



Legislative Assembly
of Ontario

First Session, 39th Parliament

Assemblée législative
de l'Ontario

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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 2 April 2008

Mercredi 2 avril 2008

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

Greffière
Deborah Deller

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**LEGISLATIVE ASSEMBLY
OF ONTARIO**

Wednesday 2 April 2008

**ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO**

Mercredi 2 avril 2008

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

WORLD AUTISM AWARENESS DAY

Ms. Sylvia Jones: I am proud to stand to mark April 2 as World Autism Awareness Day. Today is dedicated to increasing the knowledge and understanding of autism, and to share information regarding the importance of early diagnosis and early intervention. Scientists around the world are searching for the causes of autism, which will hopefully lead to a cure. Awareness will increase this spring and summer. On March 25, Jonathan Howard began an eight-month run across Canada to raise \$2.5 million for autism research and treatment.

Contrast these positive, proactive measures with what the McGuinty Liberals have been doing to families with autistic children. Since 2004, the McGuinty Liberals have been fighting with the parents of autistic children over what they consider to be proper education. I heard from a family last month whose daughter was pulled out of the IBI, or intensive behavioural intervention, program when she turned seven. Now, her family is trying to pay for this critically important treatment program from their own funds, because they are unwilling to see their daughter regress without IBI. Another family in my riding is looking to move to Alberta, because they know that IBI is covered by the provincial Tories there.

Instead of supporting these families, the McGuinty Liberals have chosen to fight their efforts by blocking IBI treatment. Rather than empty announcements, when will we see real action from this government on autism?

KRAFT HOCKEYVILLE 2008

Mr. Bruce Crozier: Last week, I rose to inform the House and the citizens of Ontario that we in the riding of Essex were proud to have Kingsville as one of the five finalists for Kraft Hockeyville Canada. So the voting has started and the five finalists are in.

Scott Oake and Kelly Hrudny have visited Kingsville. They've painted a red line down the centre of Kingsville, and today the town crier was saying that Kingsville has to be Hockeyville, Canada.

So I'm asking all my colleagues here at Queen's Park and the folks at home if they will get on their telephones,

get on their computers and vote for Kingsville for Hockeyville. All you have to do is go to cbc.ca/hockeyville on your computer, click on "Kingsville," and you can vote as many times as you like until midnight, April 4; or you can call toll-free 1-888-843-5604 until 11 a.m. on April 6. So take up that old tradition of voting early, voting often, for Kingsville for Kraft Hockeyville in Canada.

POPE JOHN PAUL II

Mr. John Yakabuski: As a proud Canadian of Polish descent, I'm honoured to rise today to pay tribute to Pope John Paul II on the third anniversary of his passing. A great son of his native Poland, Karol Wojtyla dedicated his life to his church and people.

A man who gave of himself to help others, he once rescued a Polish Jew who fled from a Nazi death camp. As he was about to leave her, she grabbed his arm and gratefully asked him his name. Thirty-three years later, when a new Pope was elected, she wrote to him to ask, "Are you the man who saved my life?" Pope John Paul then invited her to come to Rome to meet with him.

My brother Mark was also blessed to be granted a private audience with Pope John Paul in December 1983.

John Paul II was also Ontario's Pope and on his visits here was enthusiastically greeted by Canadians of all backgrounds. This is why I ask all members of this House to support private member's Bill 25, An Act to proclaim Pope John Paul II Day in Ontario, which was tabled by my colleague the member for Newmarket-Aurora.

The heart of Pope John Paul II was large enough to embrace the entire world. Today we celebrate the values of compassion, respect and tolerance that were his hallmark and that truly represent the best of what is Canada.

I close with this quote from Pope John Paul himself: "Let us not be overwhelmed by the distress of the present time. Let us instead open our hearts and minds to the great challenges lying before us."

WORLD AUTISM AWARENESS DAY

Ms. Andrea Horwath: Today is the historic, first-ever United Nations World Autism Awareness Day. I'd like to formally recognize this important day in the Ontario Legislature and acknowledge the efforts of families with children with autism who are fighting hard

for better services in Ontario. As well, on behalf of New Democrats, I want to commend the diligent and dedicated work being done by the many autism stakeholder groups in communities across this province and Canada.

The situation for children with autism and their families is dire in Ontario, I'm sorry to say. The number of children on waiting lists for IBI therapy was 1,063 as of December 2007, up from 985 in March of that year. Similarly, more children are waiting to be assessed for treatment: 334 children in March, and nine months later, 381.

I would like to thank Sharon Gabison of the Ontario Autism Coalition for the following survey results—a snapshot from families seeking help for children with autism: The average waiting time to access publicly funded IBI/ABA is 17 months—some families have waited anywhere from three to seven years; 82% of respondents noted that there was no ABA in the public school system—parents have to keep their children home from school to provide them with ABA; and over half the families liquidated assets to fund their child's treatment while on the waiting list, spending an average of \$35,000 for minimum hours.

How tragic that on the very first World Autism Awareness Day we see that Ontario is falling further behind, and I put that at the feet of the McGuinty Liberal government, which is failing our children.

CORNWALL COMMUNITY HOSPITAL

Mr. Jim Brownell: The Cornwall Community Hospital is a cornerstone of the city of Cornwall in my riding of Stormont–Dundas–South Glengarry. With more than 1,000 employees, it serves acute-care and community-based patient needs.

Now that the early-works reconstruction projects have been completed and its main redevelopment is soon to begin, courtesy of our government's ReNew Ontario plan and a generous community, this will soon be one of the most state-of-the-art medical facilities anywhere in Ontario.

I am very proud of the support that the McGuinty government and the Ministry of Health and Long-Term Care have provided to this health care facility. However, my greatest praise must be saved for the community itself. It was through the generosity of a caring community that the Our Hospital, Our Community campaign team surpassed its goal of \$12 million under the leadership of Tom and Gail Kaneb. The Cornwall Community Hospital is fittingly named, as it is truly the community that makes this hospital great.

1340

Through the annual CORUS Caring Hearts Radiothon, hosted by Corus Entertainment in Cornwall, the people of Stormont–Dundas–South Glengarry have opened, and will continue to open, their hearts and wallets and donate generously. On April 9, I encourage everyone to listen to the radiothon on Variety 104.5, Rock 101.9 and AM1220 in Cornwall. You may even be inspired by the great spirit

of Cornwall and area to call 613-933-7755 or 1-866-966-9991 and make a donation. I congratulate the Corus Entertainment team.

VAUGHAN HOSPITAL SERVICES

Mr. Peter Shurman: I rise in the Legislature today to speak on the subject of Vaughan hospital services. It is my understanding that the Minister of Health and Long-Term Care is in possession of two letters, one from the Central LHIN board chair, Ken Morrison, and the other from the Vaughan Health Campus of Care foundation chair, Michael DeGasperis. These letters, both dated March 31, were accompanied by the Service Needs Assessment for Identification of Vaughan Hospital Services Needs Final Report. Both these men and their respective teams worked tirelessly together to ensure that this report was transmitted to the minister in a timely fashion, and they came in on deadline.

This report provides irrefutable evidence that the need for a new hospital in Vaughan is immediate and that the planning and construction of such a facility should proceed without delay. Vaughan's population has grown more rapidly than any other community in Ontario, yet it is the only municipality within the top 10 most populous communities in Ontario without a local acute care hospital.

The health care situation in Vaughan is not acceptable. The result has been delays in accessing treatment, increased wait times and more travel for patients, putting more and more people's lives at risk.

Statistics in the needs assessment report show that by 2013, the projected need for total bed-based services in Vaughan will be around 300. By 2030, that number is projected to grow to around 460. Action needs to be taken now. We cannot wait longer.

The report made three recommendations:

(1) The Central LHIN should undertake a broader planning exercise that creates a current and future blueprint for hospital services across the LHIN, which involves the existing health providers in the LHIN. This will provide insight into the impact of future Vaughan hospital service needs on existing health providers and will guide the balancing and coordination of health service delivery across the Central LHIN into the future.

(2) The Central LHIN and the ministry should work with existing—

The Speaker (Hon. Steve Peters): Thank you. The member's time has expired.

ONTARIO BUDGET

Mr. Kuldip Kular: It's a pleasure to rise before my colleagues to talk about the impact of the 2008 Ontario budget on the constituency I represent, Bramalea–Gore–Malton. First, I wish to mention the benefits to manufacturers of this government's proposal to eliminate the capital tax for manufacturers, which makes available hundreds of millions of dollars.

While tax breaks improve the competitiveness of business and industry and are an incentive for economic growth, investment in training programs provides hope to many of my constituents who find themselves in the difficult position of having skills and work experience in a particular industry and, due to economic changes beyond their control, have been laid off. The Second Career strategy allows 20,000 people to retrain for high-paying jobs and proudly re-enter Ontario's competitive workforce.

This budget also takes into consideration young tradespeople by encouraging the expansion of apprenticeship programs through the apprenticeship enhancement fund and, importantly, by encouraging young people to complete their training so that they possess the skills necessary for success in today's competitive age.

In funding training programs, the government is contributing to the success of dedicated and hard-working Ontarians. We are ensuring our prosperity as a province and opportunity for the future of all Ontarians.

PARLEMENT JEUNESSE FRANCOPHONE DE L'ONTARIO

M. Jean-Marc Lalonde: Il me fait plaisir de souhaiter la bienvenue à 60 élèves provenant des quatre coins de la province. Ces élèves, qui représentent l'école secondaire de leur région respective, participent au Parlement jeunesse francophone de l'Ontario, qui se déroule ici-même à Queen's Park cette semaine.

Les trois objectifs de ce Parlement jeunesse sont de stimuler l'intérêt et l'engagement des élèves francophones envers la politique et le fonctionnement d'un gouvernement; permettre aux élèves de débattre des idées, d'exprimer des opinions et de défendre une position, tout en développant leur capacité de leadership; et de favoriser la construction identitaire et inciter les élèves à s'impliquer dans leur communauté.

Le Parlement jeunesse francophone de l'Ontario est un programme unique en son genre car il implique les jeunes dans le domaine de la politique, du journalisme et des organisations non-gouvernementales.

Je tiens à remercier ma collègue l'honorable Kathleen Wynne, ainsi que les représentants du ministère de l'Éducation qui ont travaillé étroitement à la réalisation de ce projet.

Je souhaite également remercier la FESFO, qui est l'organisme porte-parole de 25 000 jeunes francophones de l'Ontario. L'Ontario a besoin des jeunes énergiques qui souhaitent se dévouer pour leur communauté, et rien n'égalise la politique pour ce faire.

ONTARIO ECONOMY

Mr. Kevin Daniel Flynn: As you know, I represent the riding of Oakville, which is the headquarters of Ford of Canada. Yesterday, during debate on the budget, my colleague from Hamilton East–Stoney Creek was talking about our government's recent announcement of its

partnership with Ford in opening the Ford Motor Company's Essex engine plant, and I was outraged by his remarks. Within this partnership, the government is providing \$17 million to support Ford's \$170-million investment in a new engine program in Windsor which will allow about 300 workers to return to their jobs. And do you know what my colleague from Hamilton East–Stoney Creek said? He said, "Whoopee—300 jobs." I don't think the workers who are now able to return to work and support their families because of this investment would share the tone of that remark.

This government has a five-point plan to build a stronger economy in this province, and this key partnership with Ford is an integral part of that plan. We proposed \$355 million over three years for a Second Career strategy that's going to help 20,000 unemployed workers get long-term training for new and better careers.

My colleague across the floor may scoff at what this government is doing for Ontarians, but the fact is, we're taking the appropriate actions; we're making smart investments to ensure a strong and vibrant economy for the people involved in the auto industry and for all workers in the province of Ontario.

WEARING OF PINS

Mr. Dave Levac: On a point of order, Mr. Speaker: I have spoken to the opposition and I understand I do have it, but I will seek unanimous consent. This month, April, is Parkinson's Month. Each of us has received a pin and some tulips commemorating those who are suffering from Parkinson's. In honour of my brother and all of those people who suffer from Parkinson's, I request unanimous consent to wear the pins for the month of April.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Steve Peters): I beg to inform the House that today the Clerk received the report on intended appointments dated April 2, 2008, of the standing committee on government agencies. Pursuant to standing order 106(e)(9), the report is deemed to be adopted by the House.

Report deemed adopted.

INTRODUCTION OF BILLS

827291 ONTARIO LTD. ACT, 2008

Mr. Naqvi moved first reading of the following bill:
Bill Pr7, An Act to revive 827291 Ontario Ltd.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

Mr. Robert W. Runciman: On a point of order, Mr. Speaker: According to the standing orders, earlier today I delivered a written point of privilege to your office. I am assuming that no further elaboration is required, and I will look forward to your response.

The Speaker (Hon. Steve Peters): I thank the member on his point, and I will be speaking to it just prior to question period.

DEFERRED VOTES

2008 ONTARIO BUDGET

The Speaker (Hon. Steve Peters): We have a deferred vote by Mr. Duncan on the motion that this House approves in general the budgetary policy of the government.

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

The division bells rang from 1351 to 1356.

The Speaker (Hon. Steve Peters): All those in favour of Mr. Duncan's motion will please rise.

Ayes

Aggelonitis, Sophia	Dickson, Joe	Naqvi, Yasir
Albanese, Laura	Dombrowsky, Leona	Oraziotti, David
Balkissoon, Bas	Duguid, Brad	Pendergast, Leeanna
Bartolucci, Rick	Duncan, Dwight	Phillips, Gerry
Bentley, Christopher	Flynn, Kevin Daniel	Pupatello, Sandra
Berardinetti, Lorenzo	Fonseca, Peter	Qaadri, Shafiq
Best, Margaret	Gravelle, Michael	Ramal, Khalil
Bradley, James J.	Hoy, Pat	Ramsay, David
Broten, Laurel C.	Jaczek, Helena	Rinaldi, Lou
Brown, Michael A.	Kular, Kuldir	Sandals, Liz
Brownell, Jim	Kwinter, Monte	Sergio, Mario
Bryant, Michael	Lalonde, Jean-Marc	Smith, Monique
Cansfield, Donna H.	Leal, Jeff	Smitherman, George
Caplan, David	Levac, Dave	Sousa, Charles
Carroll, Aileen	Mangat, Amrit	Takhar, Harinder S.
Chan, Michael	Matthews, Deborah	Van Bommel, Maria
Colle, Mike	Mauro, Bill	Wilkinson, John
Craiton, Kim	McGuinty, Dalton	Wynne, Kathleen O.
Crozier, Bruce	Milloy, John	Zimmer, David
Delaney, Bob	Mitchell, Carol	
Dhillon, Vic	Moridi, Reza	

The Speaker (Hon. Steve Peters): All those opposed to the motion will please rise.

Nays

Arnott, Ted	Horwath, Andrea	Prue, Michael
Bailey, Robert	Jones, Sylvia	Runciman, Robert W.
Barrett, Toby	Kormos, Peter	Savoline, Joyce
Bisson, Gilles	MacLeod, Lisa	Scott, Laurie
DiNovo, Cheri	Marchese, Rosario	Shurman, Peter
Dunlop, Garfield	Martiniuk, Gerry	Sterling, Norman W.
Elliott, Christine	Miller, Norm	Tabuns, Peter
Gélinas, France	Miller, Paul	Wilson, Jim
Hampton, Howard	Munro, Julia	Witmer, Elizabeth
Hardeman, Ernie	O'Toole, John	Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 61; the nays are 30.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Agreed to.

The Speaker (Hon. Steve Peters): It is therefore resolved that the House approves in general the budgetary policy of the government.

VISITORS

The Speaker (Hon. Steve Peters): We have a number of guests visiting the Ontario Legislature today, and I would like to introduce them.

First, in the Speaker's gallery, I would like to introduce some new friends of mine: David Aiello, the CEO of Synergex Corp., and his sons Avie, Josh and Ryan; and an old friend of mine, Kevin Daniels. Welcome to the Speaker's gallery today.

In the west public gallery, we'd like to recognize Mr. Gilles Morin, the former member from Carleton East in the 33rd, 34th, 35th and 36th Parliaments. Welcome back to Queen's Park.

We also would like to welcome a former member, Mr. Gary Malkowski, the member from York East in the 35th Parliament. Gary, welcome.

On behalf of the member from Simcoe North, we would like to welcome, located in the members' west gallery, Cathy Bayles and Rolf Springer from the town of Midland. Welcome to Queen's Park today.

On behalf of the member from Burlington, we'd like to welcome her daughter, Natasha, her son-in-law Joshua and her granddaughter Olivia Flippance, who are present in the gallery today. Welcome.

As well, on behalf of the member from Burlington, the member from Renfrew-Nipissing-Pembroke and the member from Haliburton-Kawartha Lakes-Brock, we would like to welcome page Daniel Muzzi's grandparents Don and Elizabeth Hawkins, who drove down from Burlington; as well, page Daniel's other set of grandparents, Bill and Judy Muzzi. They're all in the west gallery today.

You need to tell me who sends these notes sometimes. I appreciate that.

We'd like to welcome to the west gallery today Glenn Coughtrey and Lona Joly. Welcome.

On behalf of the member from Haliburton-Kawartha Lakes-Brock, I'd like to welcome Sam, Mike and Anne of the Van Warmerdam family, here to see Jacqui Van Warmerdam, who is page captain today. They are in the east members' gallery. Welcome.

On behalf of a number of members—the Minister of Transportation, the member from Durham, the member from Timmins-James Bay and the member from Thunder Bay-Atikokan—we'd like to remind everyone that today is Marine Day and recognize, in the members' gallery, Mike Kirkpatrick and Angus Armstrong from the Ontario Marine Transportation Forum; Wayne Smith and Michel Drolet, who are in the west members' gallery; and

executive director Peter Landry, who is here at Queen's Park. We commend them for their fine work.

Just also a reminder that there's a reception tonight; I don't often remind members of receptions, but there's a special presentation that's being made to the Legislative Assembly of Ontario, and we'd encourage members to be there. Welcome to those who are here for Marine Day.

On behalf of the member from Glengarry–Prescott–Russell, I would like to welcome the pupils who are here from the francophone high schools in Ontario until Friday to participate in the second *Parlement jeunesse francophone de l'Ontario*, a francophone youth model Parliament. They are in the west gallery.

On behalf of the member from Thornhill, welcome to Ms. Elva Murphy.

On behalf of the member from Don Valley West, I'd like to welcome members of the Ontario Principals' Council on their 10th anniversary, in the east members' gallery.

In the east members' gallery as well, on behalf of the member for Kitchener–Waterloo, Mr. Tasos Stathopoulos and Mrs. Maryanne Stathopoulos, who are visiting from Kitchener–Waterloo. Welcome today.

In the east gallery, on behalf of the member for Kitchener–Conestoga, again, members from the principals' council: Lisa Vincent, Mike Benson, Laura Hodgins, Doug Morrell, Ami Treffer and Helmut Tinnes. Welcome today.

On behalf of the member for Trinity–Spadina, in the east gallery, Oscar Sperling and Delia Keller, two economists from the finance ministry of Argentina.

On behalf of the member for Oxford, we welcome the grade 10 class of Mr. Andy Loebus from St. Mary's High School in Woodstock, in the east gallery.

For anyone who was not recognized today, on behalf of the members of the Legislature, I would like to welcome everyone to Queen's Park today.

MEMBER'S PRIVILEGE

The Speaker (Hon. Steve Peters): Earlier today, the leader of the official opposition filed written notice with me of his wish to raise a point of privilege, as required by standing order 21(c). I would like to thank the member for giving me sufficient time to review the matter.

The member's point of privilege is related to his contention that the government is preparing to introduce a tax that was not mentioned in the recent budget; specifically, a tax on tires.

I wish to advise that I will be deciding on this matter without further hearing directly from the member at this time, as standing order 21(d) permits me to do.

I have carefully reviewed the member's written submission and cannot find that he has made out a *prima facie* case of privilege.

The member's written submission refers to the privilege that members enjoy of attending in this chamber and participating in various ways to hold the government accountable for its decisions and its actions.

I cannot see that the ability of any member to perform such parliamentary functions is detracted from in the present case. What we have largely amounts to a disagreement, on the part of the member, with a potential policy direction that the government may choose to follow, or perhaps with the process surrounding the development of this potential policy.

To take the member's perspective, he does in fact have considerable ability to hold the government to account on this matter, perhaps most directly and explicitly through the daily oral question period. This is precisely what he did with the two questions in yesterday's question period. I think that is a clear indication that nothing about which he has raised a grievance has affected his very ability to raise this grievance in the first place. He has not been obstructed or hindered in that responsibility as leader of the official opposition.

To reiterate, I do not find that the member has a valid point of privilege, but I do thank him for raising this matter and permitting me to address the important topic of parliamentary privilege once again.

USE OF QUESTION PERIOD

The Speaker (Hon. Steve Peters): Before we start oral questions, I would ask the indulgence of the members to allow me to take a bit of time to clarify the use of the rules around the issue of supplementary questions.

Let me first direct the attention of the House to what the rules say about supplementary questions. Standing order 36(c) provides for supplementary questions "arising out of the minister's reply." Additionally, in Marleau and Montpetit's *House of Commons Procedure and Practice*, supplementary questions are described as "a follow-up device flowing from the response."

Successive Speakers since 1975 have affirmed in this House that supplementary questions must arise out of the minister's answer to the original question and have ruled out of order supplementaries which do not do so.

While some degree of latitude has been exercised of late with respect to the relationship between a supplementary question and the original question and answer, it has been my observation that there is a growing tendency for there to be little or no relationship at all.

Many questions—and we have reviewed—have been asked in this session from both sides of the House that, although they may be thinly related to the same subject matter, do not arise out of the minister's reply, nor, frankly, do they even relate to the same ministry. These are really separate questions that should be asked when the member next has the floor.

Members should take notice that I will be exercising enhanced vigilance with respect to the orderliness of supplementary questions in the future.

1410

Mr. Peter Kormos: On a point of order, Mr. Speaker: I thank you for your attention to standing order 36(c). We appreciate your direction in that regard and trust that you will be similarly and as vigorously applying 36(d).

ORAL QUESTIONS

TOBACCO SMUGGLING

Mr. Robert W. Runciman: I'm confident that that commentary wasn't directed at me.

My question is to the Minister of Finance and has to do with the proliferation of contraband or illegal cigarettes in Ontario. We're seeing estimates that one out of every three cigarettes smoked in Ontario today is an illegal product.

Minister, can you indicate to the House today what work your ministry has done on this issue and what the cost is in lost tax revenues to the provincial treasury?

Hon. Dwight Duncan: I refer this question to the Minister of Community Safety.

Hon. Rick Bartolucci: First of all, let's make it perfectly clear that the feds own the border. But we have a responsibility to work with our federal government, with the federal police force, and with US police forces to ensure that we limit the amount of illegal activity at the border. We're committed to doing that. We do that through the OPP and we will continue to be a very, very active partner as we work together to develop strategies that will ensure that illegal contraband does not enter the province of Ontario.

Mr. Robert W. Runciman: These guys are the world's number one pass-the-buck artists. I want to say, and put on the record, that police and anti-smoking groups agree that illegal cigarettes now account for 25% to 30% of tobacco consumption in Ontario. We're also told that the lost revenue is estimated to be in the neighbourhood of \$600 million a year. That's why the Minister of Finance didn't want to respond.

The minister and his Liberal colleagues seem to have no reservations about breaking promises and sticking hard-working and, I should say, law-abiding, Ontarians with a new \$60-million tire tax. But when it comes to dealing with an illicit product with clear linkages to organized crime, where profits buy illegal guns, it's hands off. Why is that, Minister? Why are you writing off \$600 million and declining to enforce the rule of law?

Hon. Rick Bartolucci: Obviously, we fundamentally disagree, with the approaches that we're using. Certainly we're a part of the International Border Enforcement Team, which targets cross-border criminal activity like tobacco smuggling. The lead agency of that is the RCMP, but the OPP is also a partner in that. We continue to work with our federal police services to ensure that we aggressively ensure that the amount of contraband tobacco entering this province is at a minimum.

Mr. Robert W. Runciman: Boy, I just have to shake my head at that. I want to put a few other facts on the record: We're advised that 24% of Ontario students who smoke are smoking illegal product—as well as no tax and no health warnings. We're also advised that your government is allowing an illegal cigarette store to operate on provincial government land near a high school. So

let's get this straight: Your strategy is to turn a blind eye to illegal operations, some with ties to organized crime, shrug your shoulders over the loss of \$600 million a year, put the health of young people at risk, and then, by the way, whack law-abiding Ontarians with a new \$60-million tax. Is that the Liberal strategy?

Hon. Rick Bartolucci: I outlined the strategy, but let me reinforce the strategy again: We will continue to be a part of the International Border Enforcement Team, which is made up of the RCMP, the OPP and United States law enforcement agencies. We will also continue to ensure that we work with the federal government in any way possible to ensure that we limit the amount of contraband tobacco that enters the province of Ontario.

We would also like the federal government to work with us to ensure that the same effort that we're putting into ensuring illegal handguns don't enter the province of Ontario—we would ask the federal government to work aggressively with us to ensure that there is a federal handgun ban.

TOURISM STUDY

Mr. Ted Arnott: My question is for the Premier. About three weeks ago, the member for Vaughan was appointed by the government to do a tourism study. He said at the time that he would deliver a final report to the government early next year. However, this year's budget allocates \$8 million over the next two years for the Sorbara tourism study. Can the Premier explain this discrepancy?

Hon. Dalton McGuinty: To the Minister of Tourism.

Hon. Peter Fonseca: I thank the member for the question. This government believes strongly in tourism as an economic driver. We know that it brings \$21 billion to our GDP here in this province, \$6.7 billion in exports, and it touches every community across this province.

The tourism sector is going through a transformation right now. That's why we're delighted that Greg Sorbara is chairing this competitiveness study. This competitiveness study will be very comprehensive in its breadth. It's going to be looking not only at the tourism sector but at the broader business sector. It will be looking at investment to this province. We'll be making sure that we are competitive in this new world that we're living in when it comes to tourism.

Mr. Ted Arnott: The challenges facing Ontario's tourism partners are immediate. Families are beginning to plan their summer holidays. In part because of confusion at the border, the ministry's most recent numbers show that same-day trips from the US are down 29% year over year. Some experts are predicting that gasoline prices may hit \$1.50 a litre this summer. The continued strength of the Canadian dollar is an uphill battle for our tourism partners.

These challenges necessitate immediate action. How can the minister possibly argue that this study, dragging out for more than two years, will do anything to help tourism today?

Hon. Peter Fonseca: I thank the member for the supplementary. To go into a little more depth as to what this comprehensive study means, because of the challenges that we have before us that are happening across Canada and, yes, here in Ontario—the high dollar, high oil, passport requirements, as well as border issues—that's why the member for Vaughan will be looking at this in a comprehensive way, to be able to bring the solutions that we need to create and keep a sustainable, viable tourism sector, a sector that employs 300,000 people across this province and a sector that is building on the great attractions that we have.

We've invested a lot in our cultural attractions. Our ROM, as I mentioned yesterday, has just been noted in *Condé Nast Traveller* magazine as one of the new seven wonders—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary.

Mr. Ted Arnott: It's becoming increasingly clear that this tourism study is little more than a farewell tour for the member for Vaughan, the \$8-million man, all at the taxpayers' expense. His appointment insults the Minister of Tourism, whose budget has been cut 27%, according to the *Globe and Mail*.

Will the real Minister of Tourism please stand up? Have they given this two-year task to the member for Vaughan because he's their chief political strategist and fundraiser and they need to keep him around here as long as possible? Why didn't they just appoint the member for Vaughan to a standing committee of this House, assign the tourism study to that committee, and ask for a report within three months, which wouldn't have cost the taxpayers an extra nickel?

Hon. Peter Fonseca: I thank the member for the question. It gives me a great opportunity to talk about how our government is different from the previous government. How we're different is that we work with our stakeholders in partnership. This comprehensive competitiveness study was asked for by the tourism sector stakeholders, knowing full well that this was the right time to bring this forward. They asked for somebody who would bring great leadership and who had the financial wherewithal, understanding finance very well. That's why we brought forward the experience that the member for Vaughan brings to chairing this comprehensive competitiveness study. It is what the sector has asked for. They are delighted.

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I'll tell you what the Ottawa Citizen had to say: "It is wise that Premier Dalton McGuinty has put the arm on ... Greg Sorbara to develop a strategy aimed at drawing international tourists"—

The Speaker (Hon. Steve Peters): Thank you. New question.

CHILD POVERTY

Mr. Howard Hampton: I have a question for the Premier. Today's Campaign 2000 report confirmed that

Ontario has become the child poverty capital of Canada, with 345,000, or nearly half of all of Canada's low-income children, living in Ontario. Meanwhile, Quebec, with a child poverty rate of 22% in 1997, has brought their child poverty rate down to 9.6%. My question: Why has the McGuinty government failed to learn from Quebec's experience? Why did the McGuinty government fail to implement a real anti-poverty strategy in last week's budget?

Hon. Dalton McGuinty: I thank the honourable member for the question. I think it's first of all important to understand that the report that came out is based on 2005 data. Since that point in time, we have put in place an Ontario child benefit, we have raised social assistance three times, we have raised the minimum wage a number of times, and we have funded 22,000 affordable child care spaces. There's more work to be done, but I think by any objective measure, we are making progress; we are moving in the right direction.

Mr. Howard Hampton: The Premier may think he's headed in the right direction. In fact, the report shows that children living in poverty in Ontario today are living in deeper poverty than ever. One in every eight children in Ontario is in a family that lives below the poverty line. That's 345,000 children who aren't sure when they go home if they're going to have something to eat, if they'll have clothes on their backs or even if they'll have a place to sleep tonight.

Premier, last week your government shovelled out \$6.3 billion of new spending. How come children were next to forgotten in that \$6.3-billion spending spree?

Hon. Dalton McGuinty: Again, I remind my colleague that he's referring to a report based on 2005 data—that was three years ago—and also remind him that just recently, through our budget, we've doubled the funding for our student nutrition programs. We're putting in place, for the first time ever in the province of Ontario, a dental plan for low-income families. We also have in place our Ontario child benefit, which will provide needy families up to \$600 per child this year. That will continue to grow until it reaches \$1,100 per child. The fact of the matter is, that report also shows that in the final year, 2004-05, the provincial child poverty rate actually declined slightly.

I think we've got the trend moving in the right direction. There is more work to be done, and we look forward to doing it.

Mr. Howard Hampton: Premier, the nutrition plan amounts to \$1 per week. It's going to buy next to nothing for those kids who can't get enough to eat. Their so-called dental program will basically pay to extract teeth; that is about it.

The real reason that Ontario has so many poor kids is because the McGuinty government continues to claw back money from the lowest-income kids, and your government continues to try to justify that.

The fact remains that in last week's budget, you had \$6.3 billion of new spending to roll out, yet at the same time you're going to continue to claw back \$50 a month

from the lowest-income kids in the province. Can you tell me, Premier, what kind of anti-poverty strategy is that?

Hon. Dalton McGuinty: I want to remind my colleague that Campaign 2000 described our Ontario child benefit as a very positive step. The Ontario child benefit, to remind all members and Ontarians, is a \$2.1-billion investment in children and their families that has never existed before. It will reach 1.3 million children, it will support 600,000 families, and it's making a difference. A single parent on social assistance with two children is now receiving 27% more than they did in 2003. When the Ontario child benefit is fully in place, that same single parent on social assistance with two children will receive 34% more. So, again, it may not be enough to satisfy the NDP. He understands that there are huge cost pressures associated with the delivery of education, health care and protective measures for the environment, but we like to think we are moving in the right direction and we're making a significant difference in the quality of life for poor children in Ontario.

CHILD POVERTY

Mr. Howard Hampton: My question is to the Premier. The Premier says that this is an improvement. For the lowest-income kids in the province, it is not an improvement. What is happening is that they lose the winter clothing allowance, they lose the back-to-school clothing allowance, and you continue to claw back \$50 a month of income from those lowest-income kids. But as the Campaign 2000 report says, poverty rates for children in racialized, new immigrant and aboriginal families and single-parent households are at least double the provincial rate.

Premier, last week the McGuinty government had a chance to do something about that. At a time when you had \$6.3 billion in new spending to shower around, you couldn't spend \$250 million and end the clawback of the federal child benefit. How is that an effective anti-poverty strategy, when you spend \$6.3 billion but you couldn't spare \$250 million?

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

Hon. Deborah Matthews: Let me start by thanking Campaign 2000 for the report. This is an organization that has been tireless in their advocacy. They make a real contribution to the debate. I thank them for the report and for their ongoing advocacy.

What I think this report does for all of us is underline the importance of developing a comprehensive poverty reduction strategy, complete with measures and timelines, starting with children. As has already been discussed, this report is based on 2005 data. It reflects the first year only of our government. But for the first time since 2001, it actually shows a decline in the number of children living in poverty: almost 5,000 fewer children. There's much more to be done, but we're moving in the right direction.

Mr. Howard Hampton: What we know has happened over the last two years is that the hydro bill has gone up, the heating bill has gone up, the food bill has gone up, the transit fares have gone up, and in 2006 there was no increase in social assistance. The fact of the matter, what this report shows, is that the McGuinty government's anti-poverty plan is a national disgrace. Social assistance rates, when you factor in inflation, are lower now than they were in 1967. The average two-parent low-income family lives \$10,000 below the poverty line. I say again: The McGuinty government had a chance last week—\$6.3 billion of new spending, and you couldn't spare \$250 million to end the clawback of the national child benefit. Why, after four and a half years of the McGuinty government, do we still not have real action?

Hon. Deborah Matthews: We've had this conversation several times this week, and I'm happy to keep having it, but I thought maybe it's time for some others to weigh in on the conversation. Let me read this quote: "I'm just thrilled by this legislation. Dalton McGuinty is a good man, and he really heard us. We never dreamed we'd get anything this good." From June Callwood.

"This is a great day and a great change. It's historic." That's a quote from Michael Mendelsohn, the senior scholar at the Caledon Institute of Social Policy.

Michael Oliphant, the director of research and communications at the Daily Bread Food Bank, had this to say about the Ontario child benefit, and you still voted against it: "We believe the OCB marks a significant turning point in Ontario."

Finally, if I may, a quote: "The Ontario child benefit will reduce barriers faced by"—

The Speaker: Thank you. Final supplementary.

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Mr. Howard Hampton: The McGuinty government wants to continue to promote a program that continues to take money away from the lowest-income kids in the province. Here is what Campaign 2000 had to say, and this is really telling: "Although Ontario's child and family poverty rate has declined since the peak in the mid-1990s, the average low-income family is living as deeply in poverty now as they were 10 years ago when the economy was in a downturn. Deepening poverty is reflected in increasing food bank use. The number of people using Ontario food banks increased by 14.3% ... 123,600 were children."

Minister, you can talk and promote your program, which continues to take \$50 a month away from the lowest-income kids, but the real question is this: When the McGuinty government had \$6.3 billion of new spending last week, how come next to nothing went to poor kids?

Hon. Deborah Matthews: I don't know how you define "next to nothing," but I'd be happy to continue here. As I was saying, and this is a quote, "The Ontario child benefit will reduce barriers faced by families with children who are trying to leave welfare for work. At the same time, it will ... reduce child poverty and hunger."

That's from Gail Nyberg, executive director of the Daily Bread Food Bank.

The 2005 report does not reflect this historic change in supporting children in low-income families. Over the course of the year, families will receive more than the total amount of the back-to-school and the winter coat allowance through their monthly Ontario child benefit. But we do recognize that some families on social assistance will be facing a short-term crunch during the transition to the OCB, and that is why we are setting up a special fund to support families—

The Speaker: Thank you. New question.

DEVELOPMENT FEES

Mr. Toby Barrett: To the Minister of Aboriginal Affairs: On March 26, you said, with respect to HDI demands on builders, “that they absolutely, obviously, not pay it.” However, we received an e-mail yesterday from a company stating, “The belated policy of the Ontario government doesn't help us, as we paid the \$7,000 fee in August 2007.” Why did they pay? I quote again: “Because the MOE, who has still not approved our EA due to the Six Nations issue, required we consult with Six Nations for our Grand Valley wind project.”

Minister, company consultation is required by government—this company understands that consultation comes with a price—but on the other hand, you say, “Don't pay.” You're speaking out of both sides of your mouth: environment and aboriginal affairs. Minister, do you know who's in charge?

Hon. Michael Bryant: Most companies in Ontario that are doing business either with First Nations or on territory that is neighbouring to First Nations already attempt to enter into partnerships, to enter into a relationship with that local First Nation, just as they would want to work with the local municipality and the local community. Even Wal-Mart, when they come into a community, attempts to integrate into that community.

The member is trying to suggest that consultation includes taxation, and the member is absolutely wrong. Let me say it again: The member is trying to suggest that consultation equals taxation, and the member is absolutely wrong.

Mr. Toby Barrett: I'm trying to suggest that the left hand doesn't know what the right hand is doing. MOE says, “Do this,” you say, “Don't do that,” and builders are left on their own.

We have government for a reason: to set policy, to set direction. Thanks to your mixed reaction, we are now wondering when the next confrontation is going to be. Given your advice to not pay it, I ask: What guarantee would you offer today to protect builders from repercussions, whether it be blockades or, in the very sad case of Sam Gualtieri, coming within an inch of losing his life at the end of a piece of oak stair rail? For builders who do not pay, will your government now back them up?

Hon. Michael Bryant: I know that the member certainly would not want to in any way advocate for an

escalation of tension, and I know that the member wouldn't want to be suggesting that a confrontation is inevitable, because in fact, the way through, as we know from the Ipperwash commission recommendations, is to resolve these issues at the table.

That's why I spoke with band council chief Bill Montour and tribal council chief Allan McNaughton to ask about the possibility of creating a side provincial table for provincial and municipal issues to be discussed apart from the treaty claims. Specifically, I made the request that it mean that HDI or any other people protesting a development in that area or any other area leave those streets and leave those sidewalks and leave those protests to join in the negotiations.

CHILD POVERTY

Ms. Andrea Horwath: My question is for the Minister of Children and Youth Services. Today, Andrea Duffield was here with Campaign 2000, looking for help from the McGuinty government, looking for action on child poverty. Andrea is a single mom with three children. She's been to school, she's been to work, and she still cannot lift her family out of poverty. What has the McGuinty government done to help Andrea and her children?

Hon. Deborah Matthews: Again, thank you for the question. I'm grateful for the focus on this important issue.

Let's talk about what is not in this report, because it is based on 2005 data. This report does not reflect any of the investments we have made since then. It does not include three of the four increases to social assistance rates. It does not include the increases of the minimum wage from the current \$8.75 on its way to \$10.25 by 2010. It does not include the creation of the Ontario child benefit to provide assistance to over a million children in 600,000 families across Ontario. A single parent with two children, on social assistance—this is a very important acknowledgment—is now 27% better off than when we took office in 2003.

Ms. Andrea Horwath: Perhaps the minister would like to know that families like Andrea Duffield and her children have lived in poverty for the entire time that this government has been in office. She's not an old statistic. She is actually living proof that the McGuinty government's policies are failing our poorest children and families. If so much is being done on that side of the House, why are Andrea Duffield and her children still living in poverty?

Hon. Deborah Matthews: I am committed, as is my caucus and as is the Premier, to developing a comprehensive poverty reduction strategy with measures, with targets. We will be reporting by the end of the year.

We are as motivated to deal with this issue as anyone in this House, and I think the acknowledgment of the progress that we have made is important. The support for the progress going forward is important. There was just a vote on the budget. The member opposite voted against a

dental benefit for low-income families, voted against the doubling of the student nutrition program, voted against \$100 million to repair affordable housing, and voted against an additional \$150 million for the Ontario child benefit. I will put our record of action and continued action against your—

The Speaker (Hon. Steve Peters): Thank you. New question.

RESEARCH AND DEVELOPMENT

Mr. Yasir Naqvi: To the Minister of Research and Innovation: In February, it was announced that over \$6 million is being invested through the Ontario research fund in support of three world-class projects at the University of Ottawa solving serious issues facing our province and our planet, including an innovative new system for diverting large amounts of waste from landfills. As well, I note that Carleton University in my own riding of Ottawa Centre has benefited from over \$10 million in Ontario research fund support. This funding has facilitated groundbreaking research.

Minister, what is our government doing to ensure that this very important money keeps flowing to our researchers?

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Hon. John Wilkinson: I want to thank my friend the new member for Ottawa Centre for his tireless advocacy for his community—a powerhouse of innovation in the province of Ontario.

Our government is very proud of the research being done in Ontario's colleges, universities and research institutions, and at every opportunity we vote for budgets that allow us to have the money to do that work, unlike others in this House. Investing in research and innovation is a priority for our government because we believe that innovation is the foundation for Ontario's next generation of jobs and prosperity. That's why the Premier created our ministry, the Ministry of Research and Innovation, and why we've committed some \$3 billion over the next eight years to this important work.

Ontario is investing in an aggressive innovation agenda to ensure that we seize the global opportunities of the 21st century for our children and grandchildren. I believe that the investments that we're making in the University of Ottawa and Carleton University are wonderful and are opening up—

The Speaker (Hon. Steve Peters): Thank you. Supplementary.

Mr. Yasir Naqvi: I know that one of the goals of your ministry is to turn groundbreaking research such as that done at Carleton University and the University of Ottawa into commercialized products and services that can be produced here in Ontario. What measures were there in the budget to help researchers and entrepreneurs in my riding of Ottawa Centre who want to keep these home-grown solutions and bring them to the global marketplace?

Hon. John Wilkinson: That's a great question. I want to share with the members the new measure that we have talked about and proposed in our budget, and I think the good people of Ontario will want to know who votes for this and who votes against it. We're going to do something first in North America. We're saying that if a new company in Ontario commercializes intellectual property that's been discovered at any Canadian university, college or research institution, you will, in the province of Ontario, pay absolutely no corporate tax for 10 years—a 10-year exemption.

We're open to the world. We're open in Ottawa, London, Toronto, Waterloo and throughout this great province of ours. We're open for business. If you have a great idea that's been discovered here in Canada, we want you to come to Ontario. Ontario is the place where we're going to commercialize, innovate and take those great ideas off the research shelf and turn them into the next generation of jobs for our children and grandchildren.

On this side, we are voting for it. I wonder how the opposition will vote on this.

WORKPLACE SAFETY AND INSURANCE BOARD

Mr. Robert Bailey: My question today is to the Minister of Labour. During the time period of 2006-07, inflation generally was around 2% yet the present salary at the WSIB increased over 10%, from \$360,000 to \$397,000. That's more than five times the rate of inflation. Why is it that the personal compensation increases—

Interjection.

Mr. Robert Bailey: They're just making me feel at home.

Why is it that the personal compensation increases at the senior levels of the WSIB so excessively outpace inflation? We support, on this side of the House, fair wages for dedicated public servants, as we know the president of the board is. But how can you support the senior staff of the WSIB giving themselves major raises that are five times the rate of inflation?

Hon. Brad Duguid: I thank the member for his question and remind him that after they were finished with the WSIB, we had to do a major audit just to try to put it back together again.

This is a \$4-billion operation. It's one of the largest insurance firms on the entire continent. There are 4,000 staff involved here. Working with the WSIB, the bottom line is that this government has been able to reduce workplace injuries by close to 20% in the years since we've been in office. This organization, working with this government, is making excellent progress when it comes to looking after injured workers. We're going to continue to work with the WSIB, we're going to continue to go to bat for injured workers and we're going to continue to ensure that this third-party agency continues to operate in a very efficient way.

Mr. Robert Bailey: I commend the board on decreasing accidents, but that wasn't my question. My question was in regard to the unconscionable inflation increases in the board's salaries. The president's went up a whopping 56%: from \$253,000 in 2005 to almost \$400,000 in 2007. That's almost 10 times the rate of inflation.

This is going on at the same time as the board's finances are crumbling. From 2006 to 2007, your unfunded liability in this area hit its highest point since 1997, at \$8 billion. That's up too, from 2006. According to the WSIB, the unfunded liability is expected to go to \$9 billion by the end of next year. Will this minister order a full review of the unconscionable salary levels at the WSIB, order a rollback of the CEO's salary to inflationary levels and subject the WSIB executive compensation levels to the very same inflation levels given to your injured workers?

Hon. Brad Duguid: Mr. Speaker, working with the Ministry of Labour, the WSIB has been able to reduce workplace injuries very dramatically over the last number of years. As a former Minister of Labour, you would know, as would Mr. Bentley as a former Minister of Labour, that we have made a great deal of progress. We're very much on the road to a 20% reduction; reaching our goals. Reducing workplace injuries saves businesses across this province money, and it ensures that they're getting value for the dollars that they put into this insurance program. At the same time, for the first time in nine years, we've been able to significantly increase the benefits for injured workers: 2.5% last July and 2.5% last January, and we're online to increase benefits by a further 2.5% in January. This organization is making progress, working in partnership with our government.

AFFORDABLE HOUSING

Ms. Cheri DiNovo: My question is for the Premier. Premier, 165 million of federal dollars for affordable housing may be rescinded by March 2009 because of the McGuinty government's inaction on affordable housing. My question is a very straightforward one, Premier: Why are you clawing back federal housing dollars from the poorest Ontarians?

Hon. Dalton McGuinty: I'm mystified by the question. What I can say by way of fact is that our Minister of Municipal Affairs and Housing, Minister Watson, is in Ottawa today meeting with his provincial counterparts and his federal counterpart as well. The issue that we're putting on the table for the federal government is the fact that the federal money for housing runs out in 2009.

The case that we'll be making on behalf of Ontarians—and I believe it's one that's embraced by our colleagues throughout the nation—is that we need to have a national housing strategy in place. It needs to be long-term and sustainable. It needs to support the needs of all Canadians. This is an issue of concern not just to us here in Ontario, but indeed across the country. So we'll be asking the federal government to help us so that we

can work together and put in place a national housing strategy, which provides, among other things, funding we can continue to rely on long into the future.

Ms. Cheri DiNovo: This is passing strange. We don't have a provincial housing strategy, we have no provincial affordable housing strategy, yet we're looking to the feds to fill in the gap. They've given this government money. This government isn't spending the money they already have on affordable housing.

I ask my question again: Why is the McGuinty government clawing back federal dollars from the poorest Ontarians?

Hon. Dalton McGuinty: Just so you know what's happening, we have 18,000 affordable housing units in the works. Roughly speaking, 4,300 new units have now been built. Roughly speaking, 3,000 are now under construction. Roughly speaking, 4,000 are awaiting planning approval. Roughly 4,000 are in the early planning stages. In our budget of 2007, we talked about 1,800 more units. There are 1,100 off-reserve aboriginal housing units that will be delivered once consultations with aboriginal groups are complete. We're talking a total of 18,000 affordable housing units.

The NDP say that's not enough. We'd like to be able to do more, but we think it's a step in the right direction. We look forward, over time, to doing more.

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AGRICULTURE INDUSTRY

Mr. Pat Hoy: My question is to the Minister of Agriculture, Food and Rural Affairs. Constituents in my riding have been telling me that they are interested in finding out more about the wonderful fresh food produced in Ontario by our local farmers. Buying local is a great way to promote the local agricultural economy while, at the same time, protecting the environment.

Minister, could you please tell this House what our government is doing to promote Ontario foods and encourage Ontarians to buy locally?

Hon. Leona Dombrowsky: As usual, the member has always been a very strong advocate for agriculture and has brought issues that are important to farmers to this House.

I also appreciate the thumbs-up from the critic across the way, the member from Oxford and the critic for Agriculture, Food and Rural Affairs. This is not a partisan issue. Everyone in Ontario wants to support Ontario farms.

This government has made a very clear commitment. In the previous term, we committed \$12.5 million to our Pick Ontario Freshness strategy. In this budget, we have committed \$56 million over the next four years to help promote the very fine agricultural products that are produced right here in Ontario.

It's good for Ontario farmers. It's good for the communities they live in. It is certainly good for the people who consume these products, and it's also good for the

environment. We believe that it's an excellent investment and an excellent way to support the agriculture industry.

Mr. Pat Hoy: Minister, I know that you've worked very hard in bringing the importance of buying local to the top of mind for Ontario consumers. I know the farmers in my riding appreciate the Pick Ontario Freshness strategy, as it's aimed to open up the local market for them and helps them get a better return on the hard work and resources they've put into it.

Minister, could you please tell the members of the House more about our buy local strategy? And also, what is the government doing to lead by example in this regard?

Hon. Leona Dombrowsky: I'm always very happy to stand in this Legislature and talk about all of the good reasons why we should be preferring Ontario products, and also to share with you examples of our government's walking the talk. I do want to commend you, Speaker, as well. I've noticed that in our lobby, you are featuring Ontario products there as well.

I have had the opportunity, in the last budget and also in this budget, to ask staff to look at our own cafeterias here at the Legislature and at One Stone Road. I'm very happy to say that there is a concerted effort to ensure that we are sourcing local and Ontario products in those venues.

I also want to commend my colleague the Minister of Tourism. We are working very closely on the Savour Ontario initiative. That's an initiative whereby dining establishments are partnering with local producers to feature local items on their menus. We think this is a wonderful way to—

The Speaker (Hon. Steve Peters): Thank you, Minister. New question.

ONTARIO BUDGET

Mrs. Joyce Savoline: To the Premier: I would like to draw to the Premier's attention the distinct pattern arising under your watch. Your health tax is generating about \$3 billion a year, and yet that money has not been directed entirely to health care initiatives, as you clearly stated in your sales pitch.

Again, in the 2007 budget, ESL was not fully allocated to ESL programs, and yet education—despite statistics from Statistics Canada, its proof that three quarters of the new immigrants come to Toronto and into the province of Ontario, who will no doubt rely heavily on ESL programs during their transition to their new home.

My question to the Premier is: When are you going to stop this sleight of hand and fully allocate every penny of the—

The Speaker (Hon. Steve Peters): I'd ask the member to withdraw the comment she made.

Mrs. Joyce Savoline: I withdraw the comment.

The Speaker (Hon. Steve Peters): Thank you, Premier?

Hon. Dalton McGuinty: To the Minister of Finance.

Hon. Dwight Duncan: I would refer the member to page 66 of the Ontario budget document, where it has a detailed breakdown of the increase in revenues associated with health care versus the increase in expenditures associated with health care.

Not only has every penny of the health premium gone to health care, a larger portion of all taxes has gone to health care. That's because we're investing in hospitals. That's because we're hiring nurses. That's because we're providing residential hospice care across the province. That's because we are going to be funding PSA testing for the first time. That's because of a range of initiatives this government has taken to ensure that health care remains one of our great competitive advantages.

Mrs. Joyce Savoline: The question was specifically about ESL funding, so I will ask the minister: The ESL teachers and, most important, their students are not benefiting from your creative bookkeeping. Every man, woman and child in Ontario is paying \$446 more per year in McGuinty taxes while receiving much less than they have been promised by your government. I ask you, Minister: When will your creative bookkeeping start to benefit the ESL students who desperately need for you to finally keep your promise? Give them their full funding allocation to enable them to reach their full potential.

Hon. Dwight Duncan: Minister of Education.

Hon. Kathleen O. Wynne: We've increased ESL funding. This year alone we're putting \$10 million more into ESL funding for all of our students.

The issue the member is talking about is the allocation of those dollars to ESL students. This year, all boards are going to be required to report to the ministry exactly where those ESL dollars are going. We've put a new policy in place, and that information will be public next year.

The reality is that when we came into office, boards were having to take money from one grant and put it into another because of the serious underfunding by the previous government. We've been sorting that out. We've changed the funding formula every year, and boards are now more able to spend their money where the money is allocated, and we're asking them to report on that in ESL.

ONTARIO BUDGET

Mr. Michael Prue: My question is for the Premier. How have single people with no dependants and no employment ability who receive Ontario disability support payment, been assisted by the McGuinty government since 2003?

Hon. Dalton McGuinty: The member opposite knows that minimum wage has gone up five times now. We've seen three or four increases now to social assistance. We've made some pretty fundamental changes to the rules to ensure that single individuals, as well as others who rely on social assistance, end up with greater benefits at the end of the day.

I think the single most important thing we're doing as a government is looking for an intelligent way to come to grips with poverty in Ontario. That's why we have struck a cabinet committee. That's why I've asked that cabinet committee, under the leadership of Minister Matthews, to come up with some indicators when it comes to poverty, to come up with some targets so that we can measure our performance and to come up with a focused strategy so we can achieve those targets. That committee is to report at the end of this year, and I look forward to acting on its recommendation. Of course, we are doing many things along the way.

Mr. Michael Prue: I'm not surprised at the Premier's answer, because the reality is that not much has been done: 92% of ODSP recipients are without children, so all the government programs that relate to that are for naught; 92% of them are incapable or unable to work, and they have medical papers to show that, and that is always through no fault of their own.

They are being driven deeper and deeper into poverty, and the miserly 7% increase since 2003 that your government has given is well below inflation. What is the McGuinty government going to do for the 192,000 people in Ontario who are disabled and do not have children? What are you going to do for them? Because you didn't do it in the last budget.

Hon. Dalton McGuinty: There are a couple of points I want to make on that. First of all, there have been four separate increases now to ODSP, and that follows hard on the heels of a nine-year freeze.

Beyond that, I think it's important to keep in mind that there's a tendency for us in government or in opposition to compartmentalize and bring kind of a siloesque view to these things. But I think it's really important, from an ODSP recipient's perspective, to understand that they rely to a very great extent on health care services. The health care budget has gone up, from 2003 to today, from about \$29 billion to over \$40 billion.

ODSP recipients have called upon those resources to an inordinate extent. That is perfectly understandable and perfectly supportable. I'd ask my honourable friend to keep in mind that it's not just a matter of the increase we've made to ODSP, but also of the heavy investments we continue to make in health care.

1500

AUTISM TREATMENT

Ms. Helena Jaczek: Today is World Autism Awareness Day, and my question is for the Minister of Children and Youth Services.

I was pleased that on March 18, the minister, along with her colleague the Minister of Education, came to my riding for an autism town hall meeting in Markham. They heard directly from parents of children with autism.

Parents need to know that the government is hearing their concerns and working for children. Could the minister tell the Legislature what she heard from parents

that night and exactly what this government has done to improve services for children with autism?

Hon. Deborah Matthews: Let me first acknowledge that today is World Autism Awareness Day. I would like to pay tribute to the parents of children with autism for their tireless advocacy on behalf of the children and their tireless commitment to their children.

You're quite right. On March 18, Minister Wynne and I did attend a meeting with parents and families of children with autism. I can tell you that hearing first-hand, as I think we all like to do, really does make the issue real for us all. They know first-hand the challenges their children are facing.

We acknowledge that there is more to do, and we are continuing to improve services for children with autism. But I think it's important to note the extraordinary progress we have made over the past four years. We've removed the age-six cut-off, we've more than tripled funding to autism, more than doubled the number of kids receiving IBI—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Helena Jaczek: Our government has gone a long way to improve and expand services for children with autism. Funding and treatment are essential for kids. However, it's important to recognize that parents of children with autism face enormous emotional and physical challenges every single day. These parents work incredibly hard so that their kids can have the best possible outcomes. Could the minister please outline how our government is working to make everyday life easier for parents of children with autism?

Hon. Deborah Matthews: The member is quite right: We need to support children with autism. We also need to support their families. That's why we've announced autism respite services to give more than 3,000 families a temporary break from the stress of caring for a child with autism, to do things the rest of us maybe take for granted: going to a movie or going away for the weekend. We have invested \$3.9 million this year for respite services and seasonal camps: March break camps for more than 500 children and youth with autism across Ontario, and an opportunity for more than 800 children and youth with autism to have a summer camp experience.

Parents don't care whether it's my ministry or another ministry; they just want support. That's why I'm very pleased to say that my ministry is working very closely with the Ministry of Education to support schools as they prepare to deliver IBI therapy on-site for the first time.

CORRECTIONAL FACILITIES

Ms. Laurie Scott: My question is to the Minister of Community Safety and Correctional Services. I know that the staff at the Central East Correctional Centre in Lindsay are working diligently and are doing a remarkable job with the resources available to them during this lockdown.

Despite their efforts, we're hearing about numerous delays affecting bail hearings and court appearances, along with the community at large, which is concerned that it may be exposed to what is clearly a contagious virus.

Aside from hanging your hat on the hope that this will go away in 24 to 48 hours, as the minister responsible for public safety, what can you tell people to assure them that the health of Ontarians is being protected during outbreaks such as this?

Hon. Rick Bartolucci: I'd like to thank the member for the question and I'd like to thank her for recognizing the good job the staff is doing. It was important that she did that.

I'm not hanging my hat on any hope that this is going to be done in 24 or 48 hours; I'm hanging my hopes on the great job the staff is doing. The contingency plan they put into place is truly remarkable. The institution's medical staff is working very, very closely with the public health unit, and there is a process to isolate those affected members within the institution. We are using very unique ways to ensure that the process of the court system goes on as normally as possible, and I think all of this is attributable to the great planning that's being done at that particular institution. I am very, very proud of the staff.

Ms. Laurie Scott: On the Ministry of Health's website it states that "being prepared and planning ahead is critical to protecting" public safety.

You obviously are not following that statement. The health unit was notified last Thursday, which is nearly a week ago now, that the virus was in an outbreak fashion. They continued to take inmates in until yesterday afternoon. So your repeated statement of hoping that this will go away in 24 to 48 hours simply doesn't wash. It's an irresponsible approach, really, for the minister of public safety in the province to pursue.

Your own spokesperson said it is unknown how long the lockdown could last. So, in light of all the facts that have been presented, do you have a plan for the protection of Ontarians in case of a pandemic such as this, now that your hopes have been dashed that within 24 hours it will go away?

Hon. Rick Bartolucci: The fact of the matter is—and let the numbers speak for themselves—that in a facility that houses approximately 1,064 individuals, 55 have contracted the virus. The staff has put in place a contingency plan which is truly remarkable. There have been, over the course of the last two days, 293 video court appearances. Your fellow members said that bail couldn't be a part of it—69 were bail hearings. The staff is handling this in a truly professional way and I am very, very proud of what they have been able to accomplish over the course of the last three days.

ABORIGINAL RIGHTS

Mr. Gilles Bisson: To the Minister of Aboriginal Affairs: You will know that earlier this week, Grand Chief

Stan Louttit issued a press release on behalf of Mushkegowuk Council, which represents the James Bay and Chapleau communities. In this press release, he points to your failure to deal with the duty to consult the First Nation of KI in regard to the situation that's happening there. He ends his press release by saying the following: "I can guarantee you that a KI type of confrontation is going to happen in our territory sooner rather than later. Hopefully resource developers will wake up and take it upon themselves"—and this is important—"to recognize the duty to consult rather than relying on government tactics that have only shown to initiate confrontation."

My question simply is this: With the northern table being suspended by the First Nations, what action are you taking to ensure we don't have more First Nations leaders ending up behind bars?

Hon. Michael Bryant: Again, those individuals should not be behind bars, and that's the position that Ontario took before the court and the position that the province will continue to take. I don't know why the New Democrats would want to suggest otherwise; in fact, we're in agreement on that issue. We're in agreement that the incarceration of those individuals is not in the public interest and should not have happened.

The Ontario Superior Court found, contrary to what the member said, that the province had in fact discharged its duty to consult.

I was seeking to set a higher standard in meeting with KI First Nation, with chief and council, to try to get an agreement—not just consultation but an agreement—because it's quite true that these mining companies need to enter into partnerships with First Nations in order to see success. Contrary to what the member says, most do.

Mr. Gilles Bisson: But the answer, Minister, is that some don't, and that's where we have the problem. I agree that some, like De Beers, have gone out of their way to do the right thing, and the Mushkegowuk Council understands that. But there are others in my riding and other ridings across the province who don't want to follow that duty to consult, and it is up to you, as a government, to make sure that it happens.

Further, you're saying that it's only us as New Democrats who are saying that you failed to consult. I want to read to you what Grand Chief Stan Louttit had to say: "Superior Court rulings favouring First Nations and the need to consult have been ignored by the government. If these issues had been dealt with in a reasonable time, incarceration of First Nation leadership for protecting their lands would not have occurred."

Clearly, he's putting the ball in your court. I ask you again: What are you going to do to make sure that this issue is resolved and we don't have more First Nations leaders behind bars?

1510

Hon. Michael Bryant: There's no question that, first, what has to happen, and what is happening in most cases, is that the third party, the company, does engage—and the member acknowledges this—in consultation with

the First Nation for a wide variety of reasons, not the least of which is they are becoming partners and neighbours.

With respect to KI and with respect to any situation where there's a potential confrontation, I feel it's incumbent on the government to insert itself to try to resolve it and facilitate it, and that's exactly what I did. So starting in January, we began discussions with KI leadership, with chief and council, that led to a draft that offered, amongst other things, payment of legal fees, a provision of a new bilateral process and changes to the circumstances that would guarantee jobs. Then another draft was exchanged and another draft was exchanged, and that draft was translated as well.

The government is and ought to be doing everything it can to try to reach an agreement. In the meantime, there's no question: The first thing that has to happen is that these individuals need to get out of jail.

The Speaker (Hon. Steve Peters): The time for question period has ended.

VISITORS

The Speaker (Hon. Steve Peters): I just want to take this opportunity, on behalf of the member from Durham, to welcome the grade 10 class from Bowmanville High School and their teacher Mr. David Rempel. Welcome to Queen's Park today.

PETITIONS

POPE JOHN PAUL II

Mr. John Yakabuski: "Petition to the Parliament of Ontario:

"Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights; and

"Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions; and

"Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

"Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member's bill by Newmarket-Aurora MPP Frank Klees entitled An Act to proclaim Pope John Paul II Day."

I support this petition. I affix my name to it and send it down with Adam.

HOME CARE

M^{me} France Gélinas: I have a petition from SEIU, signed by people from Iroquois Falls, Monteith, Val

Gagné, Timmins, Matheson, Kapuskasing, Moonbeam, Val Rita, Kirkland Lake, Cobalt, Temagami and Cochrane.

"Whereas the Ontario government has continued the practice of competitive bidding for home care services; and

"Whereas the competitive bidding process has increased the privatization of Ontario's health care delivery, in direct violation of the Commitment to the Future of Medicare Act, 2004; and

"Whereas competitive bidding for home care services has decreased both the continuity and quality of care available to home care clients; and

"Whereas home care workers do not enjoy the same employment rights, such as successor rights, as all other Ontario workers have, which deprives them of termination rights, seniority rights and the right to move with their work when their employer agency loses a contract;

"We call on the government of Ontario:

"(1) to immediately stop the competitive bidding for home care services so home care clients can receive the continuity and quality of care they deserve; and

"(2) to extend successor rights under the Labour Relations Act to home care workers to ensure the home care sector is able to retain a workforce that is responsive to clients' needs."

I support this petition and will affix my name to it.

LONG-TERM CARE

Mr. Kim Craitor: I am pleased to introduce this petition on behalf of my riding of Niagara Falls and thank Emily, Laura and Jessica Shaw for signing the petition. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"We, the people of Ontario, wish to thank the government of Ontario for listening and acting on concerns brought to your attention regarding the care of our most precious and most vulnerable citizens, our seniors. These are the people that through hard work, dedication and love created the great province of Ontario.

"We thank the government of Ontario for:

"Increasing funding for long-term care by almost \$800 million, a 38% increase;

"Funding almost 6,100 new full-time staff in long-term-care homes, including 2,300 nurses;

"Creating 1,200 RPN positions in our long-term-care homes, ensuring at least one new registered practical nurse in every one of our 628 homes;

"Opening 7,712 new long-term-care beds;

"Launching a program to redevelop 35,000 older long-term-care beds over the next 10 years, beginning in 2008;

"Introducing new legislation to improve care in long-term-care homes;

"Introducing new regulations requiring 24/7 coverage by a registered nurse and at least two baths per week;

"Increasing the food allowance per resident effective September 1, to ensure that residents are provided with

an improved range of nutritional menu options and having all meal plans reviewed and approved by a dietitian;

“Introducing a new requirement that, as of December 2005, all long-term-care homes arrange for physiotherapy services for their residents;

“Introducing legislation requiring tougher inspections and more accountability, and providing an action line, a province-wide toll-free information and complaint line, for long-term-care residents and their families; and

“Introducing better training for staff, including best-practices guidelines for nurses in LTC homes.... ;

“While all of the above have made wonderful improvements to the care of our elderly, there is still much more to be done that could improve the quality of life and preserve the dignity of our parents, grandparents, neighbours and friends;

“LTC homes are admitting people with a greater variety of care needs, including younger care residents with acquired brain injury, multiple sclerosis, Huntington’s disease etc., and our elderly are becoming more frail.... ;

“Therefore we, the undersigned, hereby petition the government of Ontario to provide funding specifically to be used for the employment of personal support workers. These workers provide much of the daily care to the residents by assisting with personal care, transfers ... bathing and much-needed emotional support. By dedicating funding for the sole employment of personal support workers and by mandating a staff-to-resident ratio accordingly ... we would ensure our seniors are receiving proper care.”

I’m pleased to affix my signature to this petition in support of it.

LORD’S PRAYER

Mr. John O’Toole: This is from the Carriage Country Baptist Church in my riding of Durham. Senior pastor Allen Crawford and many others have signed the petition, which reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the current McGuinty government is proposing to eliminate the Lord’s Prayer from its” rightful “place at the beginning of daily proceedings in the Ontario Legislature; and

“Whereas the recitation of the Lord’s Prayer has opened the Legislature every day since the 19th century; and

“Whereas the Lord’s Prayer’s message of forgiveness and the avoidance of evil is universal to the human condition; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

“Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord’s Prayer;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord’s Prayer by the Speaker in the” Legislative Assembly of Ontario.

I’m pleased to sign this and endorse it on behalf of my constituents.

ANTI-SMOKING LEGISLATION

Ms. Sophia Aggelonitis: “To the Legislative Assembly of Ontario:

“Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome (SIDS) and increased incidences of cancer and heart disease in adulthood; and

“Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present, as they have concluded that levels of second-hand smoke can be 23 times more concentrated in a vehicle than in a house because circulation is restricted within a small space; and

“Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 (80%) of Ontarians support ‘legislation that would ban smoking in cars and other private vehicles where a child or adolescent under 16 years of age is present’; and

“Whereas Nova Scotia, California, Puerto Rico and South Australia recently joined several jurisdictions of the United States of America in banning smoking in vehicles carrying children;

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under.”

I affix my signature and present it to page Ramandeep.

1520

LORD’S PRAYER

Mrs. Julia Munro: “To the Legislative Assembly of Ontario:

“Whereas the current Liberal government is proposing to eliminate the Lord’s Prayer from its place at the beginning of daily proceedings in the Legislature; and

“Whereas the recitation of the Lord’s Prayer has opened the Legislature every day since the 19th century; and

“Whereas the Lord’s Prayer’s message is one of forgiveness, of providing for those in need of their ‘daily bread’ and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

“Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord’s Prayer;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord’s Prayer by the Speaker in the Legislature.”

I just want to say that I am pleased to be presenting these petitions on behalf of people from Kenora and Keewatin. As I am in agreement, I have affixed my signature. I’m pleased to give this to Natalie.

ANTI-SMOKING LEGISLATION

Mr. Jeff Leal: I have a petition today for smoke-free cars: "Support Bill 11.

"To the Legislative Assembly of Ontario:

"Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome (SIDS) and increased incidences of cancer and heart disease in adulthood; and

"Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present, as they have concluded that levels of second-hand smoke can be 23 times more concentrated in a vehicle than in a house because circulation is restricted within a small space; and

"Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 (80%) of Ontarians support 'legislation that would ban smoking in cars and other private vehicles where a child or adolescent under 16 years of age is present'; and

"Whereas Nova Scotia, California, Puerto Rico, and South Australia recently joined several jurisdictions of the United States of America in banning smoking in vehicles carrying children;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under."

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

LORD'S PRAYER

Mr. Peter Shurman: I have a petition here from 341 members of various churches in the riding of Thornhill.

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I have affixed my signature and file it with page Daniel.

PUBLIC WASHROOMS

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

"Whereas the Toronto and greater Toronto area has the highest rate of Crohn's and ulcerative colitis in Canada;

"Whereas this disease requires patients' fast access to public washrooms;

"Whereas there is a lack of public washrooms on the current TTC subway system and lack of access for these patients;

"Whereas the Ontario building code only requires the TTC to build public washrooms at the end-of-line stations;

"Whereas the York subway line is about to be built with provincial dollars;

"We, the undersigned, therefore request the Minister of Municipal Affairs and Housing to amend the Ontario building code to provide public washrooms at every station on the York subway line."

I agree with this petition. I affix my signature to it and hand it to page Alexander.

WYE MARSH WILDLIFE CENTRE

Mr. Garfield Dunlop: "To the Legislative Assembly of Ontario:

"Whereas the Wye Marsh Wildlife Centre, located in the township of Tay, manages approximately 3,000 acres of environmentally sensitive land which is owned by the province of Ontario; and

"Whereas over 50,000 people visit the Wye Marsh Wildlife Centre each year; and

"Whereas over 20,000 students from across Ontario visit the Wye Marsh Wildlife Centre each year, receiving curriculum-based environmental education not available in schools; and

"Whereas the Wye Marsh Wildlife Centre receives no stable funding from any level of government;

"We, the undersigned, petition the province of Ontario to establish a reasonable and stable long-term funding formula so that the Wye Marsh Wildlife Centre can continue to operate and exist into the future."

I'd like to affix my signature to this and give it to Jacqui.

EMPLOYMENT INSURANCE

Mr. Lou Rinaldi: I have a petition here addressed to the Legislative Assembly of Ontario.

"Whereas the federal government's employment insurance surplus now stands at \$54 billion; and

"Whereas over 75% of Ontario's unemployed are not eligible for employment insurance because of Ottawa's unfair eligibility rules; and

“Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers; and

“Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces and thus, unemployed are not qualifying for many retraining programs;

“We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and to end this discrimination and unfairness towards Ontario’s unemployed workers.”

I affix my signature and have Madeline deliver it to the desk.

LORD’S PRAYER

Mr. John O’Toole: It’s my pleasure to present a petition on behalf of the constituents of the riding of Durham, more specifically Port Perry/Prince Albert United Church, the pastoral charge, sent to me by Pat Bird, who is the administrator. It reads as follows:

“To Legislative Assembly of Ontario:

“Whereas the current Liberal government is proposing to eliminate the Lord’s Prayer from its” rightful “place at the beginning of daily proceedings in the Legislature; and

“Whereas the recitation of the Lord’s Prayer has opened the Legislature every day since the 19th century; and

“Whereas the Lord’s Prayer’s message of forgiveness and avoidance of evil is universal to the human condition and is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

“Recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord’s Prayer;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord’s Prayer by the Speaker in the Legislature.”

I am pleased to present this on behalf of my constituents, sign it and present it to Natalie.

ORDERS OF THE DAY

ORDER OF BUSINESS

Hon. David Caplan: On a point of order, Mr. Speaker: I seek unanimous consent to put forward a motion respecting this afternoon’s debate on Bill 16.

The Acting Speaker (Ms. Andrea Horwath): The government House leader has put a motion regarding the allocation of time and seeks unanimous consent. Does everyone agree? Agreed.

Hon. David Caplan: I move that the time available until 5:50 for this afternoon’s debate on Bill 16 be divided equally among the recognized parties and that at the end of the time the Speaker shall, without further

debate or amendment, put every question necessary to dispose of the second reading stage of the bill.

The Acting Speaker (Ms. Andrea Horwath): Is it the pleasure of the House that the motion carry? Carried.

Agreed to.

CHRISTOPHER’S LAW
(SEX OFFENDER REGISTRY)
AMENDMENT ACT, 2008
LOI DE 2008 MODIFIANT
LA LOI CHRISTOPHER
SUR LE REGISTRE
DES DÉLINQUANTS SEXUELS

Mr. Bartolucci moved second reading of the following bill:

Bill 16, An Act to amend Christopher’s Law (Sex Offender Registry), 2000 / Projet de loi 16, Loi modifiant la Loi Christopher de 2000 sur le registre des délinquants sexuels.

The Acting Speaker (Ms. Andrea Horwath): Mr. Bartolucci.

Hon. Rick Bartolucci: Last December I introduced Bill 16 to amend Christopher’s Law, the legislation establishing Ontario’s sex offender registry. I’m pleased to have the opportunity to speak to this legislation again on second reading. I’ll be sharing my time today with my parliamentary assistant for community safety and the member for Ottawa Centre, Yasir Naqvi.

Community safety is a key priority for the government. Christopher’s Law is one tool in helping to secure the protection of our community. Ontario was the first, and remains the only, province in Canada to have its own sex offender registry. Christopher’s Law requires sex offenders convicted of criteria sex offences to register with the police service in their area of residence. Christopher’s Law represents a vital step in fighting crime, protecting vulnerable children and adults and safeguarding our communities. It has proven very helpful to police in keeping track of sex offenders in the community, in conducting investigations into sex crimes and, in some cases, in preventing them.

1530

The sex offender registry is far more than just a database. It includes such information as name, date of birth, current address, current photograph, and particulars of the sex offence for which the offender is responsible. The registry has been used many times to identify when sex offenders are at high risk to re-offend or when they position themselves so that they are living with or have access to children. The police, during verification of a sex offender’s address, can now make a determination as to whether a child is in need of protection.

Research shows that time is critical when investigating the abduction of a child for a sexual purpose. The timely information the registry provides could help prevent a sexual offence and may even save a life. By giving law enforcement agencies a reliable and effective electronic

tool in the Ontario sex offender registry and the support services to track sexual offenders in our communities, we improve the investigation of crimes of a sexual nature.

Today, police across Ontario consult the sex offender registry about 495 times each day. It helps them monitor and locate sex offenders in their communities. It's a proven investigative tool and, most importantly, it's helping to protect vulnerable children and adults from predators. That's what makes the Ontario registry so useful for police across the province. It helps them know who the sex offenders are in their community, and in turn lets them determine who are the most dangerous before a crime is committed.

Last December, the Auditor General delivered his report to the Legislature, following a value-for-money audit of the sex offender registry. I want to again thank the Auditor General for the thoughtful observations and valuable recommendations in that report. Bill 16 is our response to those recommendations. If passed, it would address many of the concerns noted by the Auditor General about the operation of Christopher's Law. It would allow the registry and police to track more offenders in the community and to do so more quickly. The Auditor General's report recognized the dedication and diligent efforts of the ministry staff who worked to create the registry. It also noted that the team had worked cost-effectively over the last six years. We are indeed proud of the work of this group. They've worked very, very hard in making a success of the legislation.

Almost 20 years ago, 11-year-old Christopher Stephenson was brutally murdered by a convicted pedophile on federal statutory release. Christopher's family, victims' groups and law enforcement agencies worked tirelessly to prevent a similar tragedy from happening again. They sought mandatory registration for convicted sex offenders. Ontario responded with Christopher's Law, the first sex offender registry in Canada, and it was a step that spurred nationwide co-operation. Six years ago, we couldn't track convicted sexual predators because there was no registry. Now, convicted offenders are being tracked. Six years ago, we didn't have a compliance rate because there was no registry. Now, we have a sex offender registry with 95% compliance, one of the highest rates of any sex offender registry in North America. I want to assure my fellow members, the Legislature and the people of Ontario that we remain committed to reaching 100% compliance, but, as the Auditor General recommended and as our own experience has shown, there is still more we can do.

The Auditor General found that not all convicted sex offenders living in the community are required to register, and recommended some revisions to the legislation to ensure that the following persons register: offenders on temporary absence pass or day parole, the not-criminally-responsible on a temporary absence pass, offenders serving intermittent sentences, and offenders in the process of appealing convictions.

In addition, the report pointed to a number of areas where the effectiveness of the registry could be im-

proved. Indeed, we have already implemented many of the Auditor General's recommendations. Those offenders identified by the Auditor General as missing from the registry have now been investigated. Those who should have been registered are now on the registry. We are working closely with other provinces and the federal government to improve the effectiveness of the registry. As of March 2008, all offenders who can get mail will receive an annual reminder letter to remind them to go and register. We are now proposing changes to the legislation to allow police to track even more sex offenders and help keep Ontario even safer.

Bill 16 is the government's response to the recommendations of the Auditor General for legislative change and reflects our experience and the lessons we have learned over the past six years in establishing and operating Canada's first sex offender registry. This legislation would require more offenders to register and provide more tools for police to track offenders.

The new legislation would, if passed, require sex offenders serving an intermittent sentence to register within 15 days of sentencing. Currently, they are not required to report until they have completed their sentence. It would require that all those who are released on bail pending an appeal in relation to a sex offence register within 15 days of being released on bail. Currently, such persons are not required to register pending the outcome of their appeal. It would require police services to notify the Ontario sex offender registry immediately if they receive a notification from a mental health facility that a person who is not criminally responsible for a sex offence on account of a mental disorder with a detention disposition is being released from the facility unsupervised—for example, on a day pass. Currently, such persons are not required to register until they are given an absolute or conditional discharge by the Ontario Review Board.

Additionally, Bill 16 would require provincial corrections facilities to notify the registry of all sex offenders who are released from a correctional facility on an unescorted temporary absence pass 24 hours prior to release. Currently, the registry has no information on the release of such persons into the community on an unescorted temporary pass. They are not required to register until they have completed the custodial portion of their sentence for a sex offence.

As federal day parolees fall under federal jurisdiction, the province is working with the federal government to ensure that the necessary coordination will occur.

If adopted, these changes would require registration of more offenders in the community and enable the registry to have more valuable, up-to-date information.

We are moving quickly to make Christopher's Law stronger and more effective. As I said earlier, the safety of our community is of paramount importance. The Ontario sex offender registry remains today one of the most effective ways of tracking convicted sex offenders in our community. Its success is proven in the experience of police services across Ontario that rely on its data not just

to investigate sexual offences but, in some cases, to prevent crime.

Bill 16 is truly our opportunity to improve on an effective community safety tool that helps us safeguard the community. If passed, Bill 16 would make Ontario's sex offender registry an even more effective tool than it already is. That means greater safety and security for all Ontarians.

Thank you, and I'll ask my parliamentary assistant to continue.

1540

Mr. Yasir Naqvi: First, I want to extend my thanks to the Premier and the Minister of Community Safety and Correctional Services for their stewardship on this very important issue of community safety.

Christopher's Law is an important piece of legislation. It is based on a very simple proposition; that is, if police know the whereabouts of all convicted sex offenders in the community, they are better able to identify potential threats and can better focus their investigation on actual crimes.

Under Christopher's Law, offenders convicted of a criteria offence and residing in Ontario must register with their local police service within 15 days of release from custody. Where there is no custodial sentence, they must register within 15 days after being convicted of a sex offence or within 15 days of receiving an absolute or conditional discharge for a sex offence when found not criminally responsible on account of mental disorder. Offenders must also register upon changing their address or their residence status in Ontario.

The work of the registry begins at the time an offender is charged with a criteria sex offence. The police notify the offender of their duty to register when charged or convicted. The police are then responsible for ensuring that the offender's footprint or tombstone data is entered into the Ontario sex offender registry. However, this entry is done automatically if the offender is incarcerated or detained provincially.

The offender is then responsible for registering 15 days after they are convicted or released from custody. Police then verify an address of the offender once they register. The registry includes such information as name, date of birth, current address, current photograph, and sex offences for which the offender is responsible.

It's important to note that the public does not have access to the Ontario sex offender registry, but the police can make a determination under the Police Services Act to disclose information in certain circumstances.

The registry has proven to be a very useful tool for police, who regularly access it as they investigate crimes in their communities. Since the law came into effect, police services across Ontario have been doing just that. They tell us that the information provided by the sex offender registry is an invaluable tool in investigating sex crimes. That is why Ontario municipal police services and the Ontario Provincial Police access the registry, on average, 495 times per day.

In proposing changes to the law through Bill 16, we are working to make good legislation even better. We're acknowledging the progress we have made and are recognizing that there is more to do. We are grateful to the Auditor General for his thoughtful review of the sex offender registry and the important contribution he has made to our work through well-thought-out recommendations. Bill 16 represents the legislative changes we are proposing to Christopher's Law.

I need to point out that our response to the recommendations of the Auditor General is not only a legislative one. There are several areas where we are making the registry work better administratively and others where we need the collaboration of other levels of government to realize the full value of the process of sex offender registration.

I want to take some time to explain how we have gone about making changes at these levels. Christopher's Law was the first sex offender registry in Canada. As the minister pointed out, Ontario remains today the only province that has a sex offender registry. As a result of the success of the registry, the Ontario government and police agencies identified the need to establish a national sex offender registry. When the national sex offender registry was enacted on December 15, 2004, it quickly became apparent to police services that the legislation was lacking when it came to being used as a proactive investigative tool.

The benefits of Ontario's registry became even more apparent as the two registries began the process of aligning the information contained within their systems. One of the most glaring examples of the federal agency's limitations is that in Ontario, when a person is convicted of a criteria sex offence, they are automatically included in the registry; under the national sex offender registry, a judge, at the time of conviction, must order the offender onto the registry.

Since the inception of the national sex offender registry on December 15, 2004, there have been 3,679 people convicted in Ontario for a criteria sex offence. Of those, only 1,853 were ordered onto the national registry.

In response to the Auditor General's recommendation for improving the registry's usefulness in quickly identifying potential suspects, the ministry is looking at better use of other data sources. This includes sources such as Correctional Services Canada for federal offenders and the Ministry of Health and Long-Term Care for offenders who are not criminally responsible.

In addition, the Ontario sex offender registry application was enhanced in December 2007, making it possible to search and/or filter data by victim, gender, age, relationship to the offender and the location of past offences. We are also developing a process with provincial corrections and provincial courts to ensure that all offender records are obtained. The Ontario sex offender registry unit has met with Correctional Services Canada to review both systems and processes.

The ministry has also been working with Correctional Services Canada to address concerns relating to data

transfer regarding federal offenders. Specifically, the ministry has been working to develop an electronic interface between Correctional Services Canada and the Ontario sex offender registry. We currently receive some information electronically from Correctional Services Canada, and we will continue to work with our federal counterparts to ensure that the necessary electronic interfaces are established.

The Auditor General noted that 95% of offenders entered onto the Ontario registry are in compliance with their obligations to report under the legislation; 95% compliance is one of the highest of all sex offender registries, but 100% would be perfect. That is the ultimate objective.

The ministry is working with its police partners to strengthen procedures and is reviewing the guidelines for tracking and follow-up of offenders. The Ontario sex offender registry is working with the RCMP, Correctional Services Canada and the National Parole Board to explore areas for greater co-operation and information-sharing, for monitoring offender movement across provincial and territorial lines.

The aim is to give police early and accurate information as to which offenders are non-compliant so they can take appropriate action to ensure compliance, develop processes to identify offenders moving into Ontario, and confirm that offenders who say they are leaving the province have in fact done so.

These are some of the many ways in which we are working to enhance the effectiveness of the Ontario sex offender registry. Bill 16 is a critical part of that endeavour. If adopted, it would require the registration of the following categories of persons: all those serving an intermittent sentence, within 15 days of conviction; and all those who are released on bail pending an appeal within 15 days of release.

It would also require police services to notify the Ontario sex offender registry forthwith if they receive a notification from a mental health facility that a person who is not criminally responsible with a detention disposition is being released from the facility unsupervised. It would require that provincial correctional facilities notify the Ontario sex offender registry of all sex offenders who are released from a correctional facility on an unescorted, temporary absence pass on the day the decision is made to grant an unescorted pass.

It would, if passed, oblige more offenders to register and, in some cases, register sooner so that police and the registry would have an accurate account of all sex offenders in the community at any given time.

This is the information they need to properly track offenders and follow up on non-compliant ones. This is the information they need to guide them in investigating sex crimes. This is the information they need to prevent a crime and help provide protection for persons who may be at risk.

We have responded to the recommendations of the Auditor General by making the required changes to our processes, to improve the effectiveness of the registry

and make it an even better tool for our law enforcement partners.

Bill 16 is the legislative response we are proposing. Its passage will realize important improvements to Christopher's Law that will make an effective investigative tool even better and so provide greater protection for Ontario communities.

1550

Mr. Garfield Dunlop: I am pleased to rise today to speak to Bill 16. Of course, I want to refer a lot to Bill 31, the original Christopher's Law. I thought I would just say, reading a little bit on Bill 16, An Act to amend Christopher's Law (Sex Offender Registry), 2000, that I commend the minister for bringing forward this bill after the auditor's report.

I know the parliamentary assistant has mentioned a lot of the details of the bill, but the bill "amends the act by adding the following situations that will trigger a reporting obligation: being ordered to serve a sentence for a sex offence intermittently; and being released from custody pending the determination of an appeal in relation to a sex offence.

"It also amends the act to require the following information to be added to the sex offender registry: information from a provincial correctional institution that an offender is about to be released on an unescorted temporary absence pass, and information about his or her whereabouts during the release and about the termination of the pass...."

It also includes "information from a designated hospital under Part XX.1 of the Criminal Code (Canada) that an offender who was not found criminally responsible of a sex offence on account of mental disorder is about to be released unescorted into the community."

These are obviously improvements to what we consider to be a bill that this caucus, particularly, is very, very proud of; we're proud of the history of it. I'm also proud of the fact that the Ontario sex offender registry is located at the Ontario Provincial Police headquarters in my riding. I've actually toured the facility a number of times and have met a number of the officers who have given me briefings on the processes used. I have to tell you that we're extremely proud of it.

When we refer to the Ontario sex offender registry, there's no question that it was "An Act, in memory of Christopher Stephenson, to establish and maintain a registry of sex offenders to protect children and communities." We know the history of that.

I wanted to put on the record a number of articles that appeared in the media in that period of time leading up to that. I wanted to thank the current acting leader of our party, Bob Runciman, for his role in that, former colleague in this House, former Solicitor General David Tsubouchi, and even at times David Turnbull, who played a role in it as well.

I wanted to put these articles on the record and then talk a little bit about policing and police staffing as well. At the time, in early 1999 and leading up to the tabling of Christopher's Law, this concept of a sex offender registry

drew a lot of attention right across our country because Ontario had the courage to move forward with it.

Here's an article I wanted to put on the record from the Cape Breton Post, Saturday, April 17, 1999. That was just prior to the election, when—I'll read this article—

Interjection.

Mr. Garfield Dunlop: My first election, by the way; yes. I won that year.

"Saying Ottawa has failed to keep the public safe by ignoring calls for a national sex offender registry, Ontario intends to introduce Canada's first provincial register.

"A national sex offender registry would be the most effective means of preventing unnecessary harm against the vulnerable in society,' Ernie Eves, Ontario's deputy minister, told a news conference Friday.

"The federal government has chosen to ignore the recommendation; therefore, Ontario will act alone. In short, we will do the right thing.'" This was said by Mr. Eves.

"A law to create the registry will be introduced after the Ontario Legislature resumes April 22 and is expected to be passed before the election, likely in June.

"The legislation will be called Christopher's Law, in memory of Christopher Stephenson. The 11-year-old boy was sexually assaulted and murdered in 1988 by Joseph Fredericks, a convicted pedophile out on parole.

"Sex offenders will be required to contact police when they move to a new community and register their address. Failure to do so will result in a one-year jail term and \$25,000 fine.

"However, the list of names and addresses will only be available to police, not the public.

"Names will be made public only if police believe the offender poses a high risk to a community.

"Eves says privacy laws prevent Ontario from posting the registry on police websites, as happens in some jurisdictions in the United States." And that's something that the registry has made very clear, from my visits to the registry.

"Lawrence MacAulay, the federal Solicitor General, says Canada doesn't need a federal sex offender registry. All criminals are registered on a police database called the Canadian Police Information Centre. With consent, any member of the public can request a criminal record check.

"We do have a registry—CPIC,' MacAulay said in Ottawa.

"We have addressed the problem.'

"Bill Sparks, executive director of the John Howard Society of Ontario, which promotes effective responses to crime, says the type of list Ontario proposes can backfire."

The minister mentioned today that we would like to strengthen the national sex offender registry, because we do have one now, and that is something that we have to do. At times, I wonder if it wouldn't even be a concept or a possibility that the Ontario sex offender registry could actually manage the national registry for them. This goes back to the previous government, and I want to tell you

that in one of my tours to the national sex offender registry I asked the Honourable Tony Clement to come along. He wasn't really aware, and I asked him to come along for the visit and the tour. His eyes were opened as well. So I do hope in the end that the federal government will adopt a lot of the ideas and concepts that we have in the Ontario sex offender registry.

I have other articles I would like to put on the record as well, because I do want to give credit to Mr. Runciman and to Mr. Tsubouchi in particular for their work on that. It wasn't an easy task at the time.

This one comes from the Canadian Press, and it was printed throughout the country on December 9, 1999. That's after we had formed the government. I will read that as well. It's by Wendy McCann:

"Toronto (CP)—Police in Ontario will soon be able to use a province-wide registry to track pedophiles and other sex offenders who move from one community to another.

"Legislation introduced by the province Thursday"—this was introduced by Mr. Tsubouchi at the time—"would require anyone with a record of sex crimes to register with the police within 15 days of their release from custody.

"Sex offenders would also be required to update their addresses every year, or any time they move. Failure to do so, or providing false information, could result in a \$25,000 fine or up to one year in jail.

"The information would be placed in a sex offender registry, the first province-wide list of its kind in Canada, and would be made available only to police.

"David Tsubouchi, Ontario's Solicitor General, says police must know where sex offenders live to protect the public.

"The provincial government has already given local police the authority to disclose the names of sex offenders,' he told the Legislature.

"The sex offender registry is one way of assuring that local police become aware of sex offenders who may move into their community.'

"Tsubouchi rebuked Ottawa for not creating a national sex offender registry.

"Since it is now clear that the federal government will not accept its responsibility in this matter, Ontario will do what is right and act to protect its citizens,' he said.

"The proposed legislation has been dubbed Christopher's Law, in memory of 11-year-old Christopher Stephenson, who was abducted and murdered in 1988 by a convicted pedophile on parole.

"A jury presiding over the inquest into Christopher's murder recommended more powers for police in monitoring sex offenders.

"While the boy's parents appeared in the Legislature Thursday to support the bill, they have also expressed concerns that a registry might not have saved their son.

"Critics say a registry would do little and the government should be spending more money on prevention.

"Currently, police rely on the Canadian Police Information Centre for information on a person's crim-

inal record. However, the information isn't always up to date since criminals no longer under supervision are not obliged to tell officials they have moved." It's like, why would they register a handgun?

"The bill is expected to pass before the Christmas holiday."

1600

I wanted to also mention, because we have mentioned it in so many other areas here, another story, by James McCarten of Canadian Press—again, I'm referring to Mr. Tsubouchi and Mr. Runciman.

"A boy murdered more than 10 years ago by a pedophile on parole might be alive today if there had been a provincial sex offender registry, his parents say"—and this is dated February 28, 2000.

"But as committee hearings began Monday into an Ontario government bill that would establish the first such registry in Canada, Jim and Anna Stephenson admitted they didn't come to that conclusion easily.

"Oh, boy," Jim sighed during a news conference. "There's a lot of speculation that my wife and I have had on that question."

"As recently as last year, Stephenson was publicly doubting whether a registry would have protected Christopher, who was murdered in 1988 by Joseph Fredericks, a convicted pedophile.

"But he has since decided that the legislation, dubbed Christopher's Law, would have given his then 11-year-old son a better chance of survival.

"I believe that had the legislation been in place, we would have had a better opportunity to locate Christopher's abductor," Stephenson said.

"It may have saved his life. I really believe that."

"Under the bill, which passed first reading in December, convicted sex offenders would have to register their address with police when they move to a new community.

"Failure to do so would result in a one-year jail term and \$25,000 fine.

"But Brian Enns, a spokesman for the Mennonite Central Committee rights advocacy group, said a registry is a waste of money that likely would not have prevented Christopher's death.

"It would merely duplicate the powers of the courts, which can already keep close tabs on offenders if necessary, Enns told the hearings.

"People who know Joseph Fredericks believe a registry would not have prevented Christopher's murder," he said.

"Police knew Fredericks's place of residence without the proposed registry, and today the courts could require him to report to the police daily."

"Solicitor General David Tsubouchi said he hopes Ontario's plan serves as a 'wake-up call' to prod Ottawa into establishing a federal system for tracking offenders.

"There is a real need to have a national sex offender registry," Tsubouchi said.

"We are trying to do this right now to address the protection of public safety in Ontario, but we need to

have this type of important vehicle for all police services across the country."

"The registry would bear the names of about 2,200 offenders annually from Ontario provincial courts, Tsubouchi said.

"Enns said he also fears that registries would discourage offenders from trying to become respectable members of society.

"Steve Sullivan, president of the Canadian Resource Centre for Victims of Crime, recommended the registry include young offenders convicted of sex crimes as well as solicitors of child prostitutes."

So you can see that as we have gone through this process, there were some people who were naysayers on this particular registry.

But overall, if you talk to police services across our country, I think one thing they'll tell you for sure is that Christopher's Law, or the Ontario sex offender registry, is a model for any sex offender registry anywhere in North America. So from our perspective in this caucus, we are very proud of the fact that we've had the fortitude and the ability under legislation to start it, and will be very pleased to support the recommendations made by the auditor and presented in legislation to this House by Minister Bartolucci.

I do want to say, though, that as we were talking about—and this is where I'm going to make some comments the minister is not going to like. You have to admit, I've been very positive up to this date on this. We are very proud of Christopher's Law and really want to put that on the record today, and that's why I had those clippings from across the country, from 1999 and 2000. We believe that if it's a bill that's already good and we're improving it, then it's got to be pretty good for public safety in our province.

What I wanted to refer to now was the fact that all through this process or all through this legislation over the last eight or 10 years, we've been calling for a stronger national sex offender registry and working with the federal government on that, and I still hope we can do that. I'm still hoping we can strengthen the national registry and work with the federal government on it.

As you know, the federal government has come to the table on another topic, and that's the \$156 million that they're providing for resources to hire new police officers. I believe the original platform document that Mr. Harper put on the record a couple of years ago—I guess it's going back 30 months now—was to hire 2,500 new police officers or create a kick-start program that would have that take place. Ontario's share would be roughly 1,000 of those officers.

I was pleased that the federal budget, back in February, had allocated \$156 million to the province of Ontario. Although I know that a couple of weeks ago the minister didn't like the program, just recently—I believe it was last week—the Premier made an announcement that they were signed on, I believe, to three additional federal programs and that the money would flow by the

end of February. So my understanding is that the money should be in some kind of trust account early this month.

I'm hoping that this is what will happen, and I want to put it on the record to my colleagues and the minister, because I believe this is the way we can make it happen: I didn't see any money in the budget for this, but in year one, which is 2008-09, this particular year, I would like to see Ontario hire 200 additional officers, with 100 of those going to the OPP. That would take \$10 million out of the federal contribution and \$10 million out of the provincial. All these assumptions are based on the fact that it costs roughly \$100,000, or maybe even a little bit more than that, to put an officer on the street or on the highway. So at the end of year one, we would spend a total of \$20 million: \$10 million from the province and \$10 million from the feds.

In year two, because you're duplicating the first 200 police officers, we'd have to put in 20 million federal dollars and 20 million provincial dollars, for a total of \$40 million. That would put in 400 officers: 200 officers to the OPP and 200 officers to other police services within our province.

In year three, we'd take \$30 million out of the federal contribution and \$30 million from the Ontario government, for a total of \$60 million, and that would give us 600 police officers: 300 to the OPP and 300 to other police services.

In year four, we'd go to \$40 million, and in year five, we'd go to \$50 million. In year five, we'd end up with 1,000 police officers: 500 to the Ontario Provincial Police—to the non-municipal contract policing division—and 500 to other police services. At the end of five years, that would be a total of \$150 million of the federal money and \$150 million out of the provincial coffers that we would spend. So a total of roughly \$300 million, with that money being compounded throughout the process, would put 1,000 new officers on the streets.

The previous Conservative government—in the 1999 platform, we put 1,000 new officers on the streets of Ontario. The Liberal government, under their 1,000 officers program, added another 1,000 police officers. We were pleased to be part of that, because I believe that we, on this side of the House at least, pressured the government on a number of occasions to move forward with that program. I know that a lot of people from police services have come forward and thanked me for our questions in the House and for attending press conferences and that sort of thing. They were pleased with both the government and the opposition that they ended up with those 1,000 new officers. Now we've got another 1,000 officers to go after, and we can use all of that \$156 million.

I know that the problem the minister found with the program was that it wasn't sustainable for periods of time after that. The challenge we have in this House is to put those 1,000 officers on the street. In the meantime, as we move forward with whomever is in government in Ottawa, we negotiate with the federal government for a review at the end of that period, and hopefully the federal

government will have put some sustainable money to go another five or 10 years, or whatever it may be.

1610

I want to say on this occasion that I'm very pleased and thankful for Karl Walsh, the president of the OPPA. He has kept me in touch with all this data. Karl has been an advocate for these additional 500 officers for the OPP for at least the last 18 to 20 months. He believes strongly in his association. There are a number of areas in the OPP—traffic etc; and perhaps the sex offender registry—from where you can move officers into Project P, child pornography. There are a number of areas where we can use 1,000 new officers. I really hope that, as a result of the federal announcement and requirements like Bill 16, the amendment to Christopher's Law, where we'll likely need additional resources and numbers of people, we can carry forward and utilize those additional officers throughout the Ontario Provincial Police organization.

I'm sure the other municipal police services, by the time the five years rolls around, will be requiring additional police services, with increase, in population and demands and other legislation etc. that may come forward. So I'm hoping that that can actually happen.

Can we afford this? I'm not sure. I think that when you hear about young people being gunned down in schools, people being shot in the vestibule of an apartment building, or some of the crimes we've seen happen, particularly in the summer of 2005-06, when so many people lost their lives, and it was beaten last year with, I believe, 90 homicides in the city of Toronto, we have an obligation to provide those police services with the help they need.

There is no question; we must have the money. If you look at the money we spend—I heard a question that you, Madam Speaker, asked today on child welfare and money that was being allocated to children's programs. In this House, in the last five years, we've increased spending by \$29 billion. That's \$29 billion, which is a 41% increase in overall spending. Let's say there are 13 million Ontarians—13 million people who live in our province. That means that in that period of time every man, woman and child in this province has had to find another \$2,230, if you are basing it on per year—every man, woman and child per year, \$2,230 in increased expenditures by the Ontario government. That works out to \$440 to \$450 per year. So if you are a family of four under the Dalton McGuinty government you've watched that government spend roughly \$2,000 per year. So there should be money for additional police officers. When we're talking about \$29 billion, surely we can find \$156 million to put another 500 OPP officers on the streets and take part in the federal program.

We will be watching very carefully how that money is allocated. We would like to see it start immediately, like money going out the door this year to hire a couple of hundred officers this year in Ontario, and not leaving the money to year three, or year four, election year, and rolling out a fancy announcement. We would like to see the officers in the OPP uniforms this year and even better for

next year, because next year is the 100th anniversary of the Ontario Provincial Police in the province of Ontario. There'll be announcements and celebrations. It would really be nice to show that our government and this Parliament strengthened the OPP with the number of officers they require, and helped them in a very positive manner as they move towards the second century of their existence in our great province.

I have still got 20 minutes left. I'm not going to use all that time up today. I'm not even going to leave it all for my colleague, who wants to say a few words either, because I think I've made my point here.

In summary, what I want to say is that we support this bill; we support the amendments. We'll look forward to a quick passage of it, if we have it. I'm not sure if we're having a day of hearings or not at this point; I'm hoping we are. That would be good because we can bring some of those stakeholders in to comment on how successful Christopher's Law has been and how well they feel the amendments will improve the bill.

On top of that—I am sincere. I don't mean to do this in a partisan manner, but I really do hope we can go after that \$156 million and utilize it into 500 officers for the OPP and the police services. Again, we'll be working closely with our police stakeholders to make sure that we try to make that happen.

I'll now turn it over to my colleague Mr. Arnott, who has a few comments he'd like to make on this bill. I thank you for your attention.

Mr. Ted Arnott: I am pleased to have this opportunity to speak briefly this afternoon with respect to Bill 16. And, yes, the member for Simcoe North informed the House that I was going to have this chance and I am pleased he did.

I want to congratulate the member for Simcoe North for the outstanding speech he gave this afternoon, as well as the good work that he does on behalf of our caucus as our critic for the Ministry of Community Safety and Correctional Services. I think it's fitting that he serves in this capacity given the fact that his riding includes the headquarters of the Ontario Provincial Police in Orillia, and his long-demonstrated interest in policing issues and the issues that he's brought forward on many occasions.

I'm pleased that the member for Welland is going to be back shortly, because he's going to have to speak very soon. I'm not going to hold the floor for the next 20 minutes, just to let him know.

Seriously, this Bill 16 is an important bill, and I'm pleased to know that our caucus is going to support it. I certainly wanted to support it, and believe that our caucus will be behind the government with respect to this issue.

The member for Simcoe North talked about how the Progressive Conservative Party, while in government, brought forward Christopher's Law around 1999. It was in response, as we know, to a terrible tragedy that took place in 1988 with the tragic murder of an 11-year-old boy, Christopher Stephenson, at the hand of a convicted pedophile who was out of jail on a federal statutory release. After the coroner's inquest into Christopher's

death, the coroner's jury recommended creating a sex registry or a national registry for convicted sex offenders, requiring that they register with their local police service as soon as they were released from jail. The intent was that if convicted sex offenders travelled around the country, we would be able to keep track of them, know their whereabouts and hopefully make our streets safer as a result.

My wife and I have three young sons. My oldest is going to be 13 this summer, my middle child is going to be 11 this summer and our youngest just turned nine. I just cannot imagine the tragedy that the Stephenson family went through. I don't think any of us who have never lost a child could even fathom what that family went through. I think it's important that we keep that in mind in the future in terms of what we can do as a Legislature, what the government of Ontario can do, what the Ontario Provincial Police can do, and our court system, what we must do to respond to our basic obligation with respect to community safety. Keeping our community safe, our streets and our homes safe has to be one of the government's highest priorities. This Bill 16 hopefully will be a step in the right direction in that regard.

Let's go back for a minute to remember why Bill 16 has been brought forward. It comes in response to recommendations from the Auditor General. It was a little while ago that the Auditor General pointed out some of the problems that were in place because of the deficiencies in the application of the existing sex registry. The Auditor General informed the people of Ontario and the Legislature that 365 provincial sex offenders who should have been registered were not on the list and 360 federal sex offenders who should have been registered were not.

Nine million dollars in funds that were supposed to be going into the sex registry had been diverted elsewhere.

We were told that there was no reliable reporting mechanism to ensure that all offenders living in Ontario were registered on release from federal correctional facilities. The Auditor General pointed out that there was no process in place for ensuring that young offenders who receive adult sentences would be registered.

We were told that local police follow-up procedures, for the 384 non-compliant offenders who did not register or do not re-register annually, vary widely. We were told that almost 70 of the unregistered offenders had been in breach of the act for more than two years. We were informed by the Auditor General that warrants were not consistently being issued for offenders in breach of the act for extended periods.

1620

Further, we were informed that the \$9 million in funding approved for registry operations was spent on other operational areas, not the sex registry. At the same time, we were told that the sex offender registry unit lacked the resources to complete a number of planned system corrections and enhancements. We were told that there are a number of limitations in the registry tools available to investigators that inhibit searches through the list of 7,400 registered offenders in the database. In other

words, there was no method of searching data on the basis of the sex and age of an offender's victim, the relationship between the victim and the offender, or the location of the crime. We were also told that the registry records did not always capture all offender information required under the act that would be useful to investigators. In other words, no photographs on file for 140 offenders, more than 1,200 records had no detailed case information, and in some cases, police were never able to verify the residential addresses of nearly 650 offenders.

I believe we owe a debt of gratitude to the Auditor General for bringing these issues to light, and I think that it's incumbent upon the government to ensure that it responds to each and every one of these serious issues that had been highlighted by the Auditor General. I'm not sure that Bill 16 responds to every single one of those recommendations. I see the Minister of Community Safety and Correctional Services nodding his head to say that that is the case. I certainly hope it is.

I'm pleased to hear that the government is willing to allow this bill to go to committee for at least one day of hearings. I think it's important, if individuals and groups have an interest in this and want to come forward and express their views to members of the Legislature, that they be given that opportunity to do so. I know, even recently—I've got a clipping here from the North Bay Nugget from just last week, I guess; March 25—the commissioner of the OPP, Julian Fantino, talks about some of the deficiencies in the national sex registry. He certainly has a lot to say about this, and had a lot to say at the time.

I think we should hear the views of everyone who has an interest in this issue, who wants to ensure that this mechanism that we have for public safety is improved to ensure that our streets are safe, our communities are safer, that we would give people that opportunity to have that say. I think it's most important that we do so.

Again, I would express my feeling that it's appropriate that our caucus is supportive of this bill, and I'm pleased that we are going to be supporting it. I do have a high personal regard for the Minister of Community Safety and Correctional Services and the work that he does. I want to commend him for bringing this forward today. We certainly look forward to continuing to discuss it as it moves through the Legislature.

But once again, Madam Speaker, thank you very much for giving me this opportunity this afternoon. I look forward to the rest of the debate on Bill 16.

Mr. Peter Kormos: New Democrats have agreed that this bill should be put to a vote after this afternoon's sessional day of second reading debate. We further argue that the bill—and it appears that there is some significant agreement around this—should go to committee. I will make sure it goes to committee because I will, of course, deny its progress to third reading unless and until it goes to committee, by simply saying no when the minister, after this bill passes second reading—and I presume it will pass this afternoon—moves it for third reading.

We don't limit our participation in the debate in any way, shape or form, because we diminish the seriousness

of the bill or the issue that it purports to address. Quite frankly, I have no idea how much public interest there will be in public hearings.

Let's make it very, very clear. New Democrats supported the sex offender registry back in 2000. In fact, as a member of that committee, I recall making proposals and moving amendments in an effort to toughen it up. Why, one of the obvious observations—and it's regrettably still one of the shortfalls of the legislation and perhaps one that can't be overcome because of the limited jurisdiction of the province—is that young offender sex offenders aren't included on the registry.

Let's make this perfectly clear. I'm not trying to create or paint an image of some little kid who does something inappropriate that he or she regrets and then moves on to become a mature adult. I'm talking about 16- or 17-year-olds who are adult in every sense of the physical world—nobody is going to argue that they're adults emotionally—who are rapists, who are child molesters, who are very dangerous people in our community. These people, you've got to understand, are not on the sex offender registry.

Back in 2000, there was also an interesting failure to put people on the sex offender registry or require people to place themselves on the registry when their convictions had occurred prior to the passage of the legislation. I found that absolutely nuts, because that means we don't know how many rapists and pedophiles there are in Ontario who are never going to be compelled to register on the sex offender registry.

The interesting dilemma, I'm sure, for the counsel to the government was the need to make sure that the requirement to put oneself on the registry if you were convicted of those lists of offences—basically, sexual offences—wasn't punitive, because there would be people who would argue then that that would be ultra vires, as lawyers are wont to say, of the provincial government.

Let's be clear here. While the sex offender registry is a tool for police officers, it is also a very dramatic way for a society to denounce a particular type of behaviour, beyond the manner in which we confront, punish, condemn or denounce other types of aberrant or even criminal behaviour. There's not a single person in this Legislature—and a person would be a damn fool to suggest there was anybody here who isn't repulsed and just shocked every time we read about a horrific offence, especially against a child or another vulnerable resident of the province. There's something especially repugnant, because it's our job to protect kids—not as a Legislature; I'm talking as adults, as people, as human beings. It's our job to protect kids, not just our own and not just our families' kids or our neighbours' kids, but kids whom we don't even know. It's our job to protect them.

It's also our job to protect seniors, to protect persons with disabilities. That's why you'll note some new offences in the Criminal Code that talk about a sexual offence against a person with a disability, recognizing that

some people with disabilities become vulnerable because of their personal reality.

I think we have to be candid and acknowledge that this is not just an investigative tool for police; it's also a way that the provincial Legislature, with its unique jurisdiction separate and apart from the federal government, can express denunciation of sexual offences and, in particular, sexual offences against the vulnerable—which means, amongst others, sexual offences against children.

As a matter of fact, this is the proverbial scarlet letter, and indeed this type of legislation in the United States is referred to as “scarlet-letter legislation.” There's been a whole growth of it; it goes back to the 1940s in the United States, in California, where, amongst other things, it was used in particular to persecute gays and lesbians who, of course, if they were caught in a situation where they were committing a crime of the day, had to report and identify themselves as sex offenders; it destroyed many a life.

So these scarlet-letter laws—the notification laws they're referred to as well—are a tool for police, as well as an effective means for us, representing our communities, to denounce especially repugnant behaviour.

1630

But let's also be very clear about the fact that this registry, even after the amendments contained in Bill 16, is not going to be the proverbial silver bullet.

The Auditor General, in his 2007 report, was very specific in pointing out that—well, I'll quote. May I, Speaker, with your permission? Indulge me for just a moment. I'm referring to the Auditor General's report, page 272:

“Even though sex offender registries have existed for many years and can consume significant public resources, we found surprisingly little evidence that demonstrates their effectiveness in actually reducing sexual crimes or helping investigators solve them, and few attempts to demonstrate such effectiveness. This has not gone unnoticed by critics of sex offender registries, some of whom argue that public funds would be better spent on offender treatment and support programs where there has been some documented proof of effectiveness in reducing recidivism (that is, the committing of another crime by an offender after being released).”

I can't argue with that observation; I don't think anybody here can. But I'll say this to you: In many respects an incomplete sex offender registry is more dangerous than no registry at all. It's like the gun registry, if you will. If police officers rely on the gun registry and the gun registry isn't accurate, they then can perhaps attend at a home or place believing there are no firearms there, only to be dangerously surprised by the presence of firearms. If police rely on a sex offender registry that's incomplete, they could well be missing the very person who has perpetrated or committed an offence.

The problem with the sex offender registry is that even when it's complete, based on the legislation, it's still not going to be complete. We still don't have sex offenders predating passage of the legislation, and there surely are

more than a few of them out there. We still don't have young offenders, and we also have the interesting exclusion of people who have passed the time frame of 10 years, those being people who have committed certain types of sexual offences. You see, the registry only compels people, as convicted persons, to register for a period of 10 years if the offence for which they have been convicted is one with a maximum penalty of less than 10 years. The fact is that a whole pile of sexual offences are punishable by less than 10 years.

I'll give you an example: Sexual assault is an offence which is punishable by less than 10 years. Other similar and equally repugnant offences can be ones that are punishable by less than 10 years. This means that a huge group of persons will have been convicted of sexual offences but will only be required to report on an annual basis for a period of 10 years following their conviction. Some may argue that there could well be circumstances where a person has rehabilitated himself or herself, has matured, grown, undergone therapy or made significant changes. I suppose it all depends on which class of sexual offenders you really want to be looking at.

Let's be fair and talk about when a sex offender registry is particularly valuable. A sex offender registry is particularly valuable when you are talking about a child who has been abducted by a pervert. The information that we gleaned from the public hearings back in 2000 or so was illuminating in that regard, and the Auditor General includes the same references in his report. If a kid, a child, is abducted for sexual purposes, 44% of those children are killed, murdered, within one hour of being abducted; 91% within 24 hours. This is the most cogent and significant argument for a sex offender registry of any sort, because police have to move very, very quickly. This isn't television drama; this is real life. This is data. This is hard, irrefutable facts. If you're a parent and your child is missing from its bedroom, the chance of that child being killed within an hour of disappearing is 44%, and after but one day, 24 hours, 91%. The hair raises on my arms as I even acknowledge that data. What a shocking observation and reality. It's something the police have to live with. That's why the sex offender registry can be a very important tool.

Obviously, a sex offender registry can be a valuable tool when you're talking about rapists—colloquially called serial rapists, repeat rapists. It enables the police to identify those people who have raped and been convicted before.

But the other observation made about sexual offenders is that most sexual offenders, upon their first conviction, are rarely being convicted for their first offence, especially people who prey on children. Again, all of us have read far too much or been exposed to it in our own communities, our own neighbourhoods, or in our own families, to learn about the pedophile who manipulates, who first seduces a mother, more often than not a single-parent mom. The pedophile seduces the mother—we're not talking about the jump-out-of-the-bushes or abductor pedophile—and then seduces the children. These are

clever, manipulative people. They don't intend to get caught. None of these people intend to get caught.

So while on the one hand the sex offender registry is a valuable tool in identifying people who have been convicted, it doesn't embrace all of those people who fall into the class of persons who commit these types of offences. But the police know that. I am in no way criticizing the police, I'm just cautioning us, because this is the sort of legislation that nobody could not support. New Democrats are going to vote for it in just a very short period of time, but let's understand that this is not the final word in protecting our kids from some of those most horrendous of crimes, despicable and unspeakable crimes.

It was interesting as well—and I appreciate that some have wanted to frame Bill 16 in the context of being a response to the Auditor General. It's a very limited response to the wide range of concerns that the Auditor General expressed. One of the concerns that the Auditor General talked about was the inability when accessing the registry to filter the information, the data; that is, to not just identify persons but identify them in terms of, let's say, profiles like age or gender, or sex of victims, and some suggestion that there is a capacity to do it with respect to geography. Because, once again, this is what the research says, and this is the one filter that was incorporated: 80% of abductions of kids occur within a quarter mile of the victim's last known location, usually by offenders who live or work in the area or had some other legitimate reason to be there. So the impression we get is that child abductors who kill children don't travel too far afield.

1640

One of the serious problems that we have in this province, of course, is that most offenders convicted of most crimes, including sexual offences, get out of jail at one point or another. From the point of view of the public, it's almost inevitably sooner rather than later. I used to be, you might recall, a criminal lawyer many years ago. I did a lot, a lot, a lot of criminal work. There were times when I believed there should only be two types of jail sentences, short ones or very long ones, because for people who are basically good people who do bad things or whose judgment fails them, even a week in jail tunes them up. They're never going to go back again. But if a week in jail doesn't tune you up, a month ain't going to either, nor six months. So I believe that jail sentences, and this is just a passing fancy, just an observation, should either be for specific deterrence—in other words, "This is what happens when you're bad. You are deprived of your liberty; you're in a stinky range with people who don't wash their feet very often and do other things," and it's a very unpleasant experience. Have you ever been in any of our provincial jails? The bloody rock music that's blaring through the speakers is punishment enough. I don't know how the correctional officers—that should be a health and safety issue, the music that they have to listen to, because inmates tend to be of the age group and profile that they want to listen to heavy metal

or Metallica or whatever it is. Good God. I couldn't last, never mind as an inmate, but as a worker, in that context for half an hour. So as I say, either you're sending a message to an offender or you're protecting society.

We know that treatment programs for pedophiles are few and far between and have very marginal success. There's a hard-wiring that goes on there. All sorts of good, well-meaning people have worked really hard, including offenders from time to time, who have been very committed to therapy programs to try to overcome this bizarre hard-wiring. It's very, very difficult, very tough. The success rate is limited. That's what drives people crazy. You will recall that the boy whose murder prompted this legislation was killed by an offender on parole. He hadn't even finished his sentence; he was still on parole. But you see, the problem with even saying, "Well, don't give these people parole," is that at some point or another, unless we get courts and unless we have a criminal law that's going to—again, we have dangerous-offender legislation, and I know we've had discussions here, and I've urged the Attorney General to be more aggressive in pursuing it when it has been appropriate. Sentences have to be proportionate to the crime, and the Criminal Code still regards some of these offences, especially against children, as warranting even summary conviction standards.

So that leads you to a couple of obvious observations: first, the incredible dilemma that any of us have in our community when a sex offender, especially one who preys on women or kids, is returned to the community. Of course, sooner or later word leaks out and then all hell breaks loose and our offices get called, right? They call your constituency office; they call your constituency office; they call yours.

One of the real issues is in the availability of supervised housing for offenders, especially offenders like sex offenders, who are released. The police then are in a position where they have to concern themselves with vigilantism, and the police don't like being put in that position. Neighbourhoods are genuinely, bona fide fearful for their kids, and rightly so. But, as you know, we lost a whole lot of the community housing programs—John Howard-sponsored, amongst others—for offenders back over the course of the last 10, 11, 12 years. We've had limited restoration of them, if any.

The other issue is the paucity of meaningful treatment programs in our provincial and federal institutions. Let me talk just for a minute about the broad range of offenders. Again, you go to provincial institutions—I've had many occasions to be in and out of them over the course of many decades now—and the programs are virtually non-existent: job training programs, shop programs and the academic programs are pretty bare-bones stuff. The therapeutic approaches are, again, sort of by chance. So at the same time as we need a sex offender registry that's as complete as it can possibly be, we'd better start thinking about more meaningful—look, you've got to cap the volume, so to speak, don't you? These people ain't goin' nowhere.

In some of the provincial institutions I've been in, they aren't doing very much either. They're lying on their bunks, reading bad novels. They're not smoking Bugler; do you remember Bugler tobacco? They're not smoking Bugler tobacco or Daily Mail anymore because you can't smoke in these joints. But they're lying on their bunks, reading bad novels—the ones that can read. You don't have to spend very long in a provincial institution, looking at guys and gals serving six-month, nine-month, one-year sentences, to find incredibly high illiteracy rates, disproportionately high rates of mental illness and low, low education. I'm talking about the wide range of offenders now; I'm not talking about offenders that are contemplated by this sex offender registry—many people, victims, men and women.

I used to work a lot with prostitutes, sex trade workers, when I was a defence counsel. Contrary to what the mayor of Niagara Falls says, they did work in Niagara Falls then, just as they do now. I wouldn't have been defending them down in Niagara if they hadn't. But again, I was amazed at how many of these women had been victims of violent sexual assaults, most often from family members, as children. That's not a hard bit of data or a hard statistic, but it's something I can say to you anecdotally, if you will.

We're missing the boat. We can bitch and moan and complain about sentences not being long enough, but unless we're prepared to have some really dramatic, radical—and the prospect of banishment. I, for one, believe that certain types of offences that are not the result of rational choice, but are the result of just very defective hard wiring—that results in children being sexually exploited, sexually abused, sexually assaulted or sexually assaulted and killed. I, for one, think that the welfare of our kids should be prioritized. I, for one, am inclined to believe we should be adopting sentences that effectively constitute banishment from participating in the mainstream community so that we can ensure that children are not at risk.

1650

I'm not arguing against proportionality of sentencing and I'm not talking about the 17-year-old kid who is inappropriate after he gets all drunk up—I guess he's too young to get all drunk up; Lord knows they don't drink at 17—and does something very inappropriate with a young woman or whatever at a teenage event. So that's one of the other problems here. That captures a whole range of people. It captures these vicious, despicable predators who have to be identified promptly, but it also means that the teenager who conducts himself inappropriately—I'm being too generous. Am I going to get e-mails about this? Am I going to get people complaining? There were all sorts of phrases, that we used when I was a teenager, involving baseball metaphors like “first base” and “second base.” These things happen. Again, because of the concern that we have and, quite frankly, the political-correctness environment we live in, these prosecutors—crown attorneys—are forced or compelled to prosecute these as well.

The corresponding problem—and it would be increasingly rare where children are involved—is the phenomenon of plea bargaining. I'm hard pressed to think of a crown attorney—the crown attorney would be calling the deputy minister, because he or she wouldn't want to take responsibility him or herself before they plea bargained away a serious offence involving a child, unless it was their only possible hope of a conviction.

Not all plea bargains result because of the informal quota system that exists in our courtrooms and the heavy backlogs. Some plea bargains result because the crown attorney has a very limited chance of conviction, and has no choice but to accept a lesser plea, or else they may end up with nothing at all. Quite frankly, in cases of child victims, where from time to time you don't want to put a child through, notwithstanding the protections provided for child witnesses, sometimes crowns are forced to make some pretty difficult choices; they are. But you see, then that offender shows up on the registry perhaps entirely inappropriately, not being in the class of offence that she or he could be or should be.

So here we are. I'm looking forward to going to committee with this. Thank you very much to the library; they pulled the previous amendments to the original act. I can't find, and maybe somebody can rise to the occasion here: The act still refers to the Young Offenders Act, and I don't see any amendment in Bill 16 that changes it to the Youth Criminal Justice Act, which of course it should be. I'm not aware of there having been, but maybe there has been, an amendment to that effect already in some omnibus bill.

Well, no, here we are: In 2006, Bryant has an amendment that repeats the reference to the Young Offenders Act. What do we have here? Oh, Youth Criminal Justice Act. Thank goodness, okay. I was looking forward to the opportunity to hector the Solicitor General in committee for overlooking the most obvious of amendments.

I've got to tell you that I also have some problem with the immunity clause here. The immunity clause, which is prevalent in most government legislation now, is repeated, cleaned up in terms of renaming the minister. The only thing I can think of that's worse than committing an offence that's contemplated by this registry is not to have committed the offence and then be wrongly convicted of it. Can you think of anything more repugnant or shocking? Then go one further, and the only thing that could be more repugnant than a wrongful conviction would be to be wrongly placed on the list. My concern about immunity clauses—they're omnipresent in government legislation. You understand what I'm talking about; it precludes you from suing. If you're wrongly placed on the list, it precludes you from suing.

Let's understand what it means if you're on the list. It means that when a crime happens, the cops move promptly and start looking for you and talking to your neighbours. Talk about the scarlet letter; wham, whack. I'm concerned about this general trend by governments to create these immunity provisions. I quite frankly think that if somebody is wrongly placed on a list like this,

even if the person putting them there acted in good faith, heads should roll and there should be some accountability.

So there we are. I'm not going to use all of my time today. This is a matter that should now move on to committee. One other thing I wanted to mention now, though, is the business of pardons. Of course, once a person receives a pardon under the official pardons act, the federal legislation—I think the National Parole Board administers those—you then trot down to the police station and have your name pulled off the registry.

Look, once again, we're not talking about the 17-year-old kid who does a technical sexual assault—and don't send me e-mails saying there's no such thing as just a technical sexual assault; you know exactly what I'm talking about—and gets a pardon down the road, just like the kid who smokes dope and then gets a pardon. Come on, if having a record for smoking marijuana were a bar to future life, heck, what would happen in this chamber? Nobody here has ever violated the old Narcotic Control Act, or does currently, I'm sure. I'm not talking about the kid who does something inappropriate and is charged with a very minor sexual assault, who is probably entitled to a pardon if he or she has kept their nose clean.

Take a look at the auditor's report, on page 264, and take a look at the number of purges from the sex registry. There were deletions totalling 732. What gives? Either you were convicted of something that was serious enough to ring alarm bells to put you on the sex offender registry or you weren't. Either you did it or you didn't. If people have their convictions overturned, they're not guilty. But that causes me concern because I don't know what standards the National Parole Board uses when they process applications for pardons. In many respects it's a very pro forma, routine procedure. And, again, our offices deal with these, even though they're federal matters. You know provincial MPPs end up doing more federal work than the federal members do. Federal members just disappear. They get the big bucks. They just disappear. They're never in town.

Interjection.

Mr. Peter Kormos: Well, they're never in town. Do people come to our offices for pardon applications and assistance in filling them out? You bet your boots. And do we do it? You bet your boots we do. So I'm concerned; I really am.

In anticipation of those hearings, I would hope that the Solicitor General, the ministry, would get some information on what standards the National Parole Board—if in fact that's the body that grants pardons, and I'm sure it is—uses when it comes to the offences that are enumerated in Ontario sex offender registry legislation. Is it a pretty simple matter? If it's been 10 years or eight years or five years and there have been no more convictions, as it is with so many other offences, do you just get the pardon? Then I'm concerned about the integrity of the sex offender registry and how helpful it really is to cops who are looking for the perpetrator of a crime. We have 732, according to the auditor, from 2001 through to 2002

through to 2007; so in the course of approximately six years, over 100 a year struck off the registry. Again, as I say, if they were wrongly put there, I understand. If their convictions were overturned, I understand. If they were pardons, I'd like to know what the standard was for the National Parole Board to pardon those offenders convicted of sexual offences.

So what am I concerned about? I'm going to wrap up. I'm concerned about people who have committed offences and, of course, who have never been caught. They're never going to be on the registry. And they're out there, model sexual predators—very clever, very manipulative, very skilful people who know the law. They don't intend to get caught. Most of the data supports the proposition that where a person is being prosecuted and convicted for a sexual offence—when we're talking about pedophilia and serial rapists, that type of behaviour—it's the rare case where it's their first offence.

Two: Young offenders, especially of the higher tier, 16- and 17-year-olds, who go to YO court. They're not skinny little childlike people. These are the big biceps and the tattoos and the whole nine yards. Nothing against biceps or tattoos, I suppose—but the fact that they're not on the sex offender registry.

Three: The cap of 10 years without any discretion on the part of the person deleting the name from the sex offender registry. Once again, an offence against a child, when it's pedophilia, is more likely than not going to be a part of hard-wiring. All the growing up in the world isn't going to change the motivation and the drive that that person has to assault children.

And, of course the ability for the police to use filters so they can put data together at a rapid rate.

I'm going to leave it at that. I look forward to the committee hearings. People have talked about one day. I don't know; one day may be the only need there is. There may be no interest from people out there in terms of participating in hearings. There's nobody who's going to be motivated or driven to protract hearings on this issue. But my thought is that the committee should be entitled to control its process. The committee should announce hearings once it's ready to do that, and see what type of response there is in terms of interest in the hearings.

I would hope that people like John Howard and others who have historically run halfway houses and community-based housing might be interested. I would hope people who are involved in the treatment of pedophilia and other similar disorders might be interested. I would hope that we would solicit information, advice, help and support from some expertise in other jurisdictions that have similarly scarlet-letter or notification legislation.

I would also hope that there would be some awareness, some consciousness of the fact, the tragic fact—we only deal with this after the fact—that somebody is a victim, a kid has been molested, or a woman has been raped, or a kid has been murdered, before we move on this.

We had better start thinking far more proactively about how we identify people who are at risk of this type

of behaviour—I'm not talking about the victims; I'm talking about perpetrators—because there's some evidence to indicate that the signs start to reveal themselves at relatively immature ages. So we'd better start talking about ways of really protecting kids, rather than simply dealing with the perpetrator after the fact. One hour, 24 hours, 44%, 91%: Those aren't very good odds for kids in our society.

The Acting Speaker (Ms. Andrea Horwath): Further debate?

There being no further debate, Mr. Bartolucci has moved second reading of Bill 16. Is it the pleasure of the House that the motion carries? Carried.

Second reading agreed to.

Hon. Rick Bartolucci: I ask that the bill be referred to the standing committee on justice policy.

The Acting Speaker (Ms. Andrea Horwath): So referred.

Hon. Rick Bartolucci: I move adjournment of the House.

The Acting Speaker (Ms. Andrea Horwath): Is it the pleasure of the House that the motion carry?

The motion having carried, this House now stands adjourned until 10 o'clock, Thursday, April 3.

The House adjourned at 1703.

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McMeekin, Hon. / L'hon. Ted (L)	Ancaster–Dundas– Flamborough–Westdale	Minister of Government and Consumer Services / ministre des Services gouvernementaux et des Services aux consommateurs
McNeely, Phil (L)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (L)	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (ND)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (L)	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Mitchell, Carol (L)	Huron–Bruce	
Moridi, Reza (L)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (L)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (L)	Sault Ste. Marie	

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Pendergast, Leeanna (L)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (L)	Elgin–Middlesex–London	Speaker / Président
Phillips, Hon. / L'hon. Gerry (L)	Scarborough–Agincourt	Minister of Energy / ministre de l'Énergie
Prue, Michael (ND)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (L)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (L)	London–Fanshawe	
Ramsay, David (L)	Timiskaming–Cochrane	
Rinaldi, Lou (L)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader of the Official Opposition, Opposition House leader / Chef de l'opposition officielle, leader parlementaire de l'opposition
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph	
Savoline, Joyce (PC)	Burlington	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Mario (L)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (L)	Nipissing	Minister of Revenue / ministre du Revenu
Smitherman, Hon. / L'hon. George (L)	Toronto Centre / Toronto-Centre	Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Sorbara, Greg (L)	Vaughan	
Sousa, Charles (L)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (ND)	Toronto–Danforth	
Takhar, Hon. / L'hon. Harinder S. (L)	Mississauga–Erindale	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Van Bommel, Maria (L)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (L)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (L)	Perth–Wellington	Minister of Research and Innovation / ministre de la Recherche et de l'Innovation
Wilson, Jim (PC)	Simcoe–Grey	Second Deputy Chair of the committee of the whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (L)	Don Valley West / Don Valley-Ouest	Minister of Education / ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (L)	Willowdale	

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