have it doesn't keep it? I think that people are very interested in knowing, when someone has \$12.5 million they shouldn't have, what you're doing to get it back. What are you doing to get it back?

**Hon. Mr. McGuinty:** The Ombudsman considered this matter in a very cool, thoughtful and rational way, and he came forward with some very specific recommendations that are contained within his report. Some of those are directed at the OLG; some of those are directed at us in our capacity as the government. We will both, in our respective capacities, act on each and every one of those.

Beyond that, again I say to the leader of the official opposition that we've also referred this matter to the police. If they think that some actions or other are appropriate in the circumstances, I'm sure they're going to want to take those actions.

**The Speaker:** New question.

**Mr. Gilles Bisson (Timmins–James Bay):** My question is to the Premier. Just now, in an answer you gave to a question by my colleague the member from York South–Weston, you said it was inappropriate and that the OLG was an arm's-length agency. If that's the case, my question to you is simply: Why was your chief of staff communicating with them, why was your communications officer communicating and why was a Liberal strategist communicating with the OLG? If you argue it's an arm's-length agency, then you shouldn't be dealing with them.

**Hon. Mr. McGuinty:** The Ombudsman talks about the outcome of a number of meetings, beginning on page 25 of the same report. I would also commend the report and its reading to my friend opposite. He walks through the various statisticians and professors hired to look at how often retailers should be winning. He hired his own expert, who concluded that the Fifth Estate based their conclusion on unreliable data. He recommended that OLG keep track of who an insider is and the number of times insiders win. That's exactly what OLG is going to do.

**1500**

The Ombudsman also makes specific reference to the seven-point action plan put forward by the OLG. He says, "The OLG deserves some credit for finally taking some decisive action to address the fallout from the Fifth Estate."

I think that goes a great deal of the way toward resolving issues that may exist in the minds of Ontarians, but when you throw on top of that the Ombudsman's

specific report and the OPP looking at this, I think that goes a long way to lending some real comfort to the people of Ontario.

**Mr. Bisson:** Premier, you can't have it both ways. You can't come into this House and tell me and other members of this assembly that it's an arm's-length agency that you're not supposed to be communicating with, and at that very time have your chief of staff, your communications person, and Mr. Kinsella, who is basically a strategist for the Liberal Party, out there trying to figure out how to do damage control on what the Premier's office said was a communications problem.

So I'm going to ask you this question: Is it or is it not appropriate for your staff to be communicating with the OLG? Is it a conflict?

**Hon. Mr. McGuinty:** The people who I'm told by members of the opposition attended the meeting were not in my employ. They were not working for me.

I think it's important to understand again that the Ontario Lottery and Gaming Corp. has every right to convene its own meetings and it has every right to invite whomever they think is appropriate to attend those meetings. I think it's important, as well, to understand what the outcomes of those meetings were.

The outcome was a couple of things. First of all, there was a seven-point action plan, which is to improve confidence in our lottery and gaming system here in Ontario, and although that was commended by the Ombudsman, he took it a step farther and said, "Here are some of my own specific recommendations, and you should act on those," and the OLG is in fact doing that.

## ÉDUCATION EN FRANÇAIS

### FRENCH EDUCATION

**M. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** Ma question s'adresse d'abord à la ministre déléguée aux Affaires francophones. Madame la ministre, la semaine dernière, nous accueillions à Queen's Park une délégation de jeunes francophones originaires de partout en province. Leur présence nous a rappelé l'importance de l'éducation en français en Ontario. Ces élèves dédiés et brillants démontrent que nous nous devons d'être fiers des initiatives que nous avons jusqu'à présent réalisées pour faire des écoles de langue française de l'Ontario des lieux propices à l'apprentissage.

Notre gouvernement a reconnu les défis uniques auxquels font face les conseils scolaires de langue française pour aider les élèves francophones à réussir. Toutes les statistiques le démontrent : le bilinguisme est un atout important que détiennent nos jeunes francophones, et pour que la francophonie poursuive son essor et conserve sa pertinence dans une économie en mutation, il est essentiel de former des jeunes francophones afin qu'ils s'élancent dans un éventail de domaines.

Madame la ministre, que faites-vous afin de vous assurer que l'éducation en français soit à la hauteur de nos attentes ?

**L'hon. Madeleine Meilleur (ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones):** Premièrement, je voudrais remercier le député de Glengarry–Prescott–Russell d'avoir organisé ou participé à l'organisation du Parlement jeunesse. C'était excellent.

Vendredi dernier, j'ai eu le plaisir de faire une grande annonce au nom de la ministre de l'Éducation, M<sup>me</sup> Wynne. Le plaisir est d'autant plus grand que l'annonce a touché deux causes qui me tiennent bien à cœur : l'essor du français et l'épanouissement de nos jeunes. Nous avons annoncé que la province investira 73 \$ millions de plus dans les écoles françaises de l'Ontario.

Depuis que notre gouvernement est arrivé au pouvoir, le financement par élève pour les conseils scolaires de langue française a augmenté de 42 %, ou de 317 \$ millions, pour atteindre plus d'un milliard pour l'année scolaire 2007-2008. L'investissement comprend 10 \$ millions au conseil scolaire de langue française pour des aides ciblées supplémentaires visant à offrir un éventail plus large de programmes et de cours, particulièrement dans les écoles secondaires de langue française. Un investissement comme celui-ci témoigne du caractère très concret de l'engagement du gouvernement envers l'éducation et envers la communauté francophone.

**Mr. Lalonde:** I am certain that the investments we have made have not gone unnoticed by our Franco-Ontarians.

My supplementary is to the Minister of Education. Minister, after years and years of underfunding under the previous government, after years and years of the previous government vilifying rather than respecting our educators, and after years and years of, as an OECTA teacher put it, Tory tyranny, the public education system was broken, the parents and educators were fed up.

Minister, what is our strategy to provide schools in the province with the resources they need to ensure all students succeed in our publicly funded schools? How has this strategy resulted in improvement for the francophone Ontarians in my riding?

**L'hon. M<sup>me</sup> Meilleur:** Je réfère la question à la ministre de l'Éducation.

**Hon. Kathleen O. Wynne (Minister of Education):** First, I'd like to thank the member for Glengarry–Prescott–Russell for his question and also congratulate him on his central role in making the Parlement jeunesse happen last week.

I'm proud to say that Ontario students across the whole province will benefit from another year of significant education investments through the Liberal funding formula, and that stands in stark contrast to the record of the previous government. Education funding is going up \$781 million this year, a total of \$3.5 billion since we came into office in 2003.

The funding formula has guaranteed that the two French boards that the member represents will receive \$100 million in new funding since we came into office—\$6.9 million for 51 badly needed school repairs through our Good Places to Learn initiative; 133 new teachers.



That has meant that there has been an increase in test scores; teachers are teaching in smaller classes; test scores in grades 3 to 6 have gone up 12% in that riding.

Bilingual education, French education in this province is critical. We are a bilingual province in a bilingual country. It is part of what defines us that we would support our French-language boards and schools, and that is what we're doing.

#### ONTARIO LOTTERY AND GAMING CORP.

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

Again to the Premier and again dealing with the lottery scandal: Premier, you're persisting in trying to suggest to the public of Ontario that the participation of three of your key advisers in this effort to discredit the Fifth Estate report and Mr. Edmonds was just a coincidence, that there was no connection with you or your party or your political ambitions in the next election.

Don Guy is the re-election chair for your team, the re-election campaign manager; Warren Kinsella is a chief political adviser; Jim Warren is a former communications director. Premier, would you indicate to us if anyone in your office was made aware that these three key advisers were participating in this meeting?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The Ombudsman covers these issues in his report in some considerable detail. The member opposite says this had to do with disparaging the report and the statistics accumulated by the Fifth Estate. But the Ombudsman himself says there were some real questions connected with that, and that's why he retained his own expert, paid somebody from a university to come forward. He said, "Take a look at these numbers." He goes on to say that this expert "echoed the comments of some of the others on the unreliability of the data" collected by the Fifth Estate.

So I think it's a very legitimate concern that OLG would have had, to want to take a close look at that data. But more importantly from Ontario's perspective, what came of those meetings? What has come is a couple of things that I think are really important. First of all, there's now a requirement that OLG collect this data in a scientific manner so that it's available for review; and secondly, OLG can no longer take responsibility for overseeing the sale of those tickets.

**Mr. Runciman:** The public will not fail to notice that the Premier refused to answer my question about the knowledge his office may have had of this meeting taking place and the participants. Yesterday he refused to answer the questions from our leader, John Tory, with respect to Mr. Guy's involvement—completely avoided answering those questions.

If the Premier likes to clear the air with respect to this, I want to make a suggestion and get his response. Would he agree to having these three individuals—Don Guy, Warren Kinsella and Jim Warren—appear before the justice committee next week to outline specifically what happened at that meeting?

1510

**Hon. Mr. McGuinty:** I think the Ombudsman has spoken of this at considerable length and in good detail and has come up with some very specific recommendations which satisfy most objective observers but obviously don't satisfy the opposition.

I think that what Ontarians might have a passing interest in is: Why is it that the official opposition is not asking any questions related to our budget? Is it because they're unhappy with the fact that we're providing more money to legal aid in the province of Ontario? Are they unhappy with the fact that we are finally going to fix that miserable property assessment system that we inherited and that was foisted upon the people of Ontario? Is it because they've been shamed into silence when it comes to knowing that we finally have a government that's going to speak up for children growing up in poverty? Is it the fact that they don't just want to hear about the tax relief we're providing for businesses? Are they ashamed of the fact that there's now a government that is going to upload the pooling responsibility that had been foisted upon the 905? Or perhaps they're not happy with the fact that we're going to put more money into housing, more money into developmental services—

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

#### HAMILTON SPECIALTY BAR

**Ms. Andrea Horwath (Hamilton East):** My question is for the Premier. Hamilton Specialty Bar is set to close May 12, leaving 360 workers without a job. In fact, maybe as long as May 29 they may be open. Management and United Steelworkers have been working very hard together to try to ensure an orderly shutdown of the plant and to protect workers' pensions and their EI benefits. Now they're looking to find a buyer, and all they need is a little bit of help from different levels of government.

Premier, will you commit to helping this company find a buyer so those 360 workers and good-paying union jobs that they work at will be saved and preserved in the community of Hamilton?

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

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I want to thank my friend from Hamilton East for the question. I am advised that the folks at Hamilton Specialty Bar have sent me a letter describing the situation there. The company is currently in CCAA—that's creditor protection, for those who don't understand the lingo. When a company comes within that umbrella under our court system, it's very important for the Minister of Finance or any minister of government not to comment directly on the circumstances. But I do want to tell my friend from Hamilton East that I await the letter from the company and I will be certainly responding urgently to that letter.

**Ms. Horwath:** When the big company called Stelco was in trouble, it seems to me that the government was prepared to help. But we all know that under the watch of this particular government, the Ontario economy has lost 144,000 good-paying manufacturing jobs. If Hamilton Specialty Bar closes and you remain idle, that's another 360 jobs to add to that terrible record.

All that HSB wants is a commitment that your government will be at the table. Whether that means at the table for tax breaks or financial grants or some kind of pension guarantee, all we need is some kind of guarantee that you're going to be there to help out in this crisis in order to make sure that there's a buyer at the end of the day.

Premier, my leader, Howard Hampton, and I are going to be rallying with workers tomorrow in Hamilton. What is your message to them? Why won't your government step in and commit to being at the table to help HSB find a buyer?

**Hon. Mr. Sorbara:** I think that, just in the tone of the question, you see the anger and the darkness and the dismay of members of the New Democratic Party. I just want to tell her something. Why doesn't she once stand up in her place and congratulate this government for what it did to save Stelco in her city? We worked very hard for that. Why doesn't she once stand up and talk about what we provided for Hamilton in each of our budgets?

The clouds of darkness that are cast over that party will make sure that 10 will be the high-water mark of members of this Legislature, thank God, after we go to the polls on October 10.

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

*Interjection.*

**The Speaker:** Order. The member for Hamilton East will come to order.

#### SMOKING LOUNGES

**Mr. Jeff Leal (Peterborough):** My question is for the Minister of Health Promotion. Minister, as a member of Peterborough council, which first passed a smoking ban in the city of Peterborough, and as a member of this government, which passed the Smoke Free Ontario Act, the strongest law of its kind in North America, I was sad to hear that smoking rooms are still in use in federal government buildings like the CBC building here in Toronto. Please tell me what you are doing to ensure that workers in Ontario are protected from the dangerous effects of second-hand smoke.

**Hon. Jim Watson (Minister of Health Promotion):** I want to thank the honourable member for Peterborough for the work he did and the leadership he showed on city council and then in supporting the Smoke Free Ontario Act, which, as he rightly pointed out, is the toughest anti-smoking legislation in North America.

While virtually every federally regulated business and industry, like banks and private broadcasters, is complying with the spirit of the Smoke Free Ontario Act, I

regretted to read that the CBC building in Toronto is not and, in fact, they're operating several smoking rooms within their facilities. Several months ago, I wrote to the federal minister in charge, Mr. Blackburn, who is the Minister of Labour, and to date we have not received a satisfactory response. But it's not just we who are concerned about the double standards set by the CBC. Michael Perley of OCAT, Andrew Jones of the Canadian Dental Association, Cynthia Callard of Physicians for a Smoke-Free Canada, Rocco Rossi from the Heart and Stroke Foundation and Peter Goodhand from the Canadian Cancer Society have all written to the federal government and said to the CBC that they should shut down—

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

**Mr. Leal:** Minister, I want to thank you for your decisive action. I can go back to my constituents and tell them that our government is doing everything we can to urge the federal government to close those smoking rooms. But I'm still very concerned about the health of Ontarians who work in federally regulated buildings. Is there anything else that we could do to protect those workers from this federal loophole?

**Hon. Mr. Watson:** I have contacted the president of the CBC and asked that he do the right thing and shut down those smoking rooms in the CBC headquarters. Good news and bad news. We heard yesterday from the CBC. The good news is they are going to shut them down. The bad news is, not until September.

The CBC appears to be the only organization federally regulated in Ontario that is using this federal loophole. I urge the CBC and the federal government to close the loophole and close the smoking lounges, protect the employees and protect the visitors that go to the CBC. Other organizations that are federally regulated are voluntarily complying: the Ottawa airport, the Toronto airport. The private sector is complying and going a step ahead of the Smoke Free Ontario Act. The Westin Hotel and the Marriott Hotel have gone 100% smoke-free.

So I urge Mr. Rabinovitch and the CBC and the federal government to bring their standards up to the Ontario government standards and make their places of work smoke-free for their employees.

#### ONTARIO LOTTERY AND GAMING CORP.

**Mr. Ted Arnott (Waterloo-Wellington):** My question is for the Premier. Will the Premier clarify for the House precisely what responsibilities he has assigned the Minister of Public Infrastructure Renewal vis-à-vis the Ontario Lottery and Gaming Corp.?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I am sure that my colleague opposite has an interest in the ongoing issue, and I think he will know by now that while the minister has no immediate and direct oversight of the OLG—by that I mean he doesn't look at the day-to-day operations and, for

example, determine who's meeting with whom and those kinds of things, just as the previous minister himself admitted in the past when he said that he was unaware of the issue related to Mr. Edmonds—he does bear ultimate responsibility to ensure that any actions that are brought to the light of day that warrant redress are in fact taken. That's why we are so pleased with the Ombudsman's report, with the specific recommendations found within those and with the action plan put out by OLG itself. We intend to move forward on all of those.

**Mr. Arnott:** Of course, the Premier did not answer the question. Yesterday in this House he indicated that there is an arms-length relationship between the minister and the OLG, but I would refer the Premier to the annual report of the OLGC—then called the OLGC—2004-2005, where the Minister of Public Infrastructure Renewal in his opening statements said the following, “As Minister of Public Infrastructure Renewal, responsible for the Ontario Lottery and Gaming Corp. ... I am pleased to present OLGC's ... annual report.” Later on he says, “As the minister responsible, I will continue to provide OLGC with clear direction on the future of gaming for the benefit of all Ontarians.”

Either the minister is responsible for the OLGC or he's not. Clearly, the minister thinks he is. That being the case, how could you not call for his resignation when there has been such a serious breach of the public trust?

1520

**Hon. Mr. McGuinty:** I'm not disagreeing with my colleague that the Minister of Public Infrastructure Renewal bears ultimate responsibility for what goes on at the OLG; I'm not disagreeing with that. What I am saying is that he does not take responsibility for the day-to-day operations, just as the former minister himself said that he was unaware of the incident that affected Mr. Edmonds that happened on his watch. That came to the light of day on our watch, so we're doing what we think is appropriate on our watch. We're acting on the recommendations of the Ombudsman. We're certainly supporting the OLG when it comes to their seven-point action plan, and we think all of those speak to our determination to uphold the public interest and to make sure Ontarians have confidence in their lottery system.

#### AUTOMOTIVE INDUSTRY

**Mr. Michael Prue (Beaches—East York):** My question is for the Premier. Mr. Premier, people in Windsor woke up to the troubling news on the radio the other morning that Windsor GM will lay off 375 workers at the transmission plant. They have to ask themselves the question: Where is their Minister for Economic Development? Was she in Windsor? Was she in her hometown? Was she fighting to save the jobs of her constituents?

The answer was no. She's in Japan, the home of Honda, the home of Suzuki, the home of Toyota; all the while, GM Canada is handing out pink slips. Mr. Premier, why did you send your minister to Japan when

this week, of all weeks, she should be in Windsor fighting for the citizens of that community?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The member opposite cannot possibly know the Minister of Economic Development and Trade, because if he did, he would not level those kinds of accusations against her. If there is one member of this House who is more effective and more adept at championing their constituency than Sandra Pupatello, I have yet to meet that individual. She is now in Japan, working as hard as she can to improve our economy here in Ontario.

My friend opposite may say that we're going to put up walls, that we're going to close ourselves off to the rest of the world in an era of global economics, but we're not afraid of the rest of the world. We will continue to work with every single sector, including the auto sector, to ensure that we can strengthen that sector long into the future. I'm pleased to say we've landed \$7 billion worth of new investment, we've secured or protected 7,000 jobs, and we will keep working as hard as we can to improve the quality of prospects for people who work in the auto sector and every other industry in this province.

**Mr. Prue:** I'm not worried about putting up the walls, but I'm worried about the walls falling in in Windsor and the roof collapsing onto people's heads. That's the problem.

You know, your minister is not a Minister of Economic Development; she is looking after the largest decline in manufacturing jobs in the history of this province. I want to quote the Windsor Star because obviously they think very differently from you. The Windsor Star writes: “It's about time that Dwight Duncan and Sandra Pupatello showed Finance Minister Greg Sorbara a map of Ontario that includes the city of Windsor. If they can still remember where Windsor is.” Hint, Mr. Premier: It's nowhere near Tokyo and it's not even in Japan.

When will this government deliver the goods for Windsor, a community job strategy to sustain those jobs, real action for a tunnel, a third border crossing, and help for those workers who are losing their jobs?

**Hon. Mr. McGuinty:** My only regret is that the Minister of Economic Development and Trade is not here to speak to that, but perhaps he would not raise that kind of question were she present.

I'll just begin with a short list in terms of the investments that we've made working with the people of Windsor. Whether it's the satellite medical school, the investment in MRI, the hospital construction investments being made there now, whether it's the multi-million-dollar investment in the casino expansion, whether it's the money that's going into public transit through the gas tax, whether it's the investments being made in their public schools, whether it's the investment being made in their roads and their bridges, whether it's the investment that has been made in infrastructure generally, whether it's the global investment made by the people of Ontario and the community of Windsor as an indispensable part of this province, I can tell you that Windsor is very

important to this government. One of the reasons that it's so important to this government is because when this member is present, whether physically or not, she ensures that she holds our feet to the fire to make sure that we continue to work with the people of Windsor to ensure that they have bright prospects.

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** New question, the member for Ottawa–Orléans. Order. We're wasting time.

## BUREAU DES OBLIGATIONS FAMILIALES

### FAMILY RESPONSIBILITY OFFICE

**M. Phil McNeely (Ottawa–Orléans):** Ma question s'adresse à la ministre des Services sociaux et communautaires. Madame la ministre, je suis d'accord avec vous qu'un enfant ne devrait pas subir de privations parce qu'un parent se soustrait à ses obligations familiales.

Il y a presque trois ans, le gouvernement McGuinty a commencé à remanier le BOF, Bureau des obligations familiales, pour mieux desservir les familles de l'Ontario, et nous constatons déjà des progrès. Si c'est le cas, pourquoi reste-t-il encore 1,3 \$ milliard d'arriérés ?

**L'hon. Madeleine Meilleur (ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones):** Je voudrais remercier mon collègue d'Ottawa–Orléans pour son implication, non pas seulement dans la francophonie, mais pour aider ses commettants.

Laissez-moi mentionner les arriérés que les gouvernements précédents ont laissés en Ontario. En date de juin 2006, plus de 81 % des arriérés, totalisant près de 1,1 \$ milliard, datent de quatre ans ou plus. Alors nous sommes en train de nettoyer le "mess" qui a été laissé par les deux partis qui ont été avant nous. Par conséquent, le présent gouvernement a dû faire du rattrapage au Bureau des obligations familiales. Nous avons déjà investi 40 \$ millions dans le bureau, et nous sommes déterminés à améliorer le mode de fonctionnement du bureau pour que les familles obtiennent le soutien auquel elles ont droit.

C'est pourquoi je suis heureuse que le Bureau des obligations familiales a des initiatives axées sur de meilleurs services à la clientèle ainsi qu'un nouveau site Web : [www.lesbonsparents payent.com](http://www.lesbonsparents payent.com), qui permet de retrouver les parents en défaut de paiement de leur pension alimentaire.

**Mr. McNeely:** Thank you, Minister. My staff in my riding office tell me that the Family Responsibility Office is much more responsive to the parents and children in need in our community, and I think you've made great progress with that.

You mentioned [www.goodparentspay.com](http://www.goodparentspay.com), where you post the names and photos of those who have defaulted on their court-ordered child support payments. You should be commended for this innovative step to protect the interests of Ontario children. It is important that

parents receive our message: If you refuse to pay court-ordered child support, we will track you down and make sure you live up to your family responsibilities.

Nonetheless, some of my constituents would like to know why there are no women posted on the [goodparentspay.com](http://goodparentspay.com) site.

**Hon. Mrs. Meilleur:** The new web page has already helped the FRO work better for Ontario children and their families. For instance, the site has already received over 19 million hits. Five individuals who have defaulted have been found because of the site.

To answer the question that was asked by my colleague, approximately 95% to 97% of defaulting payers are men, so the pool of potential payers contains many more males. We will, however, post the profile of any defaulting payers who meet our criteria, regardless of their gender.

Let me read to you a note that was sent to me by one of the moms: "This morning I was listening to the news and heard about your new program, [goodparentspay.com](http://goodparentspay.com). I was so relieved to know that all the children waiting for action on their case were not forgotten. That you stood behind your election"—

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

## ONTARIO LOTTERY AND GAMING CORP.

**Mrs. Christine Elliott (Whitby–Ajax):** My question is for the Premier. The Premier has talked repeatedly about the public interest, but what he fails to understand is that if he had taken the public's interest to heart, he would have moved heaven and earth at the first sign, the first whiff that something was amiss at the OLG with insider wins. But instead he didn't do that. Instead, we had a whole group of his spin doctors gathering on a Sunday to cobble together a plan to spin this issue: Don Guy, Warren Kinsella and Jim Warren, all with impeccable Liberal stripes. Instead of the public interest, he looked at his own partisan interest.

The Premier refused to answer the question as to whether or not anybody in his office was aware of this meeting, so we can only assume that somebody was, which proves all the more that we need an independent investigation to look into what was going on in his office.

Premier, will you appoint such an investigation?

1530

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** It's always a pleasure to hear from our colleagues opposite.

I will have tremendous patience as they move forward. They have a responsibility to bring forward issues that they think are appropriate, and we have a responsibility to define and then uphold the public interest.

There was a very important issue raised as a result of an airing of the Fifth Estate. That matter prompted the OLG to hold a number of meetings. What's important is

that certain actions flowed from those meetings. One of those was a seven-point action plan.

The Ombudsman himself decided to take a keen personal interest in this issue. He moved in, conducted an investigation, came up with a report and put forward some very specific recommendations. We intend to follow each and every one of those to the letter, but we've done something beyond that. We've also asked that the Ontario Provincial Police take a look at this matter and determine whether there are actions they should be taking in these circumstances.

## PETITIONS

### STEVENSON MEMORIAL HOSPITAL

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

“Whereas Stevenson Memorial Hospital needs” \$1.5 million in new funding over the next three years to get its birthing unit reopened and to ensure that they can recruit enough obstetricians and health care providers to supply a stable and ongoing service for expectant mothers in our area; and

“Whereas forcing expectant mothers to drive to Newmarket, Barrie or Orangeville to give birth is not only unacceptable, it is a potential safety hazard; and

“Whereas Stevenson Memorial Hospital cannot reopen the unit under its current budget and the McGuinty government has been unresponsive to repeated requests for new funding;

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

“That the McGuinty Liberal government immediately provide the required” \$1.5 million in new funding to Stevenson Memorial Hospital so that the local birthing unit can reopen and so that mothers can give birth in Alliston.”

I agree with the petition, and I have signed it.

### NON-PROFIT HOUSING

**Mr. Michael Prue (Beaches–East York):** My petition reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas every citizen of Ontario should have a safe, healthy and decent home; and

“Whereas thousands of individuals and families are denied this basic right when the province of Ontario downloaded affordable housing to the city of Toronto but refused to pay for the hundreds of millions of dollars in deferred capital repairs; and

“Whereas poor living conditions undermine the safety and security of communities, harming children, youth and families living in affordable homes; and

“Whereas failure to invest in good repair undermines the values of the province’s affordable housing as the condition of the housing stock deteriorates; and

“Whereas poor living conditions have a damaging impact on the health of communities, costing Ontarians millions in health costs; and

“Whereas investment in housing pays off in better residences and in stronger, safer, healthier communities; and

“Whereas residents of Toronto Community Housing have waited five years for the province to pay its bills and bring affordable housing to a state of good repair;

“We, the undersigned, petition the Legislative Assembly of Ontario to:

“Accept its responsibilities and invest \$300 million to ensure that all residents of Toronto Community Housing have a safe, decent and healthy home.”

It’s sign by residents of 444 Lumsden, in my riding of Beaches–East York. I am in agreement and would affix my signature thereto.

### CORMORANTS

**Mr. Bruce Crozier (Essex):** I have a petition to the Legislative Assembly of Ontario.

“Whereas recent scientific studies have conclusively demonstrated that double-crested cormorants consume more fish than commercial fishing, sport fishing and poaching combined;

“Whereas double-crested cormorants are devastating nesting areas for other birds;

“Whereas double-crested cormorants are fouling water and making beaches unusable;

“Therefore we, the undersigned, support the private member’s Bill 156 of Ernie Parsons, MPP Prince Edward–Hastings, to reclassify the double-crested cormorant into the same family as American crows, brown-headed cowbirds and the common grackle. This will allow for greatly increased opportunities for the culling of cormorants, in addition to other steps being taken to control cormorant populations and protect the environment.”

I’m presenting this on behalf of the member for Algoma–Manitoulin, and I sign it in support.

### LAKERIDGE HEALTH

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

“Whereas the Ministry of Health and Long-Term Care has directed Lakeridge Health to cut mental health and addiction services and children’s mental health services in order to balance its budget; and

“Whereas the ministry has directed these cuts, bypassing the Central East Local Health Integration Network, whose director has stated ‘there will be no reduction in mental health and addiction services within the Central East LHIN’; and

“Whereas these cuts will likely transfer costs rather than save them, putting additional pressure on Lakeridge’s emergency department, Durham police, Whitby mental health and social service providers; and

“Whereas the central east already receives amongst the lowest per capita hospital funding in the province;

“We, the undersigned, request the Ontario Legislative Assembly to revisit this decision and ensure Durham residents receive appropriate support for adults and children who need treatment for mental health and addictions.”

I affix my name in support.

**Mr. Michael Prue (Beaches–East York):** I have a very short petition here. It’s to the Legislative Assembly of Ontario. It reads as follows:

“Whereas we, the undersigned, believe that Lakeridge Health should have full funding and not be facing an \$8-million shortfall;

“Whereas this would affect many programs, including the mental health program at Lakeridge Health;

“Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to fully fund the \$8-million shortfall for Lakeridge Health.”

I am in agreement and would sign my signature thereto.

#### GTA POOLING

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly. It’s entitled “End GTA Pooling: Pass Ontario Budget.”

I especially want to thank Marla McAlpine of Aird and Berlis, the law firm downtown, for having collected some of these signatures.

It reads as follows.

“Whereas the city of Mississauga faces a long-term labour shortage, resulting in some 60,000 more people commuting into the city of Mississauga than leave Mississauga to earn their living and support their families each and every day; and

“Whereas 10 years ago the Ontario government of that day introduced the concept of GTA pooling, whereby funds are taken from the municipalities surrounding the city of Toronto and channelled into the city of Toronto without benefit or accountability to the taxpayers of those fast-growing cities, which face big-city needs and issues of their own; and

“Whereas GTA pooling places an additional tax burden on the municipal property tax bases of some \$40 million each and every year to the city of Mississauga; and

“Whereas the government of Ontario in its 2007-08 budget proposes to completely eliminate GTA pooling during a seven-year span beginning in fiscal year 2007-08, and that as pooling is phased out, Ontario will take responsibility for social assistance and social housing costs currently funded by GTA pooling;

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

“That all parties within the government of Ontario support the swift passage of the 2007-08 Ontario budget and ensure that its provisions ending GTA pooling are implemented.”

I agree wholeheartedly with this petition, and I affix my signature and ask page Calla to carry it for me.

#### HEALTH PREMIUMS

**Ms. Lisa MacLeod (Nepean–Carleton):** I’m reading a petition today from residents of Nepean–Carleton who are disappointed with last week’s budget.

“To the Legislative Assembly of Ontario:

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

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

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

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

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

I support this petition, and I affix my signature, along with thousands of other Nepean–Carleton residents.

1540

#### LONG-TERM CARE

**Mr. Bruce Crozier (Essex):** I have a petition to the Legislative Assembly of Ontario regarding the aging population. I’m presenting it on behalf of the member for Windsor–St. Clair. It ends with:

“We, the undersigned, petition the Legislative Assembly of Ontario to increase long-term-care operating funding by \$390 million in 2007 and \$214 million in 2008 to provide an additional 30 minutes of resident care, enhance programs and meal menus and address other operating cost pressures, and introduce a capital renewal and retrofit program for all B and C homes, beginning with committing to provide \$9.5 million this year to renew the first 2,500 beds.”

#### ONTARIO LOTTERY AND GAMING CORP.

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

“Whereas Dalton McGuinty and David Caplan ignored stories of millions in rip-offs within Ontario’s lottery system for months, if not years;

“Whereas they acted only after they were caught and their first attempt was to ‘spin the scandal’ rather than fix the problems;

“Whereas Ontarians have every right to expect leadership from their government; and

“Whereas Dalton McGuinty and David Caplan have failed to protect the integrity of the lottery system in Ontario;

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

“That Dalton McGuinty start upholding the standards of integrity, responsibility and accountability, make the protection of the interests of all Ontarians a priority, and demand the resignation of David Caplan, the minister currently responsible for the lottery system.”

I’ve also signed this.

**Mr. Ernie Hardeman (Oxford):** I think, as the member from Bruce–Grey–Owen Sound just pointed out, it’s a major issue in the province of Ontario. I, too, have people coming in to my office wanting to sign a petition, and I have it here for you, Mr. Speaker. It’s to the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty and David Caplan ignored stories of millions in rip-offs within Ontario’s lottery system for months, if not years;

“Whereas they acted only after they were caught and their first attempt was to ‘spin the scandal’ rather than fix the problems;

“Whereas Ontarians have every right to expect leadership from their government; and

“Whereas Dalton McGuinty and David Caplan have failed to protect the integrity of the lottery system in Ontario;

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

“That Dalton McGuinty start upholding the standards of integrity, responsibility and accountability, make the protection of the interests of all Ontarians a priority, and demand the resignation of David Caplan, the minister currently responsible for the lottery system.”

I affix my signature to this petition, as I believe my constituents have it right.

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: I actually seek your guidance and your counsel on this. I’m not sure how this rule applies, but when a petition is read, does it not have to conform with the rules of the House that a member is named by their riding and/or their ministry? I’m just curious. I actually would really like to know that.

**The Acting Speaker (Mr. Ted Arnott):** The answer is no.

#### SALE OF DOMESTIC WINES AND BEERS

**Mr. Bob Delaney (Mississauga West):** I’m pleased to support my seatmate, the member for Niagara Falls, in a petition that I know is near and dear to his heart, in support of, I believe, a private member’s bill that he has

introduced. It’s addressed to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas the province of Ontario restricts the sale of domestic wines and beers to the LCBO, the Beer Store and a few winery retail stores; and

“Whereas other provinces (notably Quebec) have been selling beer and wine in local convenience stores for ages without any harm to the well-being of the public; and

“Whereas it is desirable to promote the sale of 100% Ontario VQA wines and Ontario brewed beer in a convenient manner consistent with a contemporary society, to promote locally grown and produced products, and support local convenience stores; and

“Whereas it is obvious that the market trends of selling wines and beer in convenience stores is not ‘if’ but when;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Liquor Control Act to permit the sale of 100% Ontario grown VQA wines and Ontario brewed beer in local convenience stores to the public throughout the province and to do it now.”

I’m pleased to affix my signature to this petition and to ask page Hayley to carry it for me.

#### LAKERIDGE HEALTH

**Mrs. Christine Elliott (Whitby–Ajax):** A petition to the Legislative Assembly of Ontario:

“Whereas the Ministry of Health and Long-Term Care has directed Lakeridge Health to cut mental health and addiction services and children’s mental health services in order to balance its budget; and

“Whereas the ministry has directed these cuts, bypassing the Central East Local Health Integration Network, whose director has stated ‘there will be no reduction in mental health and addiction services within the Central East LHIN’; and

“Whereas these cuts will likely transfer costs rather than save them, putting additional pressure on Lakeridge’s emergency department, Durham police, Whitby Mental Health and social service providers; and

“Whereas the Central East already receives amongst the lowest per capita hospital funding in the province;

“We, the undersigned, request the Ontario Legislative Assembly to revisit this decision and ensure Durham residents receive appropriate support for adults and children who need treatment for mental health and addictions.”

I’m certainly in agreement with this petition, and I’m pleased to affix my signature to it.

#### PHYSICAL EDUCATION

**Mr. Bob Delaney (Mississauga West):** I am once again assisting my seatmate, the member for Niagara Falls, with this petition. It’s about physical activity. It’s addressed to the Legislative Assembly of Ontario and it reads as follows:

“Whereas over the past 25 years, obesity rates have more than tripled for Canadian children between the ages of 12 and 17; and

“Whereas in Ontario, less than half of students beyond Grade 9 take gym classes, a small fraction are involved in school sports programs, and adolescents who are inactive at school are unlikely to be physically active elsewhere; and

“Whereas Canada’s Physical Activity Guide recommends that adolescents get at least 60 minutes of moderate physical activity daily; and

“Whereas a second compulsory physical education credit for secondary schools would result in an increase in adolescents being active;

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

“That the Ministry of Education add a second compulsory physical education credit for secondary schools.”

I’d like to especially thank Amber French of Balmoral Drive in Oshawa for having collected these signatures. I’ll affix my signature and ask page Thomas to carry it for me.

## ORDERS OF THE DAY

### INDEPENDENT POLICE REVIEW ACT, 2007

#### LOI DE 2007 SUR L’EXAMEN INDÉPENDANT DE LA POLICE

Mr. Zimmer, on behalf of Mr. Bryant, moved third reading of the following bill:

Bill 103, An Act to establish an Independent Police Review Director and create a new public complaints process by amending the Police Services Act / Projet de loi 103, Loi visant à créer le poste de directeur indépendant d’examen de la police et à créer une nouvelle procédure de traitement des plaintes du public en modifiant la Loi sur les services policiers.

**The Acting Speaker (Mr. Ted Arnott):** I believe Mr. Zimmer is going to lead off the debate. I recognize the member for Willowdale

**Mr. David Zimmer (Willowdale):** I rise in the House today to open third reading debate on Bill 103, the Independent Police Review Act, 2007. The McGuinty government is committed to being tough on the causes of crime. Being tough on crime means giving our police officers the resources they need to keep our communities safe and secure. It means ensuring that our police forces have everything they need to combat crime, including organized crime and gun crime.

The McGuinty government is doing everything it can to ensure the entire justice system has the resources to bring people who commit crimes like gun crimes to

justice. We have put 1,000 new police officers on the streets in communities throughout Ontario. Last January, we announced \$51 million in new funding to fight gun crime and gang violence. This funding included a major expansion of the guns and gangs task force, which includes several police services such as the Toronto Police Services Board, the Ontario Provincial Police, a team of specialized crown prosecutors, support staff, probation and parole officers, and a victims’ unit.

We recently opened a state-of-the-art provincial operation centre that will better allow for highly coordinated investigations and prosecutions of gun- and gang-related offences. We are also creating two major crime courts to accommodate large-scale, complex gang cases. The first is now operational; the second is scheduled to open this fall.

### 1550

And there is more, much more. This government has instituted mandatory gunshot wound reporting, gun amnesty programs to get weapons off our streets, blitz inspections of gun-licensed businesses, and a strengthened witness protection program.

The Premier and the Attorney General have both called for stronger statutory measures to combat gun crime, including mandatory minimums for certain firearms offences and reverse onuses on bail for those accused of a gun crime. We are pleased to see that these calls have been heard and that these calls have been heeded.

The McGuinty government has also worked hard to be tough on the causes of crime. We have created new affordable housing units, increased social assistance, expanded youth justice programs, and enhanced and expanded community programming in our school facilities. We have launched a series of programs with community groups, schools, sports and recreation groups, and faith-based community leaders, amongst others, to target at-risk youth and reduce violence in our communities.

All of our hard work is paying off. We have seen a very significant reduction in the incidence of gun violence in our communities this past year. Our communities are safer, our law enforcement agencies are stronger, and Ontario is stronger as a result of our hard work.

This bill is another step forward in strengthening our police forces to help keep our communities safe. Almost a year ago, the Attorney General introduced this legislation that would, if passed, entrench an independent and transparent police review system in Ontario. Our government’s goal has always been to create a police review system that has the confidence and respect of both the public and the police. Our goal is to improve and strengthen the way concerns about the police are dealt with. Our goal is to foster trust and respect for the system and to strengthen relationships of confidence between police and the public. Our proposed legislation will do just that.

The Independent Police Review Act, 2007, would, if passed, provide the public with a significant new standard of police accountability. At the same time, it



would ensure that there is no unnecessary interference with the excellent work done by Ontario's police services in keeping our communities safe.

I would remind my fellow members that in 2004, we asked the former Chief Justice of Ontario's Superior Court of Justice, the Honourable Patrick LeSage, to conduct a review of Ontario's police complaints system. In addition to reviewing written submissions from the public and holding public hearings, Mr. LeSage travelled extensively across the province to meet personally with over 200 individuals and 85 groups representing the police and the general public. It was the most exhaustive review of police complaints in Ontario history. After this extensive study, Justice LeSage made a number of recommendations to improve the current system, in which police themselves are responsible for the intake and investigation of complaints.

I would like to thank Justice LeSage once again for dedicating his time and his experience to conducting this important review. His well-thought-out recommendations are the foundation of our proposed new system, one that we believe is equitable and effective for all Ontarians, police and the public.

I'd like to note that our legislation proposes amendments to the Police Services Act only in those areas where Justice LeSage made a recommendation. We are proposing changes to distinct and discrete parts of the Police Services Act. This has not been about a general review of the act.

Among other things, the LeSage report called for the creation of an independent civilian body to oversee police complaints systems in Ontario. The availability of an independent body to which concerns can be brought would be a significant new option for the public. This option is the cornerstone of the Independent Police Review Act. Our proposed legislation would establish a new police complaints system administered by a civilian organization and led by an independent police review director. The director would provide independent civilian review at three important stages.

First, the director would be responsible for the intake and initial screening of public complaints about the police. At this point, the director would be able to weed out any complaints that are without foundation. The director would also have the option of deciding not to pursue a complaint if, having considered all of the circumstances, he or she determined that to do so would not be in the public interest.

Secondly, once the complaint is screened, and if it is deemed valid, the director would decide how the investigation would be carried out. The director would determine, on a case-by-case basis, who would investigate the complaint—the civilian body, the subject police service or another police force. Following an investigation, the chief of police would make decisions about discipline, if appropriate.

The director's third level of review would involve examining these decisions. The matter could then be referred for a disciplinary hearing if there were reason-

able grounds to believe that there was conduct or unsatisfactory performance involved. Any matters going to a disciplinary hearing would be heard by a hearing officer, and for the first time, the province would set standards for those officers. The goal of such standards would be the promotion of a high-quality, independent and efficient adjudication of disciplinary matters under the Police Services Act. If the legislation were passed we could, for example, consider creating standards setting minimum levels of experience for hearing officers and require that certain training requirements be met.

In addition to the three levels of review I've just detailed, the new independent police director would also be required to provide the public with accessible information and assistance regarding the public complaints process, and the director would carry out periodic performance audits of the administration of the public complaints process. This would ensure that the proposed system is running sensibly and efficiently.

This bill would also make it easier to handle complaints best dealt with outside the complaints system. The director would not be required to handle a complaint if it could better be dealt with under another act or another provision of law. This would ensure that the public's concerns are dealt with in the most appropriate manner.

In developing this legislation, we did not want the public to be prevented from bringing complaints directly to the police if they still wanted to. So individual members of the public would still be able to make complaints directly to their local police service board if they prefer to do so. A procedure for that process would be set out in the regulations. But through this proposed legislation, we are offering the public an important avenue for bringing forward their concerns.

Members of the public would also have the option of withdrawing complaints at any time. Further, complaints could be resolved informally at any time. The proposed legislation would allow us to design an informal resolution process as part of the legislation's implementation phase.

If our proposed legislation is passed, third-party complaints would be allowed if they've met certain legislative criteria. Again, if the director determined that a complaint was without foundation, whether that complaint came from a third party or not, it would be rejected at the outset. This is a very important feature, since we refuse to allow our police services to be bogged down with unfounded complaints.

#### 1600

Justice LeSage recognized that third party complaints should be allowed where they are supported by cogent evidence. We feel that the provisions in Bill 103 balance the needs and interests of the public and the police in relation to third party complaints. Our proposed legislation would provide the independent civilian directorate with search and seizure powers. Search and seizure powers were available to the former police complaints commission when that model was in place in Ontario throughout the 1980s and 1990s. These powers are also

consistent with search and seizure powers of other regulatory bodies in Ontario, including those governing security guards and lawyers, for instance. They are proposed for the simple reason that investigative bodies need investigative powers to be truly effective. Justice LeSage recognized this in his report.

The new director and appointed investigators would have the powers of a commission under part II of the Public Inquiries Act. These powers include the ability to summon witnesses to give evidence on oath or affirmation and the ability to require production of documents and other things as required for purposes of the investigation.

The proposed investigative powers have been drafted with an eye to balancing the ability to conduct effective investigations with the rights of the police officers being investigated. We anticipate that these search and seizure powers would only be used in rare situations where the director might not be able to access records or other materials required to carry out a meaningful investigation.

If this legislation is passed, we would aim to have the system in place in approximately one year. This would allow us time to set up the new civilian organization and hire a highly qualified director to oversee the program. As you've heard, the position of independent police director would be a challenging one. This person would need to be sensitive to the interests and concerns of the police and the community and, very importantly, enjoy the confidence of both of those entities, the police and the public. Our primary goal would be to ensure the highest level of confidence in any appointee.

During the second reading debate, many of my fellow members were vocal in their calls to send this bill to committee hearings. We did just that. The standing committee on justice policy met to consider Bill 103, and public hearings were held in Toronto on January 30 and 31 and February 1 of this year. All interested parties had the opportunity to share their opinions. The committee heard from a number of individuals and groups representing a wide spectrum of viewpoints. In the interests of time, I will only mention some of them, but the list of presenters included the Canadian Civil Liberties Association, the Ontario Association of Chiefs of Police, the Police Association of Ontario, the Toronto Police Accountability Coalition, and a number of community groups who have had an interest in this legislation and have been following it closely. We are grateful to everyone who took part in the committee hearings; their insights proved valuable.

As a result of the hearings, certain amendments have been made to strengthen this bill. Among other things, the committee accepted a government amendment that would allow the government to establish regional or other advisory committees. These committees would be made up of representatives from community groups, the policing community and any others that may be appropriate. Their role would be to advise the independent police review director on matters relating to outreach and public education.

Further, the committee saw fit to improve the bill with an amendment that would provide for cooling-off periods in relation to informal resolutions. This 12-day cooling off period would provide members of the public and the police with adequate time to consider a resolution before being bound by it. This amendment would encourage informal resolutions while ensuring that those resolutions are acceptable to the parties involved.

The committee also agreed to an amendment that would, if the legislation is passed, ensure that when a director is deciding whether or not to allow a complaint to be filed beyond the six-month limitation period, he or she would have to take into account whether or not the complainant was subject to a criminal charge related to a complaint, was a minor, or was suffering a disability.

There were some proposals made at committee and in other forums that do not form a part of Bill 103, which is now before us, and I would like to take some time just to address those issues. There were proposals that would have amended Bill 103 to provide that all public complaints investigations would have to be carried out by the new director. That would have run counter to Justice LeSage's recommendations. Justice LeSage recommended that the police should still be able to conduct some investigations after initial intake and routing by a civilian body and subject to an ongoing review by a civilian body. This is consistent with what other jurisdictions are doing as well. In fact, such a process is consistent with the recommendations of Justice Dennis O'Connor in relation to the RCMP oversight organization that he has proposed in the policy component of the Arar commission.

There are also proposals for additional limits on third-party complaints. Mr. LeSage recommended that third-party complaints be allowed where supported by cogent evidence. We feel that the existing provisions of Bill 103 dealing with third party complaints strike the right balance. We feel that the existing provisions would accommodate both the interest of community groups and the concerns of the police.

One amendment proposed at committee would have made the proposed body directly accountable to this Legislature. I would remind members that the director would be fully accountable to the Legislature through a minister of the crown—in this case, the Attorney General. But it is essential that the proposed body be independent and operate at arm's length from the government, similar to numerous other provincial bodies with enforcement and adjudicative roles.

Another issue that came up during the committee hearings related to the standard of proof to be used in police disciplinary hearings. Further, the standard of proof that must be met before a police officer can be found, in the course of a disciplinary hearing, to have committed misconduct or unsatisfactory work performance is "clear and convincing evidence." It had been suggested that the standard of proof in disciplinary hearings be lowered or that there be a "sliding standard" linked to the seriousness of the alleged misconduct. That is to say,

minor allegations would have to meet a lower standard of proof.

In common law, the “clear, convincing and cogent” standard has been widely accepted as the correct standard in relation to professional discipline cases, as is the case with lawyers and medical professionals. It is very important to note that Mr. Justice LeSage considered the issue of standard of proof in relation to police disciplinary hearings and did not recommend any changes in the standard of proof. The standard is not as high as a criminal standard of “beyond a reasonable doubt,” but it does reflect the seriousness of misconduct hearings and the seriousness of their potential impact on police officers. A sliding standard that would vary depending on the severity of the allegations and penalties could lead to a very confusing situation and lead to a great deal of time, effort and argument spent on classification of disciplinary charges into more or less serious categories with shifting standards of proof.

For the benefit of my fellow members here, I would like to briefly address some of the criticisms that were raised during second reading of this bill.

#### 1610

First, some thought that the independent police review director would be unaccountable, given the independent nature of the director’s office. This is not the case. Like order-in-council appointees generally, the director would be accountable to the legislation through the responsible ministry; in this case, the Ministry of the Attorney General.

Secondly, the government is proposing a less costly and time-consuming appeals process that will offer finality to the parties sooner. The Superior Court of Justice of Ontario would retain its jurisdiction to judicially review decisions, as is the case generally with all adjudicative tribunal decision-making. This is consistent with broader efforts to reduce duplication and repetitive steps and to encourage tribunal excellence in all areas of administrative law and justice.

Thirdly, some asked why First Nations police are not included in this bill. Justice LeSage recommended that the proposed law should not preclude First Nations police services from opting into the system. We agree; they have not been excluded. The delivery of policing to First Nations communities is accomplished by agreement between the relevant First Nations government, Canada and the government of Ontario. These agreements are negotiated every few years. Any opting-in by First Nations police services will take place in the context of those renegotiations every few years.

Fourthly, some expressed concerns about investigators in the proposed system being primarily former police officers. While police officers would bring important knowledge and experience to a complaints investigation role, we recognize the importance of having investigators with wholly civilian backgrounds and non-policing perspectives. If this bill is passed, we would ensure that the proposed new body is staffed by a broad range of top-quality individuals who would provide excellent service to Ontarians.

At the outset, I said that we are seeking to establish a police complaint system that has the confidence of the public and the confidence of the police. If passed, this legislation would create a system that is fair and that is effective for the public and for the police. Our proposed system would strike the appropriate balance between upholding every individual citizen’s right to bring concerns forward, while ensuring at the same time our police are not hampered by illegitimate complaints.

In his report, Mr. Justice LeSage wrote, “The trend across all jurisdictions is for more robust forms of civilian oversight of the police. This fact should cause neither surprise nor concern given the role of the police in our modern society, the work of the police, the power that the police wield and the potential for abuse of that power.”

I would like to point out that we are not the only jurisdiction to receive recommendations calling for a more robust oversight. In December 2006, the Arar commission, headed by the Associate Chief Justice of the Ontario Court of Appeal, Mr. Justice Dennis O’Connor, recommended the creation of an independent complaints and national security review agency for the RCMP. Many of the recommendations made by Justice O’Connor in relation to civilian oversight of the RCMP are consistent with the approach and standards of Bill 103 in relation to police complaints and review in Ontario.

Among other things, Justice O’Connor recommended that this proposed oversight should have extensive investigative powers similar to those used in public inquiries, including the power to subpoena documents and compel testimony. He recommended that such a body have the power to conduct public education programs and provide information concerning the review body’s role and activities. He also recommended the power to engage in or to commission research on matters affecting the review body. Perhaps most significantly, Justice O’Connor recommended that this proposed federal police oversight body have the ability to refer to the RCMP for investigation or to investigate the complaint itself, if deemed appropriate. This is consistent also with the advice of Mr. Justice LeSage here in Ontario, advice which we propose to implement in Bill 103.

The RCMP is an important policing presence affecting the lives and liberty of Ontarians. They are the creature of the federal government. I repeat, however, the call that Ontario and other provinces have made at the federal-provincial-territorial justice table: that the government of Ontario legislate an independent system to oversee RCMP activities that reflects the recommendation of the Arar inquiry report. Ultimately, improved oversight and accountability helps us all—the police and the public. It will assure members of the public that the police are held to the highest standards. More often than not, I think the measures proposed in Bill 103 would show members of the public that the police consistently meet and exceed the high expectations we have for them.

If passed, Bill 103 will only increase the community’s faith in the police, which will lead to increased co-

operation between the police and the public and ultimately increased public safety for all Ontarians. I encourage all members of this House to support Bill 103 so that all Ontarians can benefit from having a significant new option in dealing with police complaints.

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

**Mr. Garfield Dunlop (Simcoe North):** I'm very pleased to rise today and make a few comments. I'm looking forward to my colleague former Solicitor General Bob Runciman speaking on behalf of our party. I'll be sharing some of the time with him.

While I have the floor, I'd like to introduce to the folks in the House here a good friend of mine, Frank Takacs, and his stepdaughter, Karley White, who are here today with us. Frank was an OPP officer for 32 years. He also puts up a lot of election signs for me during the campaigns. So a good round of applause from the government members would be nice here.

While I've got the floor, I want to point out that my hometown community of Coldwater, Ontario, has the Canadian champion curler curling out of it right now: Glenn Howard. He's 6 and 0 and he's tied in the fourth end in the current game he's had today. We hope he goes to 7-0 and wins the world championship.

I do look forward to additional comments on this bill. I have to tell you up front, though, that in my eight years as an MPP, I've seldom had a complaint about any police officer. I've had more complaints about Minister Caplan in the last week than I've had about—10 times as many complaints—all the police officers combined in eight years. So maybe we should have a ministers' complaint department. However, we look forward to this debate.

**Hon. Steve Peters (Minister of Labour):** Bob Runciman likes the Integrity Commissioner a lot.

**Mr. Dunlop:** I'm hearing the member from Green Lane complain again. He has to heckle me whenever I get on my feet.

I'll have lots to say a little later on. I look forward to lots of debate on Bill 103.

**Mr. Rosario Marchese (Trinity-Spadina):** I hope to have an opportunity to speak to the details of this bill a little later. But I was a bit struck by the comments made by the member for Willowdale when he talked about being tough on crime and being tough on the causes of crime. He mentioned housing. He has some particular knowledge about this because he was the chair of the Toronto Community Housing Corp. I just want to remind him that the Toronto Community Housing Corp. and many of the tenants have a campaign urging the Liberal government to bring them the support they need. It's a \$300-million capital campaign that they have been waiting for for quite some time to repair their buildings, to bring them up to the standards that any human being might be accustomed to. Those buildings are in terrible need of repair. After 30, 40 or 50 years, some of these buildings are literally falling apart and need to be rebuilt.

**1620**

The government announced \$125 million across Ontario, and Toronto might get \$20 million. Toronto alone has \$300 million that they're asking for to retrofit, to repair, to replace, so that people can feel good in the homes in which they live, and we got so little. He was the former chair, and I wondered whether he would like to speak to that.

I also think that he, as someone concerned about housing, would talk about the fact that so much more is needed by way of public housing, because in Toronto alone there are 60,000 people waiting for support to get into public housing. They've built nothing, except for a couple of hundred units. People in the city of Toronto can't afford to live in housing and are waiting in line to get into public housing. With his expertise, I wonder whether he might comment on what I had to say about that.

**Mr. Bob Delaney (Mississauga West):** I'll try something completely original: I'll speak about the bill.

Let me add a few endorsements that some people have given us about this particular bill. Mayor David Miller, of the city of Toronto, said of the bill, "I believe Torontonians have great faith in their police services, but this should ensure that their faith grows stronger. Where there are problems, people will have a real right to deal with them and have them addressed."

One of the other organizations that came in with some very strong support of the bill was the Ontario Association of Chiefs of Police. What did they have to say about the bill? "Both citizens and police require a police complaints system that they can have confidence in," said Chief Terry McLaren, president of the Ontario Association of Chiefs of Police. "We believe this legislation will help strike the right balance between the needs of the public and the police in terms of dealing with complaints."

We have André Marin, the Ontario Ombudsman, who said, "I would like to say at the outset that the government of Ontario deserves credit for introducing Bill 103, which reforms the public complaints process and establishes the office of the independent police review director, a new police oversight agency with wide-ranging powers to oversee and investigate police complaints."

I've got time for perhaps one more. Alan Borovoy, of the Canadian Civil Liberties Association, says the following: "Bill 103 makes a number of welcome moves ... and to this extent, the Canadian Civil Liberties Association commends the initiative."

**Ms. Lisa MacLeod (Nepean-Carleton):** It's my pleasure to add a two-minute hit on Bill 103 before our former Solicitor General and Minister of Correctional Services, Bob Runciman, the member from Leeds-Grenville, leads off on this.

First, I'm very proud to be able to stand here today and talk a little bit about policing. It was in my background when I was growing up as a little girl in New Glasgow, Nova Scotia—actually, until recently. My dad

is still the police commissioner of the town, and he was able to sit on the federal Solicitor General's task force under the former Liberal federal government. He was also president of the Canadian Association of Police Boards, so names like Julian Fantino, Herb Kreling and Norm Gardner became very familiar around the kitchen table. We do know a little bit about policing in Nepean-Carleton, and certainly in my background in the MacLeod family. We're proud of my father, Daniel J. MacLeod.

In any event, there are just two things I'd like to touch on before we get into this bill in depth. I understand we want to start talking about being tough on crime, especially with the folks opposite, and the best time to do it is right now, with the Harper government, the Conservatives in Ottawa, really clamping down and becoming tough on crime. They're doing a heck of a job to make Canada safe and Ontario safe and the nation's capital safe and the riding which I represent in the nation's capital safe. So I really appreciate the tough-on-crime stance of that government.

With respect to the city of Ottawa, we needed almost 190 new police officers. In the summer, we were only awarded with the funding for 92. We still need funding for about another 100 officers in the city of Ottawa, so I urge members opposite to take that.

In addition, in the 18 seconds that I've got left, I want to talk a little bit about Bill 165, which installs a new independence to the independent child advocate. The unfortunate thing, of course, is that incarcerated kids, kids in the penal system, will not have access to this advocate anymore when it becomes an officer of the Legislative Assembly. So I urge members opposite to consider that as well.

**The Acting Speaker:** That concludes the time available for questions and comments. I'll return to the member for Willowdale.

**Mr. Zimmer:** The essence of this exercise, the essence of Bill 103, is, what do we do to establish a system that the police and the members of the public can have confidence in, that will fairly deal with the concerns of a complainant and the concerns of a police officer having to respond to the complaint? So we need to maintain the confidence of both the public and the police if our rule-of-law system is going to work on the civil side, the criminal side and the administrative side.

The confidence that Bill 103 is going to lead to in members of the public and members of the police is really based on four or five elements. The first element is, is there a process in place, a structure for processing or dealing with complaints that will work for all parties who have to engage in that process? Bill 103 does that. Then we get down into another level of detail, and we ask ourselves, are the rules that are applicable to that structure—how that process is going to play out—fair, balanced and reasonable? The third thing we have to ask ourselves is, does the public have confidence in the people managing that process, the directors, the investigators, the deciders about the complaint, whether it's

justified or not? Are they well trained? Are they judicious? Are they fair? Bill 103 guarantees that, with a range of public members who are going to be a part of that process. They're going to be trained. They're going to be leaders from their community.

So when we sit back and look at this process that Bill 103 contemplates, we look at the parts, the pieces of it—the process piece, the rules piece, the personnel piece, if I can use that expression; that is, the director and workers—Bill 103 guarantees that the system will work.

**The Acting Speaker:** Further debate?

**Mr. Robert W. Runciman (Leeds-Grenville):** I appreciate the opportunity to speak to Bill 103. I will be doing the leadoff and sharing that with the member for Simcoe North, Mr. Dunlop, who is our party's critic for community safety and who sat with me during the committee hearings on this legislation. It was an interesting opportunity to talk about the police complaints process. We did certainly have a number of informative witnesses, entertaining in some respects, appear before us, and people who I think made real a contribution to the process.

I have to say to the parliamentary assistant—I've had the opportunity to sit with him on a couple of justice bills now during the life of the government—

**Mr. Marchese:** He's a nice guy.

**Mr. Runciman:** He is a nice guy. I think he's a competent and dedicated individual. It's truly regrettable that those talents haven't been recognized by the people in the corner office, but that's one of the realities of politics; it doesn't always happen. In any event—

*Interjection.*

**Mr. Runciman:** Well, you never know. That's not necessarily true. We've still got a few months to see what transpires.

I'll be sort of jumping all over the place, I suppose, based somewhat on the parliamentary assistant's remarks and responding to some of those. His comments and the comments of some of his colleagues in quoting some of the individuals who appeared before us also prompt me to put some other comments on the record as well, related to police complaints.

**1630**

My NDP colleague Mr. Marchese—I apologize; I don't know his riding—mentioned the parliamentary assistant's reference to this sort of tough-on-crime myth that the Liberal members try to perpetrate, which is not selling at all.

I can't miss the opportunity to remind viewers and others that after the summer of the gun in 2005 in Toronto, it was revealed that the Attorney General, Mr. Bryant, and the community safety minister, Mr. Kwinter, had signed off on a \$339-million gutting of the justice system in the province of Ontario under the heading "justice modernization." Of course, because there was such an uproar over all the shootings and deaths in the city of Toronto, the cabinet, the executive council, ultimately rejected those recommendations, which I will remind you once again were signed off by the two justice

ministers in this government. So I think that says a great deal about the reality behind the government's and the Liberal Party's views with respect to how to operate or administer the justice system of the province.

One of the main themes we dealt with during this process was the issue of police investigating police—investigating themselves, primarily. If there's a complaint lodged against a police service or a police officer, a lot of people, I think rightfully so, have had concerns about that particular police service, in effect, investigating themselves. I think we've heard that from a range of people, including Justice LeSage, Alan Borovoy from the Canadian Civil Liberties Association, and on and on. The public concern about this issue was recognized by the Police Association of Ontario when Bruce Miller, the executive director of the police association, appeared before us. They all spoke to this issue.

I'll just quote Justice LeSage: "If investigated by the police service affected or by another police service, the police officers assigned to investigate should not have any connection to the incident and be removed from the persons involved in the incident."

I'll put a few more of these quotes on the record as I move forward, but I want to tie this in to a concern with respect to what's happening in this province, what's been happening in this House for the past week and a half now, and that's dealing with the scandal surrounding the lottery corporation in the province.

If you listen to the Premier and the minister responsible for lotteries answering questions in this House, one of the things they talk about—they endorse the Fifth Estate's dealings and the fact that the Fifth Estate revealed this with respect to the Edmonds case, but they only go partway. They say, "Look, we've turned this over to the OPP. We don't have to deal with this anymore."

Well, when they say that, they're ignoring another important element contained within the Fifth Estate report, and that dealt with the role, or possible role, of Chief Superintendent Michael Sharland, who was seconded to the Ontario Lottery and Gaming Corp.—originally with alcohol and gaming, but when Duncan Brown moved from the regulator position to being head of the marketing operations at OLG, he brought Chief Superintendent Sharland with him.

There's a press release dated March 15, CBC News: "Officer Leaves OPP Amid Conflict Questions at OLG."

It says, "The Ontario Provincial Police is reviewing the temporary assignment of a senior officer to the province's lottery corporation after a CBC investigation questioned whether the officer's role at the corporation could have affected a probe into retailer lottery fraud."

"Chief Supt. Michael Sharland, who has worked at the Ontario Lottery and Gaming Corp. since 2004, announced late Wednesday his retirement from the OPP to stay on as the company's vice-president of security."

"His departure and the OPP's review come after an investigation by the Fifth Estate ... raised questions about why the OPP had one of its own inside the lottery cor-

poration while the force was probing allegations of lottery fraud by an OLG ticket retailer."

I'll go on with this a little bit later, but I want to go back to some of the quotes. I have one here from Alan Borovoy, of the Canadian Civil Liberties Association, when he appeared before the justice committee dealing with Bill 103. The problem with police investigating police is that—I'm quoting Mr. Borovoy—"no matter how fair in fact the handling of any complaint might be, there's no way it can appear fair, because those police officers have departmental interests to protect and collegial relations to maintain." This is the important part of Mr. Borovoy's comment: "This is a classic conflict of interest." I think that's extremely important. We use Mr. Borovoy's testimony when we're trying to support this legislation, but apparently we want to ignore his advice and the advice of Justice LeSage when it comes to a situation dealing with the scandal confronting the Liberal government of the province of Ontario.

When we've raised this issue in the House on a couple of occasions—our leader John Tory has referenced the need for an independent investigation—the Liberal minister and his colleagues shout across the floor that we don't like the OPP, we don't support the OPP, we don't trust the OPP. Of course, I could characterize that as a less than honourable thing to be saying in this place; I could use tougher language than that, and I will if I have to. But it's certainly less than honourable when you look at the support the member for Simcoe North gives to police officers every day that he's in this House representing their interests, and at the history of our party over the years.

This is the way they're attempting—and I guess they're paying Warren Kinsella 1,000 bucks an hour to give them advice on how to damage us and intimidate us in terms of raising these very critically important issues.

*Interjection.*

**Mr. Runciman:** Yes. It ain't going to happen. It ain't going to happen, because we have extreme difficulty with the government having a bill before this House, Bill 103, for third reading—and at the end of the day we are probably going to support this legislation; we supported it on second reading. We have reservations. We introduced a significant number of amendments. But the government has a bill before us of which one of the primary themes is that police, especially when you're dealing with senior command officers, do not investigate themselves. It's a blatant conflict of interest, and this government has placed the OPP—an outstanding police service in the world—in an extremely difficult and awkward position by insisting that they investigate an allegation—and I stress, an allegation—and an implication that a senior command officer could have been involved in what has been described as obstruction of justice. It's a Criminal Code offence. They come here every day and try to tell us that we don't like the OPP if we raise this.

Now we find out that perhaps the Premier's office was involved in this, because he wouldn't respond to my

question in the House today. We know that his three key political advisers were at a meeting at the Ontario Lottery and Gaming Corp. in terms of how they could discredit these allegations. We know the staff in the minister's office knew about these problems at OLG and retailer theft six months before the Fifth Estate revealed them on television. So this also has clear linkages and lines to the minister's office and perhaps to the Premier's office. And we are to say that this is the sort of thing that the OPP should be forced to be the investigator of? That's not proper. That's not correct.

The conflict grows. How can you justify that at the same time you have a bill before this House saying, "This isn't the thing to do. We don't support this. We don't support police investigating concerns or complaints against senior police officers"? We're talking about, in Mr. Sharland's—and I'm sure he's an honourable gentleman. I don't want to question his integrity, but his name has come up in this and I think it's an allegation that has to be investigated thoroughly. We're talking about the chief superintendent. If you look at the sunshine revelations of salary, he's the second-highest-paid provincial police officer in the province of Ontario. You're saying that an inspector who's quoted in this press release by the CBC, OPP inspector Dave Ross, can go in and determine if the chief superintendent of the OPP is in a conflict or may have been involved in other activities that were not appropriate at the OLG, and that this is the right thing to do?

How does that jive with the legislation that's before us today? How does that make any sense? You're trying to sell us a bill of goods with respect to your honourable motives, in terms of police complaints and how they should be dealt with, but when you're in the House here during question period every day, you're saying, "Oh, it's okay. If it might implicate the government of the day, if it might implicate high-ranking officials in the re-election campaign of the Liberal Party of Ontario, well, then it's okay if police investigate themselves." That just doesn't stand up to scrutiny, and it's not something that we can stand by and allow to occur.

If you look at what happened federally last week with the complaints lodged about senior command officers within the RCMP, what did the federal government do? The next day, the Minister of Public Safety, Mr. Day, had a public press conference and said that he was calling in independent investigators to determine what went on. Calling in independent investigators: That's what our leader, John Tory, has been calling for for a week and a half. If you believe in Bill 103, if you believe in the themes and the principles that we talked about in the development and committee processes, you have to stand up here today and say, "This is wrong. The OPP should not be placed in an untenable position," and that's what you've done to this fine force. This is what you're doing.

I have to say that we have to express our frustrations today and during this debate. There are limited tools available, Mr. Speaker, as you know, to the opposition to express our frustration, our distaste with what's going on

here, with you trying to be high and mighty in terms of this bill but at the same time trying to protect your own tails and those of your highly placed political insiders, instead of doing the right thing and calling in an independent body to conduct this investigation to ensure that it's above board, that there's no perception of conflict of interest.

Based on that—and I will later have some more quotes from testimony at Bill 103 hearings to support what we're saying here today—I have to convey the frustration of the Progressive Conservative caucus and indicate that to drive home that message, at this point I'm moving adjournment of the debate.

**The Acting Speaker:** 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 nays have it.

Call in the members. This will be a 30-minute bell.

*The division bell rang from 1643 to 1713.*

**The Acting Speaker:** All those in favour of the motion will please rise and remain standing while the table counts you.

Thank you very much. You may sit down.

All those opposed will please rise and remain standing.

You may take your seats.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 7; the nays are 25.

**The Acting Speaker:** I declare the motion lost.

The member for Leeds–Grenville has the floor.

**Mr. Runciman:** I just want to explain, in case anyone from the viewing public is joining in, what happened here. We're beginning the third reading debate of Bill 103, which deals with the new police complaints process in the province of Ontario. The official opposition, the Progressive Conservative Party, wanted to take what opportunity is available to us—and there are limited opportunities for opposition parties—to express our dismay with the actions of the government with respect to placing this bill before the House, which deals with a very significant issue: the police investigating complaints against police—the same force, the same police service—especially when those allegations or complaints relate to senior command officers.

The irony of this, of course—and I'm using polite language—is that at the same time they're putting this legislation before the House, which talks about how police should be investigated, they are putting the Ontario Provincial Police, an outstanding, world-renowned police service, in an extremely difficult situation by asking them to investigate allegations that include a senior command officer of the OPP, a chief superintendent.

I want to talk about some of the materials that were on the record of the Bill 103 hearings, which I'll reference again, but I also want to talk a bit about The Fifth Estate report which precipitated all of the issues surrounding the lottery corporation scandal. If you look at the situation

and go back to the original Fifth Estate report and Gillian Findlay—who, I gather, is one of the reporters on The Fifth Estate—talking about freedom of information documents and Constable Al Lee of the OPP, who had been investigating Bob Edmonds's contention that he had had a lottery ticket stolen from him by a retail clerk, the transcript suggests that “according to the documents, Lee had been putting together yet another search warrant, this one aimed at the OLG itself. He believed the crown corporation was obstructing his investigation....Which raises all kinds of questions, not least about that relationship between the OLG and the Ontario Provincial Police. Chief Superintendent Mike Sharland was among those Constable Lee copied on an email giving notice about his warrant.” We can't talk to Constable Lee, since he has been ordered not to talk, and as far as we know, the obstruction allegation was never pursued. That's a point The Fifth Estate has made as well.

Alan Rachlin—again, I think, from The Fifth Estate. I believe this took place in March, a couple of weeks ago, talking about the search warrant that was never exercised: “I don't think you want the OPP investigating that. You want somebody who's independent investigating it. The issue is not necessarily an actual conflict, but the appearance or potential for it.”

Again, this ties in very clearly. I'm trying to make this point to you, Speaker, with respect to the relationship to the bill that is being discussed this evening, Bill 103, and the sort of theme that ran through the development of this legislation. We certainly heard it from community groups and we heard it from others.

I want to put on the record some comments made by the representative of a front-line police service, Bruce Miller, the executive director of the Police Association of Ontario, during testimony before the justice committee. This had to do with independent adjudicators—this was a position supported by the police association—and the need for independent adjudicators when a complaint is filed against a police officer.

1720

Quoting Mr. Bruce Miller of the PAO, “To ensure that a balance is maintained between protecting the interests of the public and police officers, we believe that independent adjudicators should be used.... These independent, professional adjudicators would improve public confidence that discipline matters are receiving due diligence while at the same time assuring police officers that no real or perceived bias exists.... We do believe that independent adjudicators will only add confidence to the system and do away with any real or perceived bias that exists.” That's the executive director of the Police Association of Ontario. They're calling on the government, with respect to Bill 103, to ensure independence when a complaint is lodged against a police officer.

Of course, we're not talking about a front-line police officer; we're talking about the second-highest-paid police command officer in the province of Ontario; we're talking about a chief superintendent who has been drawn into these allegations.

If you take a look at the past history of police complaints, if there has been a complaint—and I think there was a complaint recently up in Mr. Yakabuski's area against either a chief or a deputy chief; I forget, specifically, but it was a senior command officer of a municipal service. Who was called in to take a look at that? It certainly wasn't the force itself.

In this situation, we've asked an inspector in the OPP to come in and investigate the possible involvement of a chief superintendent, one of the most senior ranking officers in the OPP.

I guess this is why we rang the bells initially and why we want to continue expressing our frustration as an opposition party.

I want to explain again to any viewers that we have very few avenues in which to express our dismay with an action or actions that the government may be taking or may not be taking.

**Mr. Richard Patten (Ottawa Centre):** You changed the rules of the House.

**Mr. Runciman:** All three parties have a responsibility to bear with respect to changing the rules of the House; I agree with the member opposite. All three parties have made these changes while they've served in government.

It's truly regrettable that opportunities for private members—not just opposition members, but all members—have been severely constricted and restricted. So we have to utilize what tools are available to us.

If the government has legislation before this place which we are to consider in a responsible way, and one of the main and primary themes of that legislation is that police should not be investigating complaints against themselves, especially in the senior ranks—that's one of the major driving principles behind this legislation—why in the world would they believe it's appropriate for the OPP to be drawn into an investigation that allegedly involves a chief superintendent of the OPP and which we've learned this week could involve members of the re-election team for the Liberal Party of Ontario, perhaps with direct linkages to the Premier's office itself?

We've heard of staff within the office of the minister responsible for lotteries in the province who had knowledge of these rip-offs occurring six months before the report aired on the CBC. Those clear linkages have, again, further muddied the waters with respect to responsibility.

Again, it begs the question: Why would the government place the OPP in such a difficult, awkward position unless it is with the faint hope, I suppose, that this trusted organization is somehow going to feel intimidated and protect their political hides? That's the only logical conclusion we can come to.

We asked these questions in the House. Our leader, John Tory, has said that this cries out for an independent investigation. We've been ridiculed by the government benches when we've raised this, with them saying that we don't trust the OPP; we're not friends with the OPP.

There are no bigger friends or supporters of front-line police officers in this province than the Progressive Conservative Party of Ontario, and the record proves it. We'll



stand up to scrutiny against anyone else in this province. For them to suggest that is beyond the pale. It's insulting to all of us. It's certainly insulting to caring Ontarians who watch these proceedings and wonder what this government is doing.

I want to once again draw attention to, which I think is a relevant comparison, what happened last week at the federal level when there were serious allegations made by an officer within the OPP before a Senate committee, I believe, related to pension matters and the management of pensions within the RCMP. The Minister of Public Safety, Stockwell Day, had a press conference following those allegations the very next day and announced that he was calling in an independent investigator to take a look at those allegations involving senior command officers of the RCMP. That's the sort of reaction we should have had from this government, instead of trying to put this behind the covers, hide it behind the curtains, which is typical of every step of the way with respect to this scandal. It hasn't been to try and respond in a positive way to protect consumers across this province. No. It's been an effort to discredit—

**Hon. Mr. Peters:** On a point of order, Mr. Speaker: I certainly respect the opinions that the honourable member is putting forward. I don't agree with his assertions. But, Speaker, I'd ask that you rule that he should be speaking to the bill and not speaking in the manner that he has been.

*Interjections.*

**The Acting Speaker:** I appreciate the intervention of the Minister of Labour and find that the member is, in fact, addressing the bill with his comments and would ask the member for Leeds–Grenville to continue.

**Mr. Runciman:** Thank you very much. It's regrettable that the Minister of Labour didn't get that BlackBerry from Don Guy just before he stood up, the head of the re-election campaign.

*Interjections.*

**Mr. Runciman:** Mr. Speaker, that unfortunate intervention, I think, is an indication of the discomfort being felt in the Liberal benches with respect to the way this scandal has been handled from day one. I am relating this to Bill 103, because there are clear contradictions with respect to the bill that we dealt with at committee, the primary and driving principle of this Bill 103 being that police do not investigate themselves. If the Minister of Labour doesn't understand that, I will say it once again:

This is a clear conflict, what you're doing with respect to the lottery scandal, with the legislation that we're now debating, Bill 103. One of the primary thrusts of that, one of the key principles of that, is that police do not investigate themselves in terms of very serious allegations, especially when it involves senior command officers. That's why we are protesting.

At the end of the day, we are going to, with some reservations, support the legislation, because if you look at the community and policing organization stakeholders, they are, with some reluctance, supporting it as well. But we have difficulty with allowing this legislation to proceed this evening without expressing our dismay with the way the government is contradicting itself in terms of the lottery scandal and the very high-minded rhetoric with respect to how they're going to change police complaints in this province.

The reality is, they've been trying to hide this lottery scandal behind the curtains. We've got to do what we can to draw attention to it. We've got to do what we can to demand an independent investigation of all of these allegations. Based on that, I move adjournment of the House.

**The Acting Speaker:** Mr. Runciman has moved adjournment of the House. 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 nays have it.

Call in the members. This will be another 30-minute bell.

*The division bells rang from 1730 to 1800.*

**The Acting Speaker:** All those in favour of the motion will please rise and remain standing while you're counted by the table staff.

All those opposed will please rise and remain standing while you're counted.

**The Clerk of the Assembly:** The ayes are 8; the nays are 38.

**The Acting Speaker:** I declare the motion lost.

It being past 6 of the clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1801.*

*Evening meeting reported in volume B.*

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

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

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

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

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

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

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