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**Official Report  
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**Journal  
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(Hansard)**

**Tuesday 17 February 2009**

**Mardi 17 février 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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## LEGISLATIVE ASSEMBLY OF Ontario

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Tuesday 17 February 2009

Mardi 17 février 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the Hindu prayer.

*Prayers.*

## ORDERS OF THE DAY

REGULATED HEALTH PROFESSIONS  
AMENDMENT ACT, 2009LOI DE 2009 MODIFIANT LA LOI  
SUR LES PROFESSIONS DE LA SANTÉ  
RÉGLEMENTÉES

Ms. Smith, on behalf of Mr. Caplan, moved second reading of the following bill:

Bill 141, An Act to amend the Regulated Health Professions Act, 1991 / Projet de loi 141, Loi modifiant la Loi de 1991 sur les professions de la santé réglementées.

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. Monique M. Smith:** Mr. Speaker, I'm sharing all of my time with the member from Scarborough-Rouge River this morning.

**Mr. Bas Balkissoon:** I'm pleased to speak on Bill 141, the Regulated Health Professions Amendment Act, 2009. This bill would amend the Regulated Health Professions Act, 1991, to give colleges the authority to make regulations providing for the direct observation of a member in his or her practice, including the direct observation by inspectors of procedures performed by a member on a patient during a college inspection or examination.

The amendment supports the government's commitment to improve patient safety and quality of health care services in Ontario by providing the College of Physicians and Surgeons of Ontario and all of the other health regulatory colleges in the province with the tools they need to conduct comprehensive facility inspections that support their mandate to protect the public.

This amendment to the RHPA was introduced late last year. It would, if passed, strengthen the safety and quality of care provided by all regulated health professionals in this province. It would provide all health regulatory colleges with the tools they need to support their mandate to protect the public. Colleges would be given the authority to conduct comprehensive inspections of places where health care services are provided.

This amendment was necessitated due to a number of unacceptable situations that arose in 2007. You will recall that there were incidents of substandard cosmetic surgery provided by physicians. The risk to the public's safety made this an urgent priority of our government.

In November 2007, the College of Physicians and Surgeons established a multi-pronged plan for responding to these incidents, including regulating the practice of high-risk procedures such as cosmetic surgery. I'd like to acknowledge and thank our partner, the College of Physicians and Surgeons of Ontario, for its leadership in this important matter.

Health regulatory colleges need the authority to directly observe regulated health professionals in practice, including directly observing them performing procedures on patients to ensure the quality and safety of facilities and equipment they use and provide in such services. The best time to do so is during an inspection of the place where a regulated health professional practises. This would enhance the ability of the colleges to adequately inspect places where unsafe health care services could be provided.

The McGuinty government is committed to enhancing patient safety and the quality of care provided by health care professionals. That's why we've moved on a number of fronts. In July 2008, an amended regulation of the Public Hospitals Act was enacted to require hospitals to disclose to patients and their families any critical event which resulted in serious injury or death. In September 2008, we started full public hearings on eight patient-safety indicators, including C. difficile, as part of a comprehensive plan to create an unprecedented level of transparency in Ontario's hospitals. This is but the latest in a series of initiatives designed to protect Ontario patients.

I would urge all members of this Legislature to support Bill 141, as we improve public safety in the health care system.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Norm Miller:** I'd just like to comment that it seems unusual that with all the job losses going on around this province, hundreds of thousands of manufacturing jobs and a huge economic crisis, the first piece of legislation the government sees fit to bring in is one to do with cosmetic surgery. I just question the priorities of this government when we have such a major crisis that is going on in the province of Ontario. We wait for them to take some real action to deal with this economic crisis that the province finds itself in. We wonder when the

government's going to be bringing its budget in and we wonder when this government—when Mr. McGuinty—is going to actually develop a plan to deal with this economic crisis, because so far it seems like he just reacts to things and is governing by polls instead of actually dealing with the crisis that we find ourselves in.

I'm surprised to see that this is the priority for this government and I wonder when they're going to actually deal with the crisis we find ourselves in.

**The Acting Speaker (Mr. Ted Arnott):** Thank you. Questions and comments?

**Mr. Rosario Marchese:** I just wanted to say that I will be supporting this amendment. It's a small amendment. It's typical of what Liberals do on a regular basis; they introduce little regulatory changes and never go the full length of what needs to be done by way of regulation.

Cosmetic surgery has been an issue for quite a long time. There are a whole lot of people who want to be able to have cosmetic surgery, and I find it regrettable, quite frankly, that so many feel that somehow they are not quite as beautiful as they are and they need corrective surgery.

**0910**

The problem is, it's done by people who shouldn't be doing it. We need strong regulation in order to be able to do it. The scope of observation is tied to the facility rather than the procedural physician. This is a good regulatory practice here. At least it will allow people to go in and observe not just the facility but the practice, and that's going in the right direction. God bless. Hopefully, some lives may be saved in the process.

But we've got to go a little further than that. We've got to do what other provinces are doing—recognizing the importance of extensive monitoring. In some of these provinces, like British Columbia and Alberta, all surgeons and the surgical facilities they operate in must be licensed for each procedure they perform. That's the way it should be.

We do these little regulatory changes that make it very difficult for us not to support. Why wouldn't we be supporting these changes that could lead to better observation and better regulatory changes? But we've got to do much more than that.

We hope the government will bring this package down the line—who knows when?—but that is at least my expectation.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Mike Colle:** The importance of this change is essentially that the general public doesn't have the expertise or the time to ensure that regulated health professionals, the people who provide health care services right across this province on a 24/7 basis—that there is a safety mechanism to ensure that these practitioners of health, who have the health and safety of Ontarians in their hands, are supervised by their supervisory bodies, the regulatory bodies, to make sure they're doing the right thing and that if there are improper undertakings

there is a mechanism to ensure they are checked and the public is protected.

This is not a stand-alone piece of regulatory change. It goes along with all the regulatory changes and all the changes in the health care system that we've undertaken. This is one piece of it. It's something that professionals in the field and safety advocates have said is needed. The public asks government to protect them.

It's always after the fact, when an unfortunate situation occurs, that people then come clamouring and saying, "Why wasn't that changed?" So the government has responded to these health professionals who are saying, "This is something we could use to ensure the public is safeguarded," that there are mechanisms in place to ensure that these practitioners are doing things according to the best rules and best practice available. That's what this change is about. It is something that protects the public, and the public expects government to do, because the public needs to work in partnership with the government to ensure that their health and safety is protected.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Randy Hillier:** I see, after our nice little holiday, not much has changed. The government priority is still right where it was where we left off. Here we are, facing such huge economic challenges, and here is the government priority once again.

I just have to comment on what we've heard recently in the papers from our esteemed Premier. He mentioned a couple of weeks ago, during his parade of interviews, that Ontario has half a million provincial laws and regulations and that this was choking off prosperity in this province—half a million. I guess today it's going to be half a million and one. They're just going to be increasing, increasing.

Now of course, the Premier said his job was going to be to reduce and eliminate these unproductive, counter-productive pieces of regulations—and Bill 141 comes in. We've heard the Premier, on many occasions, talk about promises. A couple of weeks ago, we heard promises that we were going to reduce regulatory burdens. What do we get the first day back? He hasn't even gotten in the House yet and the promises are being broken.

This Bill 141—surely everybody on the Liberal side of this House understands that we do have some priorities and we do have responsibilities to the people of this province, and it's not to be chasing our tails all the time over insignificant, incremental regulatory creep.

**The Acting Speaker (Mr. Ted Arnott):** The member for Scarborough–Rouge River has two minutes to respond.

**Mr. Bas Balkissoon:** I just want to thank the members from Parry Sound–Muskoka, Trinity–Spadina, Eglinton–Lawrence and Lanark–Frontenac–Lennox and Addington for their comments.

What took place in 2007, where we had patient safety situations occur, was really unfortunate. The College of Physicians and Surgeons of Ontario approached the government as a result of those incidents, requiring that we

do something to assist them in the regulations process. That's what we're doing today. The government is responding to the college. We're responding as quickly as we can to strengthen the regulatory process within the college for patient safety. I would urge all members to support this bill. Let it have easy passage quickly into legislation. We look after patient safety, which is the number one priority of the government.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Norm Miller:** I move adjournment of the debate.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading debate adjourned.*

**The Acting Speaker (Mr. Ted Arnott):** Orders of the day?

**Hon. Monique M. Smith:** There's no more business this morning.

**The Acting Speaker (Mr. Ted Arnott):** The government having no more business this morning, the House is therefore recessed until 10:30 this morning.

*The House recessed from 0918 to 1030.*

#### USE OF PAPER IN THE HOUSE

**The Speaker (Hon. Steve Peters):** Good morning, members. Welcome back as we begin this new session. I have a brief statement I'd like to deliver.

Since becoming Speaker, I've heard from quite a few members about the number of paper documents that each of us receives every day. In this electronic age, many members and their staffs are quite comfortable using their computers to get information and do not need hard copies.

Of course, I have no jurisdiction over the reports and other documents sent to you by various ministries or by agencies, boards and commissions of the government, and from a range of other sources. The documents of the Legislative Assembly, however, are within my jurisdiction. Therefore, in response to concerns by many members and in the interest of further reducing the assembly's environmental footprint and more wisely using resources, I've taken steps to reduce the amount of paper documents distributed each day the House meets.

Up to now, all members have had a set of binders under their desks. Each day, the Hansard and copies of bills have been inserted. I have had all these binders removed and have arranged for copies of all bills and Hansards to be made available on demand by simply requesting them from the table. This step alone will significantly reduce the amount of paper consumed by this assembly without affecting access to the documents, which are also available on the assembly website. In fact, they are routinely available there long before the printed versions are delivered. However, should you personally wish to retain hard copies of bills and Hansards at your desk, please mention this to the table and this will be done for you.

It seems to me that more than ever it is incumbent on us to be careful stewards of our resources and our bud-

gets. Every bit of printed material we can cut out of our daily lives will lessen the environmental footprint of the assembly and make a difference in many ways.

I wish to thank members for their comments to me about this issue and for your ongoing support for other environmental programs already under way here at the assembly. I look forward to your co-operation in this initiative and invite your ideas on ways that we can do even more in the future. Thank you.

**Mr. Peter Kormos:** I seek unanimous consent for the Speaker to be given an opportunity to comment on the recent Blizzard column which spoke of him in the superlative.

**The Speaker (Hon. Steve Peters):** The member seeks unanimous consent. I'm afraid I heard a no.

#### PREMIER'S ATTENDANCE

**Mr. Robert W. Runciman:** On a point of order, Speaker: With the exception of the York University legislation, this House hasn't been in session since December 11. Last month we saw 70,000 jobs lost in Ontario. Can we not expect the Premier to be here for question period?

**The Speaker (Hon. Steve Peters):** The Minister of Finance on the same point of order.

**Hon. Dwight Duncan:** The Premier is with the Prime Minister about to launch a major infrastructure initiative that will create a number of jobs in Ontario.

**The Speaker (Hon. Steve Peters):** It's time for oral questions. The leader of Her Majesty's loyal opposition.

#### ORAL QUESTIONS

##### ONTARIO ECONOMY

**Mr. Robert W. Runciman:** Thank you, Speaker. In that event, my question will have to go to the Minister of Finance.

Minister, in the last few weeks, Mr. McGuinty has been all over the map in terms of how your government will meet the province's financial challenges. You even had to be sent out to calm the waters after he suggested bringing back Rae days for the public service. Now we're told that you are delaying your budget past the dates you suggested it was going to be tabled. Minister, is this just another indication that your leader, Mr. McGuinty, is out of his depth, that his erratic behaviour is paralyzing this government?

**Hon. Dwight Duncan:** Our government, after the election, laid out a plan that began to address what was already occurring in the economy in terms of challenges to the manufacturing and forestry sectors. We built on that in our March 2008 budget, creating more than 1.5% of GDP in stimulus through infrastructure and tax cuts. We updated that in our fall economic statement. Subsequent to that, we've provided up to \$1.4 billion in assist-

ance to the automotive sector, which hopefully will see resolution soon.

There are enormous challenges that have emerged in the economy, particularly since October, and I think it's quite fair and appropriate that the Premier of Ontario take in a range of views and look carefully at all kinds of alternatives to help Ontario weather this global economic crisis.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** The behaviour of Mr. McGuinty is certainly raising eyebrows. He has more positions than a Kama Sutra enthusiast. People in this province—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Order.

Please continue.

**Mr. Robert W. Runciman:** People in this province should have confidence in the guy steering the ship. But when one day he says his five-point economic plan is the greatest thing since sliced bread and a few weeks later he suggests it's virtually irrelevant; when he says in October that we need an emergency debate on the economy and four months later it's just sitting on the order paper not being debated, not being voted on, I think the Premier's musings generate legitimate concerns. This is not just an economic crisis; it's becoming a crisis of leadership. Why are you delaying the budget?

**Hon. Dwight Duncan:** We certainly don't want to make light of the circumstances at this time, particularly today when the state of California is on the verge of bankruptcy; when we will hear back, in the US, on the automotive sector. What I can say is this: When we proposed \$4.9 billion in infrastructure investment, that member voted against it. I will remind you, sir, that \$7 billion in infrastructure investment is in the ground, under way in Ontario as a result of this government's budget. When we proposed significant tax relief that flowed to companies last July to help those sectors that were most challenged, those companies both making money and not making money, that member and his party voted against it.

This is no time for jokes. We are in the midst of a global crisis. It's affecting every country in the world. We've laid out a plan. We've shown leadership—

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

**Mr. Robert W. Runciman:** Well, 70,000 Ontario jobs lost last month; 136,000 lost since November; bankruptcies up 50%. The minister says he doesn't want to make light of the situation. Well, what are we debating in the Legislature this week? Cosmetic surgery? Young offender housing? Does that suggest a government and a Premier who know what they're doing? I say no. This is a government adrift, with a Premier unable to provide leadership in these challenging times. I ask the minister, will he commit to bringing in a budget no later than the first week of March, as he promised earlier, a budget that will include a comprehensive and realistic economic plan?

**Hon. Dwight Duncan:** We laid out a comprehensive plan in March of 2008. We updated it in the fall of 2008. I'll remind you that when his party was out talking about balanced budgets for the next four years, this government, this Premier, were the first to acknowledge the enormous challenge in the world economy being faced right here in Ontario.

There is much to do. We will table a budget in the last two weeks of March. We are preparing for every circumstance. Today that party put out their fourth plan in five months that says nothing, does nothing—

**Hon. George Smitherman:** Talk about erratic.

**Hon. Dwight Duncan:** —and talk about erratic.

Premier McGuinty and his government will continue to build on the initiatives we've laid out in the last year and a half to help Ontario through this global crisis.

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#### ONTARIO BUDGET

**Mr. Tim Hudak:** In the absence of the Premier, to the Minister of Finance—

**The Speaker (Hon. Steve Peters):** I'd just remind the honourable member that we don't make reference to the attendance of members.

**Mr. Tim Hudak:** As you'll recall, the Premier wanted the finance committee to hold pre-budget consultations, for the first time in memory, before Christmas. Particularly in a time of growing economic crisis, a government that completed its pre-budget hearings more than two months ago should be ready with a budget and a plan today.

The federal government unveiled its budget almost a month ago. You would think the Ontario government would follow suit. Instead, Premier McGuinty seems absolutely paralyzed by indecision.

Why did you jam the pre-budget consultations in the week before Christmas if you had no intention to act now?

**Hon. Dwight Duncan:** The member voted against having travelling pre-budget consultations. They've now laid out four plans in five months with respect to the economy.

Our members and I have conducted hundreds of sessions around the province. We have met with business leaders, labour leaders. We have met with a variety of sources both inside Ontario and outside of Ontario.

The member is right, the federal government did have a federal budget—absolutely. That was after a rather dismal fall statement, I might add. I don't think I'd want to do what happened up there.

We laid out a fall statement that updated and invested more in infrastructure. We will lay out a budget in the last two weeks of March that builds on those initiatives, recognizing the enormous challenge in the global economy today. Ontario will not only deal with the short term, we'll deal with long-term competitiveness in a way that member and his party aren't prepared to do.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Tim Hudak:** The minister says that they talked to everybody and his brother—I guess as long as they don't stand anywhere near five feet of the Premier.

I say to the minister, it is time for action. It's awfully difficult for working families and businesses to know where the Premier is coming from these days. They worry about paying their mortgages, they worry about keeping their jobs, and they see no leadership in the Premier's office. One day he sounds like the ghost of Bob Rae, musing about a return to Rae days; the next he talks about cutting taxes and rolling back red tape to spur job creation, just like John Tory and the PC caucus have been calling for for some time; then he sounds like a New Age guru talking about something called "the creative economy" that he happened to read about the night before.

Minister, at this time of economic crisis, Ontario needs a strong leader in the Premier's office. Enough of his musings: It's time for action. Will your government call an early budget to finally spur job creation in the province of Ontario?

**Hon. Dwight Duncan:** The people of Ontario put a strong leader into the Premier's office in October 2007. They rejected a blind, right-wing ideology that would sacrifice the public interest to the private interest, and instead accepted a Premier and a government that has a plan and has laid out a plan over the last year that builds on infrastructure, builds on tax relief in targeted ways to help stimulate our economy through what all acknowledge is the most challenging global crisis we have seen in generations.

There are no easy or glib answers, like the member opposite would have you believe. These are tough, difficult times. We have laid out a plan that has seen us this far. There is more to do. There's nobody better suited to lead this province than Dalton McGuinty and his government as we go through these difficult and challenging times.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** Minister, give me a break. You say there are no easy answers. Your Premier has no answers whatsoever. I believe, quite frankly, that the Premier has no clue whatsoever what to do about the growing economic crisis in this province. I hope, at the very least, that Dalton McGuinty finally understands that the same kind of outdated tax-and-spend policies that got us into this mess sure the heck aren't going to get us out of this mess.

Minister, on January 30 you said no to a harmonized sales tax, and just seven days later the Premier wants to give it a good, hard look. You wonder who's running the ship. Seventy thousand well-paying jobs have been lost in the meantime.

Minister, and to your Premier, let's end this policy paralysis and act before more jobs are lost. Bring forward that budget, and bring it forward immediately.

**Hon. Dwight Duncan:** We will bring the budget forward in the last two weeks of March, and, unlike the

member opposite, we'll bring it forward right here in the Legislature. And unlike the member and his party opposite, it will give a complete and true picture of the province's accounts.

These are difficult, enormously challenging times for every economy in the world. We saw the G7 meeting this weekend; we saw the enormous difficulties there. The plan we laid out last year, which invested \$7 billion in the ground in infrastructure this year, that member voted against. The \$1.5 billion in tax cuts that have flowed already out of \$3 billion approved, that member and his party voted against. He voted against having travelling public hearings on finance; we didn't.

Sir, there's more to do. We'll lay out a budget towards the end of March that deals with yet again and continues to build on the progress we have made—

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

#### AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** My question is to the Minister of Economic Development. The newspapers are labelling it "D-Day in Detroit" as General Motors and Chrysler prepare to meet the deadline the American government has imposed for auto sector restructuring. Here in Ontario, General Motors workers are wondering if any of their jobs are secure. The CAW leadership has suggested General Motors might leave the province altogether.

My question is this: Can the McGuinty government assure workers and communities that General Motors will continue to substantially operate in Ontario?

**Hon. Michael Bryant:** Well, this government is working very hard to make sure that is in fact the case. There have been discussions underway for months now between management and labour and government—United States, federal and provincial—in order to determine whether or not there is a viable plan in which it is in the taxpayers' interest to invest. The portion of our economy that involves auto manufacturing, parts and supplies, and distribution, not to mention the full supply chain, literally involves about half a million jobs. It is of such economic importance that the government is certainly doing everything it can to assure those workers and to assure the people of the many communities that are involved that we do have a healthy auto industry into the future.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Howard Hampton:** I'm not sure, if people in Oshawa or Windsor or St. Catharines were listening, that they would find any comfort in this minister's answer whatsoever.

Here is the reality: Tens of thousands of good jobs are at stake, and the McGuinty government's response all along has been, "Let it all be decided in Washington." Well, if it's all decided in Washington, what can happen is what the CAW leadership are already concerned about: that General Motors will simply close up shop here in

Ontario and tens of thousands of jobs, good jobs, will disappear. I want to ask the minister very specifically, what concrete steps has the McGuinty government taken to prevent this from happening?

**Hon. Michael Bryant:** Let's start with the fact that this government had an auto strategy that leveraged literally billions of dollars of investment and created thousands of jobs, and that member and that party voted against it. Fast-forward to the future, when in fact the government of Ontario and the Premier in particular were out front ahead of any leader indicating the need for government to provide assistance and provide jump-starts to the industry so that we can sustain an auto industry in the province of Ontario. That member was against it. One day the member is standing up, as he is today, for the Canadian Auto Workers, and the next day he doesn't have a nice thing to say about their leadership.

We will continue to work with the leadership of the CAW, with management and with other governments to ensure that we continue to have a vibrant auto industry in the province of Ontario.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Howard Hampton:** I asked for concrete steps and what I got was another barrage of the McGuinty government's failure. Maybe this minister didn't notice, but while you and the Premier were boasting about your auto plan, the truck plant in Oshawa closed and thousands of workers went out the door. While you and the Premier were boasting, the transmission plant in Windsor closed and thousands of workers went out the door, and thousands of other workers who were suppliers to those plants went out the door.

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We believe we need to have a thoughtful strategy for helping the auto sector, and waiting for all the decisions to be made in Washington is not it. We need an auto plan with product guarantees and job guarantees, and we need some specifics from the McGuinty government. What is the McGuinty government's plan, other than more blah, blah, blah?

**Hon. Michael Bryant:** Jobs, jobs, jobs is what has been created as a result of the investments. That's what's created, and as a result of the investments made by this government, we're going to try and sustain those jobs.

This is a member who would like, on one occasion, to oppose the investments in the auto industry and then, on the next occasion, stand up and change his mind. Then, when the Premier of Ontario is the first leader to stand up and say that assistance needs to be provided for the auto industry, this member is against it. Today, of course, he's in favour of it.

Concrete is investments—it leverages billions of dollars and more investments. It has created and retained jobs. Our goal is to continue to create jobs in the long term, to retain the jobs during this unprecedented contraction and to manage this issue as the Premier has, with leadership ahead of the other leaders into the future so that we can have that vibrant auto industry, which—

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

#### AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** To the Minister of Economic Development for the McGuinty government: What planet is the McGuinty government on? Manufacturing jobs are leaving Ontario at a faster rate than ever before. If you compare the manufacturing job loss in Ontario with what's happening in the United States on a per capita basis, it is far worse here in Ontario.

I want to quote Dave Cole, the head of the auto sector think tank—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Stop the clock. Please stand and withdraw.

**Hon. Rick Bartolucci:** I withdraw. Thank you.

**Mr. Howard Hampton:** Obviously, the McGuinty government doesn't want to hear about their sorry record in the loss of manufacturing jobs. I quote Dave Cole from the Center for Automotive Research: "Both Chrysler and GM are going to try to show a pretty comprehensive plan going forward that will put the company in the size that it needs to be to compete over the long term, and that could put some Canadian facilities at risk beyond what was already announced..."

I ask again: What's the McGuinty government done to ensure this doesn't happen?

**Hon. Michael Bryant:** Firstly, the member is wrong, and he knows that he's wrong, when he says that in fact what is taking place in Canada is somehow worse than what is taking place in the United States. That is complete nonsense. In fact, right now as we speak, the financial sector has been ranked number one by a number of—including the world economic council. We have a situation right now that, thanks to the investments made by this government in advance of the recession—not in the belly of the recession, as this member suddenly found interest in these investments, but in advance of the recession—to create literally thousands and thousands of jobs and leverage billions of dollars of investment. This government has been providing those jump-starts to allow those companies to be in the position that they are in today. That's why the CAW leadership has said from day one, for the last five years, that without this government's support, GM and Chrysler would be in a far, far, far worse position.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Howard Hampton:** The McGuinty government would have us believe that General Motors closing their truck plant in Oshawa and putting thousands of workers on the street is somehow good news, that General Motors closing the transmission plant in Windsor and putting thousands of auto workers on the street is somehow good news. I've got news for the McGuinty government: This is not achievement that anybody would boast about.

But I want to ask again about something that is happening here and now. Our tool suppliers and mould-

makers are warning that they stand to lose as much as \$1.5 billion worth of business, and these losses will translate into the loss of tens of thousands of more good jobs.

Again, I ask the McGuinty government: We know your sorry record over the last couple of years. What concrete steps are you taking now to ensure this doesn't happen? Or is it simply more blah, blah, blah?

**Hon. Michael Bryant:** I'm reminded of the member's complete lack of support when in fact the investments were made in the auto sector. I'm also reminded of what the member said of the CAW leadership whom he pretends to support today. He said, "We could blow our brains out trying to talk to these guys. It's not worth it." That was the member's approach to the CAW then; today it's very different.

The member has acknowledged the billions of dollars of investments that have been made by this government on behalf of taxpayers to leverage billions more, to create jobs, to retain jobs.

What are we doing? We stepped forward first to work with management and labour to put together a system that will allow these companies to transform, while at the same time trying to avoid the enormous chaos that would result in the event that the government did not step forward. That has meant that the government is in a position to provide—

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

**Mr. Howard Hampton:** Again, I want to set the record straight. What the McGuinty government said was that you were going to wait for Washington to work it out. In fact, this minister went to Washington and couldn't even get anybody to meet with him. It was like a comedy sideshow.

Here is the reality: If General Motors makes major cuts in assembly operations, it will cause a disastrous domino effect. We simply can't allow that to happen. We need a made-in-Ontario, made-for-Ontario, auto plan now that includes product guarantees and job guarantees, and I can tell the minister that tens of thousands of workers and dozens of communities are wondering where it is.

What's it going to be? More recitation of things that haven't worked, by the McGuinty government? Or are we going to see an auto plan that is made in Ontario, for Ontario, and are we going to see it now?

**Hon. Michael Bryant:** I know the member is aware that this government has had an auto plan in place for the last five years. I know the member is aware that the Premier was the first leader of any national or sub-national jurisdiction to stand up and say that obviously the government is going to need to step forward and provide assistance. We were in fact there and working with the auto industry even before any of that was taking place in Washington, DC.

As a result of that and as a result of the relationship that has been established between labour leadership, management leadership and this government, we are on a footing that will allow us—in the event that a viable plan

is put in place that will allow us to make those investments to assist the industry—to continue to have a viable auto industry in the province of Ontario, something that the New Democrats have been against for the last five years.

## ONTARIO LOTTERY AND GAMING CORP.

**Mr. Frank Klees:** To the Minister of Infrastructure: The Ontario Lottery and Gaming Corp. has been allowed to preside over the defrauding of Ontario consumers to the tune of some \$200 million, and this government has done nothing.

Since André Marin's report confirming that there was widespread fraud in Ontario's lottery system, we have heard nothing from Dalton McGuinty, we have heard nothing from the minister responsible for the OLG: no firings, no resignations, no direction for further criminal investigations.

I'd like to ask the minister this: After years of the opposition calling for an investigation, for a committee of the Legislature to look into the scandal at the OLG, why have we not heard from the minister responsible, and what steps is the minister going to take to restore confidence in Ontario's lottery system?

**Hon. George Smitherman:** I think that the matter at hand is one that bears some illumination because the honourable member, I think, has misinterpreted a few things.

Firstly, the report that the honourable member quotes is a report that the lottery corporation itself commissioned, and it goes back 13 years.

Secondly, in the senior leadership roles at the Ontario Lottery and Gaming Corp., eight of the 10 senior managers are new, which does speak to a cleaning house with respect to the leadership that's provided there.

On the matter most recently in the news, I did have the opportunity to address this subject with the media in a scrum in Niagara Falls, where I clearly stated the necessity of continuing to move forward with initiatives that make these games more reliable and safer for consumers. The consumer has an important role to play in signing their tickets. By way of supplementary, I'll be addressing other helpful steps.

**The Speaker (Hon. Steve Peters):** Supplementary?

1100

**Mr. Frank Klees:** So what we hear from the minister is that cleaning house simply means that you allow people whose fingers were all over the corruption in this crown agency are simply allowed to leave. My question to the minister is, who is he holding responsible? Who is being held accountable? What are the consequences of this fraudulent activity taking place in a multi-billion dollar crown agency? Is that this government's idea of holding people accountable, just simply hiding behind the Ombudsman of this province?

He, as minister responsible for this crown agency, should take responsibility and, by holding people ac-

countable, demonstrate to the people of this province that they can have confidence. Will he agree to do that?

**Hon. George Smitherman:** We should hold him accountable because he was part of a government that the Deloitte report indicated was there while these practices were ongoing.

So what has happened? The Ombudsman, among others, has called questionable practices into account. Accordingly, the leadership—new leadership—at the Ontario Lottery and Gaming Corp. has moved forward to hire Deloitte to take a look, 13 years retrospectively, at the work that has gone on there. They've taken those findings and they have provided those to the Ontario Provincial Police so that if they do see a pattern there that warrants moving forward in a criminal context, then that vehicle is available.

The honourable member asks what has been done. Reports have been issued; Deloitte has been hired, and they're looking back 13 years. We're going to continue to get to the bottom of the matter through these sorts of examinations. He wants to know, what is the price that's been paid? Who has been held accountable? Eight of 10—

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

#### MANUFACTURING JOBS

**Mr. Paul Miller:** My question is to the Minister of Economic Development. Minister, January's jobs numbers from Stats Canada show a collapsing job market, with 71,000 jobs lost in November, 36,000 of those in the manufacturing sector alone. Unless the Ontario government takes bold action now, hundreds of thousands more Ontarians will lose their jobs in the coming months—action like the Buy Ontario program, which would require 50% of the value of all transit equipment purchased in Ontario to be manufactured in Ontario. Will this minister include an aggressive Buy Ontario plan in the coming March budget or is he going to continue to sit on his hands and let Ontario's economy collapse?

**Hon. Michael Bryant:** I'm sure the member is aware of the facts, which involve for example the Move Ontario 2020 plan that will bring, it is estimated, 150,000 jobs to the province of Ontario.

I don't know if the member is standing up and advocating for protectionism; if he is, I disagree with him. The government's approach has been primarily to invest directly in businesses and obviously, in turn, in businesses and workers. We jump in. We assist those companies to jump-start them so that they can jump ahead of their competitors during the time in which the consolidation battles are taking place around the world. By doing that, just in the last year through the Next Generation of Jobs Fund, we have leveraged almost \$1.5 billion of investments and retained or created thousands of jobs. That is this government's strategy: to invest in this success and innovation so as to create more jobs.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Paul Miller:** I for one can't wait until 2020. On Friday, Stats Canada reported that Ontario manufacturing sales declined 9.2% to \$20.3 billion. This was the largest decline in Ontario's manufacturing history. Nothing short of a massive provincial stimulus program will prevent Ontario's economic recession from snowballing into something much, much worse. The NDP's five-point job plan detailed exactly what should be done.

Will the March budget include a job stimulus plan containing an aggressive Buy Ontario and a massive infrastructure program, or are hundreds of thousands more jobs going to disappear before this government takes action?

**Hon. Michael Bryant:** As I said before, this government created what this member would call stimulus programs. This government has been injecting massive stimulus, massive investments in businesses, and we didn't wait until a recession to do so. In fact, these investments were made before the recession took place. As a result of that, there have been literally, in the last year, over \$1.5 billion of growth and investment by these companies and the retention or creation of literally thousands of jobs. It's thanks to the innovation and ingenuity of these businesses, partnering with the government of Ontario, that in fact we do find there are opportunities—opportunities that, for these companies, are success stories in a time of enormous turbulence and enormous grim news, I recognize, but they are success stories nonetheless.

#### STUDENT ASSISTANCE

**Mrs. Laura Albanese:** My question is for the Minister of Training, Colleges and Universities. Minister, for 12 weeks, approximately 50,000 students at York University were shut out of classes due to a labour dispute. Many students and families in my community were affected by the strike, and I heard from many of my constituents who were frustrated and angry that the two sides could not come to an agreement.

Students returned to the classroom February 2, and since then have been busy catching up on their reading and assignments. Similar to the previous strike at York, the semester has been extended by four weeks in order to make up for lost time. This is good news for the students, who are eager to finish their courses without compromising the academic integrity of their studies, but it poses challenges for students who are now incurring additional costs.

Minister, the government is coming forward to extend payments to students receiving financial aid. Could you please elaborate on the action being taken?

**Hon. John Milloy:** I thank the honourable member for her question, and I think all members are pleased to know that students returned to York University to resume their classes on Monday, February 2.

As the honourable member mentioned in her question to me, the semester has been extended by the university until June 2 so that students are able to complete the re-

quired curriculum for their courses. Certainly the government recognizes that for many students there will be an increased financial burden in this extension. That's why the government will be extending payments to students receiving aid through OSAP to cover additional expenses for the longer study period. We estimate that about 13,000 York students will benefit from this OSAP extension. About 5,300 of these students will not be required to repay this assistance, as they will qualify for an Ontario student opportunity grant.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Laura Albanese:** Thank you, Minister. York will be extending the semester so that all students will be able to finish their year, but this means an additional four weeks of study time. For many students, this, as you mentioned yourself, is a large burden. They will have to pay for extra living expenses, and this limits the amount of time they have to work in the summer to pay for next year's tuition.

Recently, York announced that students are able to drop a fall course or a full-year course and transfer those tuition fees to upcoming courses. This is something the student body was urging the university to do to help compensate students, and I am pleased to see that they were successful in getting it, but this is only one piece of the puzzle for the York students. Minister, what else can be done to help lessen the burden for students during that four-week extension?

**Hon. John Milloy:** As I mentioned, the government will be extending OSAP for eligible students, similar to what happened during the strike in 2000-01. I also would like to point out to the member that York University recently announced a \$5-million bursary fund, which is available to those students who will need help due to the extension of the academic year. Students can also apply to the fund next year if they need additional financial assistance due to the shortened summer work period. Students will be allowed to drop a course and transfer those tuition fees to next year, as the honourable member mentioned. Also, York will be extending housing in residence at no extra cost. Finally, the federal government also announced that they would be extending the Canada student loan for eligible students.

There's no doubt that the strike at York has been difficult for all students, but I'm confident that, with this package of financial aid, students will be able to complete their studies.

## HEALTH CARE

**Mrs. Elizabeth Witmer:** My question is for the Minister of Health. Last year, on April 11, 2008, Mr. McGuinty promised, "I will not cut public services that Ontarians count on," yet every day we hear about that promise being broken as we learn of nurses being fired, hospital beds being closed, and ERs being turned into urgent care centres.

As you know, Minister, hospitals are in the midst of preparing for 2009-10. Mr. McGuinty told them they

could expect an increase in operating funds of 2.1%. Will you confirm that hospitals will receive at least 2.1% in operating funding, despite the fact that costs are over 3%?

1110

**Hon. David Caplan:** I think it's important to put a couple of facts on the table. We've seen hospital funding increase almost one third. Over the course of the last five years, that's over 7.5% per year, in fact, in support of our hospitals. That's double, and in some cases triple, the rate of inflation.

I would point out as well, as my colleague the finance minister does, that this member voted against those funding increases for our hospitals. In fact, the member highlights on a go-forward basis—and I have indicated to our hospital partners that they should plan and that they should do their work on the basis of the budget outlook, which they have previously been provided.

Of course, it will be up to the finance minister, when he unveils the budget here in the House, to confirm in-year. I'm not in a position to be able to specifically identify what will be in the budget for the coming year, as the member well knows. But I know that, for example—

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

**Mrs. Elizabeth Witmer:** I'm shocked to hear the Minister of Health is not prepared to make a commitment to the hospitals. The reality is you have no plan for health care—you have never had a plan—and on a daily basis, whether it's the hospitals' long-term-care doctors or nurses, everybody is in suspended animation wondering what you're going to do now that your revenues are lower than you had anticipated in the days when you could merrily spend, spend, spend.

I say to you today, are you going to further jeopardize the health care system and cut more nurses—you've already now cut the hiring of the 9,000; you've postponed the hiring of the family health teams. Are you further going to jeopardize core health services?

**Hon. David Caplan:** I think it's important to remember that this member, when she was on this side of the House—she was a member of the government—cut 6,000 nursing positions. My colleagues in the third party cut 3,000.

The record of this government is quite different. So far, we've had over 10,000 nurses hired in the province of Ontario. When it comes to a commitment toward putting health resources into play, I'll compare the record of this government and this party to that member's any day of the week.

But in fact, it gets better. The avowed position of this member and her party is a further \$3-billion cut to health care services with the elimination of the Ontario health premium. I reject that approach; Ontarians reject that approach. We need enhanced support, which we have seen, in our hospitals; we need enhanced resources and personnel on the front lines, as we have committed to and as we are providing. The premise of the—

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

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr. Michael Prue:** My question is to the Minister of Children and Youth Services. Last November, I was asked to hand-deliver some 300 personal letters to Minister Matthews. They are part of a campaign called Disability Should Not Be a Poverty Life Sentence. To refresh her memory, I can quote a small segment of one letter from a Hamilton woman named Ann: "I am asking that ODSP rates be raised ... so that a single person may receive roughly the same amount as a senior living on OAS, and that the rates be fixed to inflation."

Why have the minister and her office not seen fit to answer even one of these 300 letters?

**Hon. Deborah Matthews:** Of course I am committed to ensuring that people with disabilities have the ability to fully participate in the economic fabric of our communities. That's why we've made significant changes to ODSP, so that people on ODSP who are capable of earning at least some income now keep much more of what they're able to earn than they were under the previous government.

We've made other changes to ODSP that are all about encouraging them to be in employment and to participate in our community. We will continue to make those changes. We are very committed to reducing poverty for all Ontarians, and people with disabilities are very much part of that.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Michael Prue:** I listened to the minister and not once did she say that she or her office even attempted to answer these 300 letters. It saddens me to think that for three months, this government cannot be bothered to respond to 300 Ontarians with disabilities who took the time to write.

As one of those writers from Richmond Hill wrote, "People with disabilities require sufficient income to live with respect and dignity—the current ODSP affords neither." Why does this government continue to keep our disabled community far below the poverty line, and more importantly, why won't these letters be answered?

**Hon. Deborah Matthews:** I will certainly investigate to see why those letters have not been answered. Certainly it is our practice in my office to answer our correspondence in a timely way, so I do undertake to look into that. I would very much like to refer this answer, though, to the Minister of Community and Social Services.

**The Speaker (Hon. Steve Peters):** New question.

#### TEACHERS' COLLECTIVE BARGAINING

**Mr. Bob Delaney:** My question is for the Minister of Education. Parents around the province, and especially in our western Mississauga communities of Streetsville, Meadowvale, Lisgar and Churchill Meadows, were

relieved to hear the news that the Elementary Teachers' Federation of Ontario and the Ontario Public School Boards' Association have decided to put students first and have accepted the ministry's final offer. As I understand it, the new \$700-million investment means fair salary increases, more preparation time, smaller class sizes, more grades 4 to 8 teachers, more time to do report cards, improved working conditions for occasional teachers and guaranteed enhancement to benefits. But some of my constituents have asked why it took so long to reach this agreement. What can the minister say to the parents who waited for this agreement to happen?

**Hon. Kathleen O. Wynne:** First of all, I'd like to say how pleased we are that ETFO and OPSBA have decided to accept this agreement and now can go to the local tables and begin to finalize those local agreements. Both parties deserve high praise for doing that.

We acted to head off potential province-wide labour disruption during a time of economic downturn. As you know, the conversation at the provincial level between ETFO and OPSBA broke down in December. The local discussions were not going smoothly. What was really important for me was that kids in our classrooms wouldn't have to deal with disruption because the adults couldn't come to an agreement. That's why we stepped in. We put a revised offer on the table and we were able to have both parties come to that agreement.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Bob Delaney:** A province-wide strike would have led to great hardship for parents who struggle to care for their kids in these very uncertain economic times. I was thinking about the threat of teachers' strikes the other day as I read an editorial in Saturday's Toronto Star. The editorial stated that Ontario presided over "a badly flawed, two-tier bargaining structure that makes it hard to negotiate meaningful trade-offs...."

"School boards are legally responsible for signing final contracts with their teachers' unions but—lacking tax powers—they don't have a large say in money issues dealt with at the" bargaining "table. That can make local bargaining exceedingly difficult ... the system would likely work better with Ontario-wide bargaining on all issues."

Minister, is our education labour process "badly flawed"?

**Hon. Kathleen O. Wynne:** First of all, I'd like to say that I am very proud of the relationships that this government has built with employee groups in the education sector. It's been a very strong relationship and because of that, more than a year ago, we were able to put in place a systematic process that, albeit informal, allowed every employee group and every employer in the education sector to come together and to work out a provincial framework. There was one of those conversations that didn't succeed but every other provincial framework was in place within the time period allotted.

There is no perfect bargaining process. What we are doing is building on processes that began when the party opposite changed the rules around provincial funding. So

what we've been doing is working at the provincial level, I believe, in the role of local school boards. I don't think that decisions can be made holus-bolus—

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

### HEALTH CARE

**Mr. Robert Bailey:** My question is for the Minister of Health. Minister, as you will know, recently the Erie St. Clair LHIN in my riding of Sarnia–Lambton initiated a review of the emergency departments in its LHIN. This report was made public a few weeks ago, and the community of Petrolia in Sarnia–Lambton was shocked to learn that these consultants, after spending less than two whole hours in Petrolia, have recommended the downgrading of the emergency department of CEE hospital in Petrolia to an urgent care ward. They have recommended this despite overwhelming evidence that the emergency department at the CEE hospital is an important part of the delivery of rural health care services in Lambton county.

1120

Minister, do you agree with taking away the emergency room designation at CEE hospital?

**Hon. David Caplan:** I think it's important to remember that local health integration networks are tasked with local health planning, and that's why they commissioned the Hay Group to look at all of the hospitals and what they should be able to do to find ways to make the system work better for the community that it serves.

I know for example that, as the member mentions, the report was put out for a period of consultation to be able to talk to community residents. This is rather unique to members of the Conservative Party, who issued no consultation and did no work with local communities when it came to configuring and changing the health care system.

I was really encouraged when Chatham–Kent mayor Randy Hope said, “We need to remember that all we have so far is a consultant's report. No decision has been taken by the health integration network. We have agreed that the best way forward is to get all parties together and hold an informed discussion. That's exactly what we're”—

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

**Mr. Robert Bailey:** Minister, the LHIN that was appointed by your government has caused a health care crisis in central Lambton county, and I would urge the members of the government party that coming soon to a LHIN near you is a study that will affect your rural hospitals. No one in my community trusts the LHIN to make a fair and honest decision about CEE hospital.

Recently, six doctors in Petrolia have said they will resign their hospital privileges as of June 30 if they don't have a positive response, unless the LHIN agrees to keep the emergency department open. Minister, will you assure the people of central Lambton county that CEE hospital will be able to keep its emergency room

designation and not put health care in central Lambton in—

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

**Hon. David Caplan:** I think it's important to remember the fact that this is out for consultation, that they are in the midst of it. I don't think it's incumbent to presuppose what the results of those discussions are going to be. I can tell you that it is, in my feeling, incumbent on all elected officials, community leaders and partners in our health care system to focus on how best to engage the public during the process.

I think it's important to point out to the member that our government has in fact supported, and will continue to support, the Bluewater Health system. Base funding, for example, for Bluewater Health has increased by \$15 million since 2003. That's an almost 16% increase. Should the member and his colleagues be able to make the kinds of changes to cut health care by \$3 billion in the province of Ontario, I shudder to think what effect that would have, not only on Bluewater—

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

### MINISTRY OF THE ATTORNEY GENERAL

**Mr. Peter Kormos:** My question is to the Attorney General. Where was the Attorney General while high-priced Bay Street law firms were running up a \$23.4-million tab in order to win a \$3.5-million lawsuit?

**Hon. Christopher Bentley:** Well, for the first several years I was still practising law in London, Ontario.

The fact of the matter is, that case cost too much and the government can do better, so we've already taken steps.

We started by reforming the civil justice system. Beginning January 1, 2010, there will be streamlined procedures for all types of cases, making justice more accessible and more affordable.

Secondly, where we do need to retain lawyers, we're doing it less with outside counsel; we're twinning our own counsel with any outside counsel that we retain; and there is a capping of fees wherever possible.

We've already taken the steps to deal with those issues.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Peter Kormos:** This has been a notorious lawsuit that's been written about and reported on in all the major media. The fact is that for the last five years it has been this government in charge of the office down on Bay Street, the Ministry of the Attorney General. It has been during their watch that there has been a total absence of oversight, of case management, of monitoring. Either the ministry and the minister were asleep at the switch, or he was simply all too comfortable letting his Bay Street friends bill at 850 bucks an hour.

**Hon. Christopher Bentley:** The reason we took the case back in-house from the private counsel was to make

sure that we could most effectively manage the costs, and we're taking those steps more frequently with cases than we ever did in the past.

There is a proceeding before the courts at the moment to recover the costs from the unsuccessful party in the litigation. So we are taking steps to recover the costs.

For future cases, I say to all that we retain outside lawyers less frequently; that where we do, we twin them with our own; and that where we have to retain outside counsel, we're taking whatever steps we can—

*Interjection.*

**Hon. Christopher Bentley:** —to make sure that the case that started under the Tories—and thanks for the heckle—doesn't get out of control as it did.

#### PUBLIC TRANSIT

**Mr. Kevin Daniel Flynn:** I've got a question today for the Minister of Energy and Infrastructure.

Minister, Ontario is facing some really tough economic challenges, and it's really important that every public dollar we spend is spent wisely and that it helps Ontario's families. Investments in public transit, especially, are very important. They're an important way to help stimulate the economy, they help the environment, and they help build the infrastructure that Ontario needs for the 21st century.

I understand the Premier and the Prime Minister made a very important announcement this morning in Etobicoke-Lakeshore. Minister, can you please let the House know what this announcement was?

**Hon. George Smitherman:** We heard people making some reference earlier today to the Premier, and I was very, very pleased to be able to tell members of the House that the Premier and the Prime Minister were participating today in an important capital infrastructure investment this time related to GO Transit.

*Interjection.*

**Hon. George Smitherman:** It builds, I say to the honourable member from Renfrew, on last week's announcement between the government of Canada and the government of Ontario, which saw us collectively investing \$671 million in 289 projects, leveraging total investments of \$1 billion. Today's announcement is to enhance the capability of the GO Transit system, with investment from both levels of government totalling about half a billion dollars and creating 5,000 jobs.

To quote the Premier, "More efficient, reliable, and sustainable commuter transit will also help the greater Toronto area attract and keep the jobs of the future."

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Kevin Daniel Flynn:** That's certainly wonderful news for the people of Oakville. It's the sort of investment that Ontario needs, and it's going to strengthen our economy. It's also only part of the overall plan that we have to expand public transit in the greater Golden Horseshoe area.

Minister, while Ontario needs these investments in public transit, it's also important for us to invest further

in other infrastructure and build Ontario's economic backbone, as well. It's going to help us emerge from this difficult economic situation as an even stronger province.

Minister, can you tell us your other plans for how you're going to continue to invest in Ontario's important public infrastructure?

**Hon. George Smitherman:** The Minister of Transportation will add further illumination today.

**Hon. James J. Bradley:** As part of the \$500-million announcement that was made by the Prime Minister and Premier today, we will know that we have thousands upon thousands of jobs which are going to be created as a result of this in Ajax, Aurora, Mount Pleasant, Bramalea, Centennial, Unionville, Cooksville, Erindale, Oakville, Markham, Pickering and Rouge Hill. In addition to that, the Hamilton Junction project, which is a \$75.5-million rail-to-rail grade separation project, will increase the reliability and improve GO train service. So we have an additional \$250 million in GO Transit improvements in addition to that.

You will see that what we are doing is building upon what we have already done in terms of expanding GO service, and we'll be doing even more while creating thousands upon thousands of jobs in this province—

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

#### GOVERNMENT REGULATIONS

**Mrs. Joyce Savoline:** To the Deputy Premier: Ted Kindos has been playing a sick game of who's on first and what's on second, as a result of this government's contradictory approach to tobacco versus marijuana smoke. Ted Kindos is the owner of Gator Ted's in Burlington and has been told by the Ontario Human Rights Commission that he must permit a patron to smoke marijuana on his premises, and yet another Ontario division, the Alcohol and Gaming Commission, has also told him he will be shut down if he allows this person to light up.

1130

Minister, can you tell us who is on first at Gator Ted's? Is it the AGC or the HRC, because "I don't know" is on third and Ted is in the batting cage right now.

**Hon. George Smitherman:** To the Minister of Government Services.

**Hon. Ted McMeekin:** Thank you very much for the question. I know Gator Ted. He runs an establishment in my hometown. He's a wonderful fellow who works very, very hard to try to make ends meet. He's caught between, sadly, a regulatory rock and a hard place. This government is determined to make sure that we find a way to support Ted Kindos and small business people like Ted Kindos. I can't comment on the human rights appeal, and I wouldn't want to, but I do want to provide this House with assurance that being caught between a regulatory rock and a hard place is something that this government

won't stand for, and we'll make sure that this is sorted out.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Joyce Savoline:** It was a year ago that I presented a private member's bill to avoid just this kind of situation, and your government shut it down. With all due respect, you and your government continue to make a mockery of our legislative system with bills that permit marijuana but ban tobacco smoke. In committee, your government gave the lame explanation that it was premature to ban marijuana with the same brush as tobacco. Gator Ted is a prime example of your incompetence, with your right hand never knowing what your left hand is doing.

It is a very simple question, Mr. Minister: Why should Gator Ted listen to anybody in this case? He's trying to run a successful business and your government rules are breaking that down.

**Hon. Ted McMeekin:** Simply put, municipal, provincial and federal laws simply didn't contemplate the scenario of somebody smoking marijuana on licensed premises. The Liquor Licence Act is clear with respect to controlled substances. That, obviously, is in conflict. We've been in touch with Health Canada, which has been offering us some advice. Again, I'm speaking quite independently of the human rights case. Those who need medical marijuana obviously to alleviate pain and discomfort—that is something that we understand and are sympathetic with. Health Canada advice to those who need medical marijuana is to use their discretion and avoid smoking marijuana in public places.

We'll get to the bottom of this and we'll do it in a way that protects small business people in the province of Ontario.

## TOURISM

**Mr. Paul Miller:** My question is to the Minister of Tourism. Last week, the minister released a \$4-million tourism report that took almost a year to produce. The good people in Haliburton do not need a report to tell them that the tourism sector is struggling. They've seen a number of resorts close: the Maple Sands Resort, the Lochaven Inn, the Birch Point Lodge, Cherokee Resort, and the list goes on. How does this government's \$4-million report assist Haliburton's battered tourism sector, and what are you going to do about it now?

**Hon. Monique M. Smith:** I'm delighted to have an opportunity to talk about the competitiveness study, which was released last Wednesday at the AGO. First off, I want to thank Greg Sorbara, the member for Vaughan, who did such an incredible job in his consultations across the province. As part of his consultations, he met with over 500 stakeholders and he held 13 regional meetings. We also retained experts and produced 13 studies that will help to inform our policy in tourism moving forward.

What he's done with his competitiveness report is to create a 10-year plan that outlines some great initiatives

and ideas for our tourism sector. We—the government—are very proud of this competitiveness study. It was requested by the industry and we responded through the budget last year in 2008. As part of the budget response, we also attached \$8 million to the study. Not all that money has been spent, but Mr. Sorbara has done an excellent job in providing a road map to move the industry forward.

## USE OF QUESTION PERIOD

**Mr. Jerry J. Ouellette:** On a point of order, Mr. Speaker: I would ask for a ruling to the question stated by the member for Oakville, which was answered by the Minister of Infrastructure and the supplementary answered by the Minister of Transportation. Under the current rules, there is a review of precedent that is set that no ministerial announcements should be made during question period. It appears that the GO Transit announcement was actually an announcement that was taking place in the Legislature. I would ask you to review on that.

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. George Smitherman:** I accept the point, to some extent, that the honourable member is making. At the time that this was raised in the Legislature it had long since passed its formal announcement made by the Prime Minister and the Premier in Etobicoke earlier this morning.

**The Speaker (Hon. Steve Peters):** I thank the honourable members for their interjections on this issue. I will undertake a review of the Hansard and look at the Hansard in relation to the announcement this morning and will report back to the House.

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** There was a point of order earlier and it made me forget to do something, and that was introduction of guests.

**Hon. Christopher Bentley:** In the gallery over here—the member for Thunder Bay—Atikokan has just left. He is there with his son and three guests. They're here, and I think they're playing in a hockey tournament, but I don't have all the details. I'm pretty sure that if I am allowed to think for just two seconds, the names are going to come to me, but if not, if I could pass this introduction—

**The Speaker (Hon. Steve Peters):** The member for Thunder Bay—Atikokan.

**Mr. Bill Mauro:** I thank everybody who had a hand in that delay. I would like to have the opportunity to introduce to the Legislature, visiting from the great riding of Thunder Bay—Atikokan, first of all my son Christian Mauro, and his buddies Ryan Gibson, Colin Brescassin and Paul Benvenuto. Thank you, Speaker. Thank you to the member for London West as well.

**The Speaker (Hon. Steve Peters):** This House stands recessed until 3 this afternoon.

*The House recessed from 1137 to 1500.*

ROYAL ASSENT  
SANCTION ROYALE

**The Speaker (Hon. Steve Peters):** I beg to inform the House that in the name of Her Majesty the Queen, Her Honour the Administrator has been pleased to assent to a certain bill.

**The Deputy Clerk (Mr. Todd Decker):** The following is the title of a bill to which Her Honour did assent:

Bill 145, An Act to resolve labour disputes between York University and Canadian Union of Public Employees, Local 3903 / Projet de loi 145, Loi visant à régler les conflits de travail entre l'Université York et la section locale 3903 du Syndicat canadien de la fonction publique.

INTRODUCTION OF VISITORS

**Mr. Yasir Naqvi:** It is my honour to introduce and welcome Rabbi Reuven Bulka, a spiritual force in our great city of Ottawa, and his wife, Leah Bulka, to Queen's Park. Welcome.

**Mr. Jim Brownell:** It gives me honour this afternoon to welcome a former student of mine, now a student at Algonquin College in Ottawa, taking the computer systems technician program: Kevin Cumming from Long Sault.

MEMBERS' STATEMENTS

HEALTH CARE

**Mrs. Joyce Savoline:** I rise in the House today to speak for the health care needs of the Burlington community. This morning, Minister Caplan stood in his place and said, "It's important to remember that local health integration networks are tasked with local health planning, and that's why they commissioned the Hay Group to look at all of the hospitals and what they should be able to do to find ways to make the system work better for the community that it serves." Well, I hate to be the one who bursts the minister's bubble, but his administration has taken the "local" out of LHINs. Hospitals and health care providers are having great difficulty getting the LHINs to take into account local issues, and that chain continues unbroken right into the minister's office.

LHINs, like the Ontario Public School Boards' Association, were created by this government to deflect criticism away from the minister's responsibilities. They are in fact the new scapegoats of the education and health ministers. It is clear, as Mr. McGuinty literally begins to distance himself from the press, that his government is incapable of operating an accountable and transparent administration for the benefit of all the taxpayers of

Ontario, and it always is the hard-working Ontarians who are left to suffer.

ONTARIO BUDGET

**Mr. Reza Moridi:** I rise here today to present to the Legislature the results of my prebudget consultation held throughout my riding of Richmond Hill. The democratic process is not limited to elections. We need to maintain an ongoing dialogue with our constituents. During December and January, several outreach initiatives were undertaken to encourage residents to participate in providing their thoughts and ideas for the upcoming provincial budget. The response from my constituents has been gratifying and I can say that, based on what my constituents have said, they understand the economic challenges that we are facing today.

The following questions were asked, and here are the responses:

Should the province consider going into a deficit for this budget? Fifty-six per cent answered yes; 35% said no.

In what area would you encourage the Minister of Finance to spend? Answers were infrastructure, health care, education and training.

What should be the provincial government's top three priorities for Richmond Hill? Answers were infrastructure, economic stimulus and health care.

Finally, I would like to thank my constituents for taking the time to provide me with their suggestions and insight. It is my belief that by involving the constituents we can move closer to meeting the needs of all Ontarians.

TERMINATION AND SEVERANCE  
PAYMENTS

**Mr. Norman W. Sterling:** Last Saturday morning I met with representatives from the recently severed Nortel employees group. These are highly skilled workers and professionals who, like many Ontarians, have lost their jobs. However, between when these workers were originally severed and when they were due to receive their severance payments, Nortel went into bankruptcy protection on January 14. As a result, these approximately 300 individuals who were expecting severance payments are now scrambling to figure out how to pay their bills and mortgages. To make matters worse, I understand that Nortel is not co-operating in providing records of employment, termination notices and other documentation these people need to apply for employment insurance or pension benefits.

I recognize that the bankruptcy laws come under the federal Parliament. However, the Minister of Labour has the power and must ensure that Nortel does provide information and documentation that these workers need as soon as possible. He must act on their behalf, and there is no reason for any delay.

## TEACHERS

**Mr. Rosario Marchese:** I was very pleased last week that the Elementary Teachers' Federation of Ontario and the government resolved their impasse, but the problems that the teachers have raised have not disappeared and will not disappear. They talk about problems in the field of special education. They talk about the problems of English as a second language. They talk about a lack of librarians, who are so critical in the learning of our students, young and old. They talk about the lack of physical education teachers as well.

While we know how many teacher-librarians we have, we sometimes don't know whether those few dollars that might be going to teacher-librarians are used for that purpose. While we know how many physical education teachers there are, we absolutely have no clue how much of our money is going for special ed and how many of our dollars are used for ESL. There is a complete lack of transparency, something Liberals talked about before 2003 and something we see very little of today.

They love to talk about the idea of having annual budget reviews of our educational system, and that promise is no longer there. Now more than ever, we need transparency about how our dollars are being spent. Our parents deserve to know, politicians deserve to know, and that's what I hope the government will move to some day.

## MARY WELSH

**Mr. Dave Levac:** On January 22 at Queen's Park, I was able to join many to observe the investiture of the Order of Ontario, in which a constituent from Brant, Ms. Mary Welsh of Brantford, was appointed and invested by the Lieutenant Governor, the Honourable David C. Onley.

As all of you are aware, the Order of Ontario is the province's highest official honour bestowed to an individual citizen in recognition of service of the greatest distinction and of singular excellence in any field of endeavour. Each year, approximately 25 individuals are invested, and Mary Welsh, who was recognized for nearly 40 years of dedication to numerous community and civic contributions, was one of the distinguished individuals bestowed with this award for this year.

Mary Welsh, who is still going strong, is a long-time resident of Brantford, a former educator, a former city councillor, a former trustee and former board chair, and an entrepreneur. She was the driving force behind the creation of the Brant Animal Aid Foundation and the Brant Waterways Foundation. Most recently, she founded the BCI and VS Alumni Association, established Save BCI, and was helpful in securing a \$23.9-million rebuild of BCI right on Brant Avenue. This year, she promoted a fundraiser for Brant Waterways that received \$30,000 for improvement and expansion of the adjacent water systems. This woman is amazing.

The award would not have been possible if it were not for the nominations of long-time contributors Paul

Emerson, Paul Randolph, former MP Jane Stewart, and Bonnie Blunt. We congratulate Mary on becoming an Order of Ontario recipient.

## PREMIER OF ONTARIO

**Mr. Ted Chudleigh:** I rise to talk about space. Mr. McGuinty wants five feet of space between himself and the Queen's Park reporters. They're quite a vicious group, I understand. I guess the heat of the recession is becoming too much to handle. Mr. McGuinty also seems to be putting a lot of space between himself and his responsibilities. He gives lip service to our reeling economy, but when it comes to getting results, there's only hot air. Ontario has so much potential, so much space to grow, yet the McGuinty Liberals keep cramming that space full of red tape and bans, stifling our creative entrepreneurial spirit.

When we wanted answers after a long break filled with scandals, boondoggles and more economic devastation, Mr. McGuinty found a way to put some serious space between himself and the Legislature: about 50 kilometres' worth of space, in fact.

## 1510

It's no wonder that Mr. McGuinty is afraid of the press gallery these days. Though small in number, they are asking some pretty tough questions, and the predictable, scripted answers aren't cutting it anymore. A five-foot buffer might make the Premier feel safe, but to others it reeks of insecurity. Ontario needs a strong leader, not one who seems lost in space.

## CYCLONE MANUFACTURING

**Mr. Bob Delaney:** In January, the Premier visited Cyclone Manufacturing in Meadowvale, in western Mississauga, to announce that Ontario is investing \$7.7 million during the next five years to support innovation in our western Mississauga manufacturing community.

Cyclone Manufacturing is a state-of-the-art firm in the manufacturing industry. They make precision parts for such aerospace manufacturers as Boeing, Bombardier and Embraer. Cyclone uses new materials and computerized custom fabrication techniques to make lighter-weight aircraft parts. These parts allow aircraft to be lighter, stronger and more fuel-efficient, lowering costs for airlines and reducing emissions.

With Ontario's help, Cyclone Manufacturing is getting results—133 new jobs in Mississauga—by investing in new technology to improve its products and develop new business. During the next five years, Cyclone plans to spend \$50 million to develop their products and technology. The Next Generation of Jobs Fund will help Cyclone further boost innovation in Ontario, create more well-paid, high-tech jobs in western Mississauga and sustain our region's economic activity that is even now extending Credit Valley Hospital through its phase II expansion and improving public transportation through more train capacity on the Milton GO line.

### KINDNESS WEEK

**Mr. Yasir Naqvi:** February 16 to 22 is Kindness Week in Ottawa. Started in 2008 by Rabbi Reuven Bulka, Kindness Week hopes to strengthen a culture of compassion and kindness that will prevail over pessimism and cynicism. Kindness Week hopes to inspire random acts of kindness by showing the profound impact even the smallest kind act can have on a community.

The Kindness Committee is asking everyone in Ottawa to choose to be kind. Acts can be as simple as reaching out to someone less fortunate or just saying thank you to a friend.

One of the driving tools behind Kindness Week is the kindness card, which carries the “pay it forward” message. More than 200,000 cards will be distributed throughout the community at events, in schools, workplaces and restaurants by the Kindness Crew. Card recipients are encouraged to do something kind and then leave the card behind. Ottawa police officers will be handing out kindness citations to individuals caught being kind during Kindness Week. Also, the Drive for Drivers Project is recruiting reliable, enthusiastic volunteer drivers to provide transportation services for seniors and adults with disabilities to attend their essential medical appointments.

Kindness Week is made possible thanks to a committee of volunteers from government, not-for-profit, corporate, education, and restaurant and hospitality sectors, and is facilitated by United Way/Centraide Ottawa.

I want to encourage all members to bring Kindness Week back to their ridings and help make every community in Ontario a kinder and friendlier place.

### MICHAEL FREEMAN

**Mr. Jeff Leal:** On Wednesday, January 7, 2009, I was saddened to attend the funeral of another soldier from Peterborough who lost his life while serving his country. Private officer Michael B. Freeman died on December 26, 2008, while on duty with the Canadian Armed Forces in Afghanistan. On January 7, our community gathered to celebrate his life and acknowledge the tremendous sacrifice made by private officer Michael Freeman.

Michael, like most young men growing up in Peterborough, had a love for the outdoors. As Michael matured, he joined the air cadets with dreams of becoming a pilot, but changed his mind in 2005 and joined the army.

Private officer Michael Freeman approached life with a generous heart and humour. He was admired by all who knew him and will be greatly missed.

As I sat at this young man’s funeral, I felt great pride for the soldiers from Peterborough who have made the ultimate sacrifice for their country. I know that everyone at the funeral shared my sense of pride.

At the age of 28, private officer Michael Freeman understood the need to protect those unable to defend themselves. He, like all of our soldiers serving abroad,

rose to the challenges of defending the rights of others. They go to battle willingly, without regard to their own safety. I am humbled by their bravery and their commitment to improve the lives of others.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr. Norman W. Sterling:** I beg leave to present a report on Archives of Ontario and information storage and retrieval services from the Standing Committee on Public Accounts and move the adoption of its recommendations.

**The Speaker (Hon. Steve Peters):** Mr. Sterling presents the committee’s report and moves the adoption of its recommendations. Does the member wish to make a brief statement?

**Mr. Norman W. Sterling:** For the students who are with us today, I chair a committee called the public accounts committee, which deals with the Auditor General’s report each year. We call witnesses in front of us and examine the auditor’s recommendations to improve, in this case, the public archives of Ontario.

In this case, the auditor found that far too many bureaucrats, people working in the government, were sending most of their files to the Archives of Ontario, instead of going through those files and eliminating things that didn’t need to be kept. As a consequence, the archives have been overwhelmed with boxes and boxes of records which have very, very little historic importance—to how the government of Ontario came to decisions and the history of Ontario. Our committee, after reviewing the report as well as calling the archivists of Ontario in front of us, made several recommendations mostly pointed at the bureaucracy to do a better job of cleaning out those records before they send them on to the archives.

My committee works into a non-partisan way. Most committees in the Ontario Legislature have a partisan aspect to them: One party takes one position, and the other party takes the other position. In this particular committee, the public accounts committee, we have issued about 50 reports over the last five years, and on none of those reports has there been a dissenting opinion—any one party or any one member of the committee going against what the committee decides as a whole. I think it’s one of the committees that should be looked at in the future, in terms of emulating how politicians from all parties can come to a common conclusion which will improve the bureaucracy, the administration, of Ontario government for the future, ultimately benefiting the people of Ontario and the students of Ontario as well.

I move adjournment of the debate.

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

*Debate adjourned.*

STANDING COMMITTEE ON  
PUBLIC ACCOUNTS

**Mr. Norman W. Sterling:** I beg leave to present a report on outbreak preparedness and management from the Standing Committee on Public Accounts and move the adoption of its recommendations.

**The Speaker (Hon. Steve Peters):** Mr. Sterling presents the committee's report and moves the adoption of its recommendations. Does the member wish to make a brief statement?

**Mr. Norman W. Sterling:** This, again, was part of the Auditor General's 2007 annual report. It dealt with how the government was doing with regard to preparing for an influenza pandemic, and if that happens to Ontario, what is the plan that we will have for the people of Ontario?

The committee was most interested to find out that Ontario actually, in comparison to other provinces and states in the United States, has progressed fairly well along the way with regard to formulating a plan. However, that plan is not yet public. Part of the concern of the committee is that if a pandemic did hit today, people would not know what the terms and the details of that plan might or might not be.

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As well, we made about 12 different recommendations, and two of those recommendations dealt with some of the details that are involved. For instance, we have asked the Ministry of Health to report on steps taken to identify isolation areas where health care workers might go if they were dealing with people who had this influenza pandemic, because if you get an influenza pandemic occurring here in the province, it will spread very, very quickly and health care workers will be affected. We don't think that those health care workers should go home to their families after being infected. Therefore, we think that the Ministry of Health should be looking at that particular problem.

As well, we also believe that many people would be turned away, during an influenza pandemic, from critical care from the hospitals. Those people who are turned away no doubt will come to MPPs' offices and say, "What do I do next?" The only answer that we received from the Ministry of Health was, "Go to another hospital." Well, that just makes lines longer and longer. Therefore, the committee has recommended to the ministry to investigate the feasibility of creating alternatives for care, other than critical care, at our hospitals across the province of Ontario.

We make several recommendations in this report to ensure that school boards are consulted and know what the plans are and that the people who are responsible for implementing a plan in any community will share those with the schools as well.

I'm proud of the work that the committee did on both of these reports, and I would adjourn the debate at this time.

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

*Debate adjourned.*

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Monique M. Smith:** Mr. Speaker, I believe we have unanimous consent to put forward a motion without notice regarding private members' public business.

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

**Hon. Monique M. Smith:** I move that, notwithstanding standing order 98(g), the requirement for notice be waived with respect to ballot items 68, 70, 71 and 72.

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

*Motion agreed to.*

PETITIONS

HEALTH CARE

**Mr. Robert Bailey:** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Health and Long-Term Care should recognize the importance of rural health care in Ontario; and

"Whereas the Erie St. Clair Local Health Integration Network commissioned a report by the Hay Group that recommends the downgrading of the emergency room at the Charlotte Eleanor Englehart (CEE) Hospital in Petrolia to an urgent-care ward; and

"Whereas, if accepted, that recommendation would increase the demand on emergency rooms in Sarnia; and

"Whereas, as of today, many patients are already redirected from Sarnia to the Petrolia emergency room for medical care; and

"Whereas the Petrolia medical community has stated that the loss of this emergency room will result in the loss of many of our local doctors; and

"Whereas Petrolia's retirement and nursing home communities are dependent on easy access to the CEE hospital;

"Therefore we, the undersigned petition the Legislative Assembly of Ontario to urge the Erie St. Clair Local Health Integration Network to completely reject the report of the Hay Group and leave the emergency room designation at Charlotte Eleanor Englehart Hospital in Petrolia."

I agree with the petition and I add my name to it.

BATHURST HEIGHTS  
ADULT LEARNING CENTRE

**Mr. Mike Colle:** I was going to introduce the students and staff before I read our petition from Bais Brucha Elementary School. The students have just left, but they were welcome here. Thank you.

My petition is also from the students of Bathurst Heights, and it reads:

“To the Legislative Assembly of Ontario:

“Whereas there are over 2,000 adult ESL students being served by the Bathurst Heights Adult Learning Centre, operated by the Toronto District School Board, in partnership with the province of Ontario; and

“Whereas this is the only English as a second language (ESL) learning centre in this area of the city located directly on the Spadina subway line, making it accessible for students across the city; and

“Whereas newcomers in Toronto, and in the Lawrence Heights area, need the Bathurst Heights Adult Learning Centre so they can succeed in their career opportunities; and

“Whereas the proposed revitalization of Lawrence Heights threatens the existence of the centre;

“Therefore we, the undersigned, demand that any revitalization of Lawrence Heights include a newcomer centre and ensure that the Bathurst Heights centre continues to exist in the present location.”

I support the petition and affix my name to it.

#### TUITION

**Mr. Jim Wilson:** I want to thank Nora Loreto and Shelley Melanson of the Canadian Federation of Students for sending this petition to me.

“To the Legislative Assembly of Ontario:

“Whereas undergraduate tuition fees in Ontario have increased by 195% since 1990 and are the third-highest in all of the provinces in Canada; and

“Whereas average student debt in Ontario has skyrocketed by 250% in the last 15 years to over \$25,000 for four years of study; and

“Whereas international students pay three to four times more for the same education, and domestic students in professional programs such as law or medicine pay as much tuition as \$20,000 per year; and

“Whereas 70% of new jobs require post-secondary education, and fees reduce the opportunity for many low- and middle-income families while magnifying barriers for aboriginal, rural, racialized and other marginalized students; and

“Whereas Ontario currently provides the lowest per capita funding for post-secondary education in Canada, while many countries fully fund higher education and charge little or no fees for college and university; and

“Whereas public opinion polls show that nearly three quarters of Ontarians think the government’s Reaching Higher framework for tuition fee increases of 20% to 36% over four years is unfair;

“Therefore we, the undersigned, support the Canadian Federation of Students’ call to immediately drop tuition fees to 2004 levels and petition the Legislative Assembly of Ontario to introduce a new framework that:

“(1) Reduces tuition and ancillary fees annually for students.

“(2) Converts a portion of every student loan into a grant.

“(3) Increases per student funding above the national average.”

I agree with this petition and I’ve signed it.

#### CHILD CUSTODY

**Mr. Jim Brownell:** I have a petition from a number of residents from the city of Cornwall.

“To the Legislative Assembly of Ontario:

“We, the people of Ontario, deserve and have the right to request an amendment to the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents;

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

“Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

“Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act as above to emphasize the importance of children’s relationships with their parents and grandparents.”

As I agree with this, I’ll sign it and send it to the clerks’ table.

#### HOSPITAL FUNDING

**Mr. Norm Miller:** I have a petition with regard to the Burk’s Falls health centre signed by, I think, just about everyone in Burk’s Falls, and it reads:

“To the Legislative Assembly of Ontario:

“Whereas the Burk’s Falls and District Health Centre provides vital health services for residents of Burk’s Falls and the Almaguin Highlands of all ages, as well as seasonal residents and tourists; and

“Whereas the health centre helps to reduce demand on the Huntsville hospital emergency room; and

“Whereas the operating budget for Muskoka Algonquin Healthcare is insufficient to meet the growing demand for service in the communities of Muskoka–East Parry Sound; and

“Whereas budget pressures could jeopardize continued operation of the Burk’s Falls health centre.

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

“That the McGuinty government and Minister of Health provide adequate increases in the operating budget of Muskoka Algonquin Healthcare to maintain current health services, including those provided by the Burk’s Falls health centre.”

I support this petition and have affixed my signature to it.

### HOSPITAL FUNDING

**Mr. Bob Delaney:** It’s good to be back. I have a petition to the Ontario Legislative Assembly. I suspect you may have heard it once or twice. I would like to thank Geoff Dugas of Tacc Drive in Churchill Meadows, my own neighbourhood in Mississauga, for having accumulated these signatures. It reads as follows:

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“Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

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

“That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin the planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and to enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I am pleased to sign and support this petition and to ask page Jordan to carry it for me.

### ASSISTANCE TO FARMERS

**Mr. Ernie Hardeman:** I have a petition here that was sent to me by John and Anna Van Dyk of RR 2, Tavistock. It is to the Legislative Assembly of Ontario.

“Whereas the Minister of Agriculture, Food and Rural Affairs, the Honourable Leona Dombrowsky, has publicly stated that she ‘absolutely’ wants to help the beginning and new entrants to agriculture; and

“Whereas beginning and expanding farmers are going to be important in the coming decade, as a record number of producers are expected to leave the industry; and

“Whereas the safety net payments—i.e., Ontario cattle, hog and horticulture payments—are based on historical averages, and many beginning and expanding farmers were not in business or are just starting up in the period so named and thus do not have reflective historic allowable net sales; and

“Whereas beginning and expanding producers are likely at the greatest risk of being financially disadvantaged by poor market conditions and being forced to exit agriculture because there is not a satisfactory safety net program or payment that meets their needs;

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

“To immediately adjust the safety net payments made via the OCHHP to include beginning and expanding farmers, and make a relief payment to the beginning and expanding farmers who have been missed or received seriously disproportionate payments, thereby preventing beginning farmers from exiting the agriculture sector.”

It’s signed by a great many of my constituents, and in fact constituents from all across the province. On their behalf, I’m proud to present this petition.

### FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Bill Mauro:** I have a petition entitled “Fairness for the People of Ontario” addressed to the Legislative Assembly of Ontario, which reads as follows:

“Whereas the federal government gives more support for economic development, health care and infrastructure to other parts of Canada, and unemployed workers in Ontario get less employment insurance support than in other parts of Canada;

“Whereas the federal system of taxes and equalization extracts over \$20 billion from the people of Ontario every year above and beyond what Ottawa invests in Ontario;

“Whereas laid-off workers in Ontario get \$4,630 less in employment insurance than they would get if they lived in another part of Canada;

“Whereas federal health care money is supposed to be divided equally among all Canadians, but right now Ontario residents are shortchanged by \$773 million per year;

“Whereas the federal government provides economic development support for people living in the north, Atlantic Canada, Quebec and the west, but provides little economic development support for southern Ontario;

“We, the undersigned, petition the Legislative Assembly of Ontario to demand that the federal government stop gouging the people of Ontario and treat them fairly.”

### CHILD CARE

**Mr. John O’Toole:** I’m pleased to present a petition that was given to me by Vi Ashton from the community in my riding. It reads as follows:

“Whereas the Minister of Community and Social Services, Madeleine Meilleur, has decided that grandparents caring for their grandchildren no longer qualify for temporary care assistance; and

“Whereas the removal of the temporary care assistance could mean that children will be forced into foster care; and

“Whereas the temporary care assistance amounted to \$231 per month, much less than a foster family would receive to look after the same children if they were forced into foster care;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately reverse the decision to remove temporary care assistance for grandparents looking after their grandchildren.”

I’m pleased to support that, sign it and present it to one of the new pages, Ashton.

#### TOM LONGBOAT

**Mr. Mike Colle:** I have a petition from students in Sioux Lookout, Ontario. It’s a petition trying to get Tom Longboat Day recognized in this great province.

“To the Legislative Assembly of Ontario:

“Whereas Tom Longboat, a proud son of the Onondaga Nation, was one of the most internationally celebrated athletes in Canadian history;

“Whereas Tom Longboat was voted as the number one Canadian athlete of the 20th century ... for his record-breaking marathon and long-distance triumphs against the world’s best;

“Whereas Tom Longboat fought for his country in World War I and was wounded twice during his tour of duty;

“Whereas Tom Longboat is a proud symbol of the outstanding achievements and contributions of Canada’s aboriginal people;

“We, the undersigned, petition the Legislative Assembly of Ontario to recognize June 4 as Tom Longboat Day in Ontario.”

I support Tom Longboat Day and I support this petition.

#### SALES TAX

**Mr. Toby Barrett:** I have a petition titled Implement a Sales Tax Holiday for Vehicle Sales. These signatures were gathered at the De Groote-Hill GM dealership.

“To the Legislative Assembly of Ontario:

“Whereas potential automobile customers in North America are having trouble accessing credit and loans; and

“Whereas the automotive industry is having difficulty selling vehicles;

“We, the undersigned, petition provincial, federal and state governments to implement a sales tax holiday on the purchase of new and used cars and trucks.”

The signatures here are from Norwich, Woodstock, Tillsonburg, and these were gathered in the community of Courtland.

#### POPE JOHN PAUL II

**Mr. Bob Delaney:** I’m pleased to read this petition to the Parliament of Ontario that supports a private member’s bill by my colleague from Newmarket–Aurora. It was sent to us by signatories from St. Stanislaus-St. Casimir’s Polish Parishes Credit Union and church in Toronto. It reads as follows:

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

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

“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 An Act to proclaim April 2 Pope John Paul II Day.”

I’m pleased to sign and support this petition and to ask page Alexander to carry it for me.

#### SALES TAX

**Mr. Jerry J. Ouellette:** I have a petition. It reads:

“To the Legislative Assembly of Ontario:

“Whereas potential automobile customers in North America are having trouble accessing credit and loans; and

“Whereas the automotive industry is having difficulty selling vehicles;

“We, the undersigned, petition provincial, federal and state governments to implement a sales tax holiday on the purchase of new and used cars and trucks.”

I affix my name in full support.

#### ASSISTANCE TO FARMERS

**Mr. Ernie Hardeman:** I have here a petition that was sent to me by Teresa DeWetering in Stratford.

“To the Legislative Assembly of Ontario:

“Whereas the Minister of Agriculture, Food and Rural Affairs, the Honourable Leona Dombrowsky, has publicly stated that she ‘absolutely’ wants to help the beginning and new entrants to agriculture; and

“Whereas beginning and expanding farmers are going to be important in the coming decade, as a record number of producers are expected to leave the industry; and

“Whereas the safety net payments—i.e., Ontario cattle, hog and horticulture payments—are based on historical averages, and many beginning and expanding

farmers were not in business or are just starting up in the period so named and thus do not have reflective historic allowable net sales; and

“Whereas beginning and expanding producers are likely at the greatest risk of being financially disadvantaged by poor market conditions and being forced to exit agriculture because there is not a satisfactory safety net program or payment that meets their needs;

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

“To immediately adjust the safety net payments made via the OCHHP to include beginning and expanding farmers, and make a relief payment to the beginning and expanding farmers who have been missed or received seriously disproportionate payments, thereby preventing beginning farmers from exiting the agriculture sector.”

I affix my signature, as I agree with this petition, and thank you very much for the opportunity to present it on behalf of my constituents.

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## ORDERS OF THE DAY

### CHILD AND FAMILY SERVICES STATUTE LAW AMENDMENT ACT, 2009

#### LOI DE 2009 MODIFIANT DES LOIS EN CE QUI CONCERNE LES SERVICES À L'ENFANCE ET À LA FAMILLE

Ms. Matthews moved third reading of the following bill:

Bill 103, An Act to amend the Child and Family Services Act and to make amendments to other Acts /  
Projet de loi 103, Loi modifiant la Loi sur les services à l'enfance et à la famille et apportant des modifications à d'autres lois.

**The Acting Speaker (Mr. Ted Arnott):** I'll recognize the Minister of Children and Youth Services to lead off the debate.

**Hon. Deborah Matthews:** I'm pleased to rise today to speak in support of Bill 103, the Child and Family Services Statute Law Amendment Act, 2008, which I introduced in September and which is now before this House for third reading. I'll be sharing my time with my extraordinary parliamentary assistant, the member from Lambton–Kent–Middlesex.

The objective of this proposed legislation is to create a single youth justice system in Ontario. That means moving young people out of youth units co-located in adult correctional facilities. They will all be in dedicated stand-alone youth justice facilities.

This legislation, if passed, will enable the end of a process that began in 2004. At that time, the responsibility for youth justice services was transferred to the Ministry of Children and Youth Services from the Ministry of Community Safety and Correctional Services. Since that time, our government has been working

hard to transform the youth justice system in our province. In youth-dedicated facilities, youth will be held accountable for their actions, but they will also have access to programs designed specifically to reduce the risk of reoffending and improve their integration into society.

Our youth justice programs are based on evidence, not ideology. One of our youth justice principles is that programs and services need to be evidence-based, they need to be evaluated for effectiveness, and they need to be guided by standards to increase the likelihood that youth get what they need in order to return to their community as productive, contributing members. That's why we worked closely with experts such as Dr. Alan Leschied at the University of Western Ontario, and Dr. Bob Hoge and Dr. Don Andrews at Carleton University. A considerable focus of their research is devoted to reducing reoffending. It informs many of our policies.

As soon as a young person enters one of our facilities, we develop a plan for that youth. The plan is designed to promote reintegration and prevent future crime.

Research supports our practices, including gender-specific programming, career counselling and social supports. In the past, the emphasis in the Ontario youth justice system was on providing a secure custodial environment for young people in conflict with the law, but evidence clearly shows that a broad range of community-based and custodial programs and services can reduce reoffending. That's why our government's focus has shifted towards the creation of a system that provides a broad range of alternatives to custody. These alternative programs are designed to meet the needs of youth in conflict with the law. These programs include, for example, anger and stress management; school-based diversion programs; counselling; and other job-related training opportunities.

This legislation will support those efforts so that young people who find themselves on the wrong side of the law will have access to meaningful support. They'll have access to programs designed to help make changes in their young lives, to turn their backs on crime and to become productive community members in our society.

Our government's commitment to reducing crime and protecting law-abiding citizens is clear. When serious crimes are committed or the safety of the community is at risk, we will do what is necessary to protect the property and lives of the people of Ontario.

Since this legislation was introduced, a number of members on both sides of the House have risen to speak about its impact on youth in conflict with the law. I would like to take this opportunity to extend my thanks to all of the members who spoke in support of this legislation during debate at second reading. In particular, I'd like to thank my parliamentary assistant, the member for Lambton–Kent–Middlesex, for taking this bill through committee and for her ongoing dedication to young people. I'd also like to thank my colleagues the member for Don Valley West, the member for Eglinton–Lawrence and the member for Mississauga–Streetsville

for their thoughtful remarks during debate. I'd like to extend my thanks to the members of the Standing Committee on Social Policy for their diligent work. Through their efforts, we were able to amend this legislation, based on input from all parties and several presenters. In particular, I'd like to thank Ontario's child advocate for his work and advocacy on behalf of youth, including those in our youth justice system. We have enormous respect for his work and for his office, which is why our government made the advocate's office independent.

The committee also heard from groups such as Justice for Children and Youth and Defence for Children International. It heard from people deeply involved in the youth justice system, such as Alex Munter from the Youth Services Bureau of Ottawa. It also heard directly from citizens who wanted their voice heard in the legislative process. It received thoughtful written submissions from groups, including the Ontario Association of Children's Aid Societies.

All members of the committee were clearly dedicated to ensuring the safety of our communities and creating a youth justice system tailored to the needs of youth. The committee ensured that the proposed legislation addressed the ability of elected officials, the advocate and the Ombudsman to visit facilities. It also made sure that communication between a young person's lawyer, elected officials, the advocate and the Ombudsman would always be kept confidential. Finally, members worked together to develop an amendment that would improve accountability. The amendment requires youth justice facilities to report every six months on the need for a secure isolation room. The amendments the committee passed will ensure that there's greater accountability and transparency in our system. The amendments also take care to balance the rights of youth with the safety of our communities—something we all care about.

Since this proposed legislation was last debated in the House last fall, changes beyond the committee amendments have taken place. I was very thankful to receive the report on the roots of youth violence from former Chief Justice Roy McMurtry and former Speaker Alvin Curling. Their report spoke to the need for society to engage youth before they commit crime by improving community supports and combatting racism and poverty. Last December, I was extremely pleased to release Ontario's first-ever poverty reduction strategy, *Breaking the Cycle*. These important initiatives have given us a better understanding of the needs of youth and why they come into conflict with the law, and set out a course of action that will reduce the number of young people turning to crime.

We all agree that youth in conflict with the law have different needs than adult offenders. Our government continues to move ahead with efforts to relocate young people from youth units that are currently co-located in adult facilities to new centres that are designed with youth in mind. By April 1 of this year, all young people in custody and detention in youth units that are co-located in adult correctional facilities in Ontario will be

relocated to one of our secure youth-focused justice centres located in communities across the province. There, they will have access to supports and programs that are tailored to their needs and an environment that's appropriate for them. As the evidence shows us, this is a crucial element in successfully reintegrating young people back into society without reoffending. The first of these youth justice centres opened last summer in Sault Ste. Marie, and I just recently had the opportunity to attend the opening of the William E. Hay Youth Centre in Ottawa.

I'd like to take this opportunity to thank the men and women who staff our youth justice facilities. It is through their dedication, their patience and their very hard work that we will continue to make progress for our youth. We'll continue to give young people who make mistakes the opportunity to lead productive and fulfilling lives.

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I'd also like to thank the former deputy of the Ministry of Children and Youth Services, Jessica Hill. It is thanks to her vision that we're able to move forward today.

I would also like to thank my assistant deputy minister, Gilbert Tayles. He has an incredible passion for youth justice. I continue to appreciate his work and his support.

Creating an appropriate youth justice system is a priority for our government. We are taking action to protect our communities against those individuals or groups who engage in crime or attempt to entice others into breaking the law.

Bill 103, if passed, will be an essential part of the transformation process we began in 2004. I encourage all members of this House to support it.

**Mrs. Maria Van Bommel:** I, too, am pleased to rise today to join my colleague and speak in support of Bill 103, the Child and Family Services Statute Law Amendment Act, 2008, which was first introduced last September by my colleague the Minister of Children and Youth Services—and I certainly want to thank her for her very kind remarks.

This bill is designed to create a single legislative framework for all youth between the ages of 12 and 17 in Ontario who find themselves in conflict with the law. It will create a single, youth-focused piece of legislation, the Child and Family Services Act, and will repeal sections of the Ministry of Correctional Services Act that dealt with older young people. By creating a single legislative framework for youth justice services, we can support efforts to establish a fully functional and separate youth justice system for young people aged 12 to 17 at the time of their offences in Ontario. That means that we will be able to move older youth out of youth units located in adult correctional facilities.

Our province has been blessed with the dedication and commitment of hundreds of men and women who work with troubled youth of varying ages and backgrounds. They respect the rights of youth and treat them with dignity, respect and firmness. By doing this, these men and women work to instill a sense of responsibility in the

young people with whom they are working. Every day, our youth justice system workers are making a real, significant difference in the lives of young people across Ontario. They have steered countless kids away from a path that leads to drugs and crime and set them on a road to becoming responsible and productive citizens.

Our government is establishing a dedicated, fully integrated youth correctional system that will better allow the type of programming and supports our staff want to provide, in a manner that is responsive to the needs of youth. This means that we can provide programs and services to help youth in an environment that is uniquely tailored to their needs.

As I've indicated earlier, a major component of the new youth justice correctional system is the commitment to stop housing young people in youth units that are part of adult correctional facilities. As a government, we have committed, by April 1 of this year, to move these young people and transfer them to dedicated, stand-alone youth centres. To accomplish this goal, we are constructing several new youth justice facilities across the province.

The first of these opened last summer in Sault Ste. Marie. The Donald Doucet Youth Centre is named after a local police officer who was killed in the line of duty in 2006. It recognizes Constable Doucet's commitment to mentoring the youth of Sault Ste. Marie, not only through sports, but also by acting as a role model. The centre provides secure custody for 16 young men and women who have received dispositions for a range of offences, but it also offers training programs to teach job skills, rehabilitation supports for those with problems caused by drugs and alcohol, as well as services to show young people that they can deal with their problems without resorting to crime or violence. These are the lessons we must teach these young people to reduce the risk that they will reoffend.

The finishing touches are also being put on a new youth justice centre in Brampton, as well as Thunder Bay and Fort Frances. An existing facility in Ottawa is also undergoing an expansion so that it can better serve the Ottawa-area male youth who would otherwise be co-located in an adult facility.

To respond to the special needs of aboriginal youth in conflict with the law, the facility at Fort Frances will offer a special emphasis on traditional aboriginal culture and healing strategies. This facility will be operated by an aboriginal service provider and is the first of its kind in Canada.

These facilities will be operational in 2009.

These efforts are important, but they represent only one aspect of our efforts to help young people make the right choices. That is why the Ministry of Children and Youth Services is continuing to implement its alternatives to custody and community intervention strategy. This strategy is designed to complement existing programs that provide alternatives to incarceration for young people aged 12 to 17. Right now, the strategy has 184 programs currently active across Ontario. As an example, we have established 32 youth intervention centres across

the province that offer non-residential programs and support to youth in conflict with the law. As an alternative to custody, these centres offer timely and effective programs such as training in anger management, life skills, and counselling on how to get and keep a job. They are operated by local agencies with experience in dealing with youth in conflict with the law and are funded through a partnership with the Ministry of Children and Youth Services.

The government has also implemented 17 alternative-to-custody programs for aboriginal young people in communities across the province. These programs help provide aboriginal youth in conflict with the law with support and special services in an environment that responds to their specific needs and is relevant to their culture.

Our government has also worked with community partners to establish the African-Canadian youth criminal justice program, to provide support and services to youth in conflict with the law at four locations in the greater Toronto area.

The problems that are faced by our youth during these unsettled economic times are complex and cannot be solved by quick fixes or easy solutions. Finding the right balance between the need to nurture while also holding young people accountable is sometimes difficult. While this legislation recognizes the need to protect our communities from young people who are a danger to themselves and others, it also provides safeguards so that the rights of all young persons in custody are respected and protected. For instance, all young people in custody must be able to communicate with those who have their best interests at heart, such as family members, lawyers and provincial officials who have taken an interest in their case. As the minister has said, we have amended Bill 103 to ensure young people in custody are able to communicate privately with their solicitors and with officials such as the Provincial Advocate for Children and Youth, the Ombudsman, and members of provincial and federal Parliaments.

I was happy that the Standing Committee on Social Policy worked together to improve the bill in order to provide greater accountability and transparency. The amendments make it clear that any written communication between a young person in custody and any of the officials that I've just mentioned cannot be opened, inspected, examined or read. The committee also amended the bill so that while facilities can restrict visitors during an emergency, MPPs, MPs, the Ombudsman and the advocate can only be limited by a decision of the provincial director. As MPPs, it is imperative that we have access to these types of facilities but recognize that during extreme circumstances it may be unsafe to be in a facility of this nature.

**1600**

Committee members worked hard to balance the rights of youth while keeping them responsible for their actions. The citizens of Ontario expect that their communities will remain safe and that those who break the law will

face the consequences of their actions. At the same time, they recognize that by offering rehabilitation in a supportive environment, many young people will learn new skills and become a credit to themselves and to their communities.

We believe the changes we are proposing to our youth justice system will help young people in conflict with the law make the right choices and take advantage of the many opportunities that our province has to offer. As well, this system will hold accountable those who break the law and choose not to take responsibility for their actions.

These measures, in concert with other steps that we have taken to reduce poverty and improve the quality of life for all our citizens, will continue to play an important role in helping to reduce the rate of youth crime in this province. By reducing poverty, strengthening communities and creating opportunity, we are lessening the incentives to commit crime and reduce the number of kids who will find themselves in conflict with the law.

Our government's poverty reduction strategy provides an excellent framework that will serve to guide our efforts to reduce the number of children living in poverty by 25% over five years. That will lead to safer and stronger communities.

For these reasons and others that I'm sure my colleagues will also outline, I would urge all members of the House to join me in supporting these proposed amendments and Bill 103.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Tim Hudak:** I'm pleased to offer some comments on Bill 103 for the Legislature. My colleague and the critic, the member for York-Simcoe, will be addressing the Legislature, I believe, next. I look forward to her comments because it's an issue for which she has great passion, knowledge and experience, and I know she will bring forward some very helpful suggestions on how to improve aspects of Bill 103. I know that the PC caucus has a number of concerns with respect to the bill and will bring forward those suggestions, I think, in a very productive manner.

As the finance critic, I do hope that, as well, the Legislature will be soon turning its focus to the ongoing and, sadly, dramatic change in economic fortunes in the province of Ontario. We brought this up in question period today, asking the government or asking the Premier to move forward immediately with a budget. We've seen other jurisdictions, whether it be Quebec, British Columbia, Alberta, Prince Edward Island—certainly the federal government under Prime Minister Harper, the Obama administration in the States, and Gordon Brown, the Prime Minister of the United Kingdom, have all brought forward their own packages to try to stimulate the economy to help create jobs and invest in key infrastructure to improve the productivity of their various jurisdictions.

Sadly, Dalton McGuinty has been seemingly paralyzed by the ongoing and increasingly dire economic

news. So we look forward to my colleague the critic's comments on Bill 103. But I do hope that we will see the Legislature soon, if not immediately, turn its mind to the growing economic crisis in our province.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Jim Watson:** I'm very pleased to stand in support of Bill 103, which is the Child and Family Services Statute Law Amendment Act. This particular piece of legislation is going to do two things: It's going to make communities safer, and it's going to give youth a better opportunity to succeed.

It's timely that we're talking about this today because in today's Ottawa Citizen, there's a very good story about the youth detention facility called the William Hay centre in the city of Ottawa that is scheduled to open and expand from 24 beds to 40 beds because, as a result of decisions this government has made, we're moving these young people from the adult regional detention centre and bringing them into this new youth facility. I want to congratulate people like Alex Munter and Brian Ford and Dick Brown and people involved with the YSB, which runs that facility for us.

We're proud of the record of this government and proud of providing additional funds for the city of Ottawa for things like 95 new police officers and, in addition to that, six officers from the guns and gangs task force who are working to eliminate and curb the activities of young offenders involved in gang activities in the city of Ottawa.

We've put more crown attorneys, more justices of the peace and more judges into the court system. We are also investing in a youth drug rehab centre. I'm very proud to be associated with that, working with people like Len Potechin and Ron Caza, Michael Allen from the United Way, and Chief Vern White of the city of Ottawa police department.

We're tough on crime but we're also tough on the causes of crime. That's why we have to work with organizations like the United Way and the Youth Services Bureau to ensure that young people don't get involved in crime in the first place, but that if they do, they're brought to justice in a fair and reasonable fashion. That's what this bill is all about, and I'm very proud to support it.

**The Acting Speaker (Mr. Ted Arnott):** During questions and comments, the Speaker recognizes members on the basis of rotation if necessary, but not necessarily rotation. I apologize to the member for Welland and recognize him now.

**Mr. Peter Kormos:** What about seniority?

*Interjections.*

**Mr. Peter Kormos:** I'm going to be speaking to this bill in, oh, probably 30 or 40 minutes' time. I expect that the bill may well go to a third reading vote today and I expect that it's going to pass. It, however, does give us an opportunity, because the respective critics—from the Conservative Party, Ms. Munro; and Ms. Horwath—have worked very hard in committee, along with their Liberal

counterparts, in reviewing the bill. We weren't necessarily pleased with all of the amendments that failed to pass, but there was a lot of hard work by a lot of people. There were some special concerns, of course, by the provincial advocate in terms of the failure of the government to consult him; he's the provincial advocate for children.

I regret the presumption that somehow it's only going to be feel-good approaches that are going to protect people from crime of any sort, especially youth crime. I heard once, quite a while ago, that the definition of a redneck is a liberal whose home was broken into last night. It's amazing how people's perspectives change when it's your kid or your family member who's assaulted, or when it's your house that's B-and-E'd, or when it's your car that's vandalized. People's perspectives can shift very, very quickly. I think we have to understand that. I have no intention of Pollyannaizing issues—

**Mr. Tim Hudak:** Is that a word?

**Mr. Peter Kormos:** Mr. Hudak asks, "Is that a word?" It is now. It's a neologism.

**Mr. Tim Hudak:** Oh, there you go. I'll use it now.

**Mr. Peter Kormos:** I have no interest whatsoever in Pollyannaizing issues around crime in general or around youth crime. We have to treat this stuff very seriously—

**The Acting Speaker (Mr. Ted Arnott):** Thank you. Questions and comments?

I'll return, then, to one of the government speakers.

**Mrs. Maria Van Bommel:** I want to thank the members for Niagara West–Glanbrook, Ottawa West–Nepean and Welland for their comments.

I think that all of us who sat on the standing committee worked very hard to create a balanced and good piece of legislation to take forward. It often can be said that the key intent of this legislation is to reduce the amount of reoffending that goes on. We want to make sure that the facilities that take care of our youth have the opportunity to provide the proper programming so that we won't have as much reoffending going on in the future.

The comments made by the member for Welland about the child advocate—we have worked with the child advocate and we appreciate his input into the amendments that we brought forward at the standing committee. There were a number of representations brought forward at the standing committee. All of them were very valuable to us in trying to create the kind of legislation that we can all be proud of.

**1610**

The member from Niagara West–Glanbrook mentioned the economy. Definitely, in a time like this, it becomes very difficult for our youth. It is something that we have to take very much into consideration, and we hope that through our poverty reduction strategy we will be able to avert some of that type of thing, because it puts a lot of stress on our young people. They certainly feel the pressures that their parents are experiencing. So we need to make sure we can help them through this time as well.

All of this is very important, so, as I say, I thank very much all the members who have spoken to this, and I hope that we can all support this bill.

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much. Further debate?

**Mrs. Julia Munro:** Certainly, it's my pleasure to be able, on behalf of the official opposition, to make some comments today as we enter into third reading on Bill 103.

Previous speakers, particularly the minister, made reference to the fact that Bill 103 was designed, or has as its fundamental purpose, to meet requirements that were made some time ago to move what was policy into legislation. The government then brought this bill before the House in the fall of 2008 with a view to the fact that the policy's sunset was April 2009. So the purpose of the bill, in the most simple terms, was simply to harmonize the youth criminal justice system so that the individuals, 16- and 17-year-olds, who had been under the old adult system would then all be brought together under the Youth Criminal Justice Act, as they are now, and then they would be in the same buildings.

There were a number of issues that were raised during the hearings and during the time that people were able to learn more about the bill, and I guess the most important one was that raised by the Provincial Advocate for Children and Youth. I just want to quote a couple of comments that he made in his presentation to the social policy committee:

"The first is that Bill 103 was presented to our office only as a piece of legislation created to address 'housekeeping issues,' and that was by the ministry." Further on he says that "... as I read Bill 103 closely, I realized that the proposed changes were very much more than housekeeping." He goes on to explain the fact that, first of all, there were sections in this bill that actually related to the piece of legislation under which he is guided, and there were changes contemplated in this bill that had never been told to him. It was only on the reading of the bill that he discovered that it actually had an impact on his ability to do business.

So I think it's important to understand that while it was the purpose to bring this process of the younger and older offenders together, there are certainly some issues that materialized. The question of the opening of mail was one that was certainly surrounded by some degree of contention; the question of secure detention; and, as I say, the office of the provincial advocate.

One of the other presenters was Mr. Matthew Geigen-Miller, who represented Defence for Children International. He began his remarks this way: "I want to start by saying that we disagree that this is a housekeeping bill.... in my view, this bill doesn't strike the right balance; it strikes out."

So there were certainly experts within the community who had some very serious and important questions about the bill and about the resolution, then, of these issues that had to be addressed during the process of debate and of amendment at the committee hearing. The

ones I've mentioned—we accepted the government amendment which was introduced with regard to the opening of mail. We also recognize that the government moved on the issues of establishing protocols for the child advocate. The third one, supported by the opposition, was the question of a six-month review on secure isolation.

As previous speakers have chosen to talk about what I consider to be not directly in the legislation but issues of the day, issues that we should be talking about, I'm very concerned about the fact that there are two that have received press conferences but very little action on the part of the government. The first one was the Curling and McMurtry report on the roots of youth violence. When you looked at the materials, under the actual roots of youth violence, in this order, it dealt with poverty, racism, the impact of communities' design, the education system, and then the family. I think that the question of the family is one that should receive more attention than it would suggest by its placement in that order I've mentioned.

In that part of *The Review of the Roots of Youth Violence* it has a brief description of issues like single parents, absent fathers, teenage parents and immigrant and refugee families. I think, though, that there are a couple of things that are pertinent to our discussion on Bill 103, and that comes from the same section of *The Review of the Roots of Youth Violence*; it's the crossover children. Children and youth in the child protection system often cross over to other systems, such as the criminal justice system. Based on our consultations, particularly with people working with children and youth, the fate of crossover kids is a concern that has not received sufficient attention.

In the report *Crossover Kids: Care to Custody*, the Office of Child and Family Service Advocacy's chief advocate, Judy Finlay, pointed out that "A disproportionate number of youth in the young offender system have been in the care of child welfare authorities in Ontario." She saw a trajectory from the children's service sector to the young offender system. Finlay cited a study showing that children and youth who have been removed from their homes and placed in a group home have significantly more behavioural problems than those placed in foster care. Foster care is often the preferred option but it is harder to place youth, particularly those who are older or who may have a record.

Finlay also cites a study that found that youth in the young offender system have had multiple placements in the children's residential care system and have also been moved frequently within the young offender services. Being moved around makes it difficult for them to get help, stay in school, hold a job, develop a sense of belonging or build trusting relationships with people who care about them. It also increases the chances that they will be drawn into the criminal justice system. According to Finlay, the literature confirms that numerous out-of-home placements typically precede a youth's incarceration.

Crossover children and youth, she says, may have mental and physical health problems, learning disabilities and unmet needs related to their culture. Those who have little or no family support and cannot navigate their way through the justice or care systems themselves often fall through the cracks. Their problems multiply, setting them on a harmful course.

**1620**

I felt it was important to include that in the comments today because I think that while this bill is particularly clear on an almost mechanical change, what we need to be addressing as legislators is some of the background and some of the causes and the need to support the funding to make those investments that ensure that fewer children become crossover children.

The second area that the government had a news conference, and that appears to be all—again, at the same time as the news conference on the Curling and McMurtry report—it was held between the Attorney General and the minister responsible for children and youth. On November 24, they announced, "Ontario plans to introduce family law reforms today that would, if passed, better protect women and children and reduce the cost and stress of Family Court proceedings for Ontarians." Outlined here is that there is going to be proposed family law legislation that would strengthen child and family protection in times of family breakdown and distress. It talks about strengthening abuse prevention, protecting children by ensuring information about a violent history before the court when making decisions to transfer custody to a non-parent, eliminating costly battles over the division of pensions by simplifying the rules, reducing Family Court battles, and providing fair child support through automatic annual financial disclosure. I attended this press conference, as I did the earlier one. Certainly, on the surface, this sounds very ambitious and like an appropriate thing for the government to be undertaking. But then, we've heard nothing.

We know that there is a shortage of family law practitioners. We know that access to the courts is an issue. We know that any kinds of changes such as are being contemplated would have to have along with them the question of enforcement, training and funding.

So I think the question, in looking at Bill 103, is more to do with the supports that are there and the plans that are going to be provided that would make these investments.

I also want to bring into the discussion some comments made that refer to the McMurtry-Curling report, but also cover some of the other laws that this government has undertaken. This is taken from Christina Blizzard's article of November 23.

She begins by asking, "Why is it these days that some parents seem incapable of controlling their own children?"

"Instead they turn to government to do it for them. For some baffling reason, Premier Dalton McGuinty goes ahead and complies."

Of course, here she is talking about the rules for new drivers.

She says, "Recent changes to the rules around new drivers make it easier for the minority of bad parents to slough off responsibility for their children's actions on to the government. In so doing, they punish the majority of parents and young people who abide by the law."

She goes on to talk about that particular piece of legislation and also comments on the McMurtry-Curling report. She says, "You see a similar sentiment in the recent report on youth and gang violence in this province. Former provincial Chief Justice, Roy McMurtry, and former Speaker of the Legislature, Alvin Curling, were quick to point the finger at racism, poverty, the school system. You name it. Anything but the very people who could do the most to stem the killing—the parents."

She goes on to talk about her views on some of the problems and the question of teenage marriages, the question of children and particularly boys who do not have a father figure—and then she goes back to the question of sober and responsible drivers.

But she says, "But you"—the parent—"have to teach them to make that decision for themselves. You have to educate them about why it is important and about the likely consequences of their bad decisions.

"Otherwise, we will simply raise a generation of feckless adults who can't make rational choices and who blame everyone else for their mistakes."

She concludes: "The McGuinty government should stop this social engineering and start dealing with the real issues—like the economy—right now."

I want to close on a question that I think has been raised by the work on Bill 103 and by the various people who have worked on this, and that is the question of the need for a greater understanding of the role of the child advocate. I think we need to be sure that there is research regarding the efficacy of the new system.

We have new centres across the province, at considerable cost. These new centres need to have rigorous research with regard to their outcomes. How well are we doing on the issues of rehabilitation? Is there sufficient staffing and training for staff?

In other words, this is really more about the youth justice system. All of these press conferences and all of this material will mean nothing if there haven't been the appropriate outcomes and the appropriate research into how well we're doing. That's really what we should be discussing today.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mrs. Maria Van Bommel:** I want to thank the member for York-Simcoe for her comments. It is true: We still have many changes that we face, one of them being crossover kids.

We recognize that prevention is very important in all of this, and that's why we do have non-residential programs and alternatives-to-custody programs that allow us to intervene before children and young people actually get involved with the court system. We have youth justice committees, which are an alternative to the formal court system, and we have found that they work very

well for young people who are low-risk offenders. What we have seen is about an 80% success rate of children who never re-offend afterwards, who never come back in contact with our justice system.

As the member had talked about, there were many things in the legislation that the standing committee looked at—the issue of the opening of the mail—and a number of comments were brought to us by presenters at the standing committee. We worked very closely with them, we took those comments very seriously and we incorporated those into amendments that all of the standing committee members worked carefully on. I was very pleased to be able to make the amendments that were necessary.

I think we'd all agree that not all legislation is perfect, but by working through the public hearings and through the standing committees together, we can make legislation that we can all be proud of.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Tim Hudak:** I just wanted to commend my colleague the member for York-Simcoe and the critic on this bill, in this area of children and youth services, for her hard work, her leadership on this portfolio and her very important comments on Bill 103. I was pleased by the tone of the parliamentary assistant in response. I do hope that Ms. Munro's suggestions are incorporated as part of government policy as we move forward.

**1630**

She has very important observations as well. She walked us through the history of this legislation and some important comments from the youth advocate. What I thought was most compelling is when the member for York-Simcoe spoke about that important balance between parental responsibility and when it's appropriate for Legislatures to act. She quoted from Christina Blizzard's recent column on that topic.

Certainly the McGuinty government has shown a penchant for moving in the direction of, to quote from Ms. Blizzard's column, "social engineering." In fact, in several places on the Internet, Dalton McGuinty is referred to now as "Premier Dad." He has shown great interest in what kinds of snacks children can have, shown great interest in the types of light bulbs we use in our homes, shown great interest in the price of beer—for example, the government recently raised the minimum price of beer. I'm not convinced that those reflect the priorities of most working people in the province of Ontario who are greatly concerned about the state of the economy. So I do hope that Ms. Munro's points, the member for York-Simcoe, around ensuring that the important role parents play in raising a child and their decision-making, will be an important part of government's considerations.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Lorenzo Berardinetti:** It's a pleasure to have an opportunity to have a couple of minutes to speak on Bill 103. I did get the opportunity to hear the comments made

earlier by some of my colleagues, and I think it's important to look at this bill in the sense that a lot of work has been done in putting this bill together and a lot of consultation has been done, as has been mentioned by the minister and the parliamentary assistant.

I know that about a year or two ago we dealt with the child advocate in a separate bill, the creation of a child advocate who reported directly to the Legislature here. That advocate has been involved in this legislation and has been briefed on portions of this legislation which affect that child advocate. I'm happy about that because the hearings that we had on the child advocate on the justice committee—about a year or a year and a half ago, if I'm not mistaken—brought a lot of depositions forward. Some of them were young people and they wanted to ensure that that child advocate was someone whom they could speak with, talk to and confide in and feel comfortable with. We made sure that the bill that was in front of us provided all of that. So incorporating that into Bill 103, the youth justice transformation legislation, and making sure that the child advocate has an opportunity to participate in this whole process, makes it very important, and I hope that the powers of the child advocate continue to stay as strong as possible.

In my perspective, that is from where I'm looking at it, and I know that the child advocate plays a very important part in making sure that the children in this province, those who need the help, are well looked after.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

I'll return to the member from York-Simcoe, who has two minutes to reply.

**Mrs. Julia Munro:** I'd like to thank the members from Lambton-Kent-Middlesex, Niagara West-Glanbrook and Scarborough Southwest for their thoughtful comments. I think that the parliamentary assistant made reference, which I think is a good thing, to the various studies that have been done and the success rates that have been achieved in some of the programs. The point I'm making is that we have to do a better job of that and we have to make sure there is that kind of transparency for people to appreciate those programs and how effective they are.

The other point that the member from Niagara West-Glanbrook made was the question of the parent, because obviously that's where it all starts. Parental responsibility is something that we also need to foster and nurture, particularly in communities where there are not the same kind of long roots in the community. It's very difficult for a young parent to be in a setting where they don't know people, in contrast to those where they may have grown up, gone to high school there, have friends, family. Those kinds of networks and supports are extremely important. We see it in something like the closing of the Early Years centre, where people are able to come together and they have something in common, they have their children in common, and they have an opportunity to provide that sort of informal support as well as the formal support of those centres.

So I think there is a two-pronged approach that I get from the comments made by my colleagues.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Peter Kormos:** Thank you kindly, Speaker. I'm not really going to be that long here this afternoon. New Democrats are supporting this legislation—not with 100% support, recognizing that there are still some flaws, but also recognizing that the fundamental issue, the issue of putting Comsoc in charge of both levels of young offenders, is not in and of itself a bad idea.

As I mentioned earlier in the two-minute comments, one of the things that concerned me for a long time is that in many respects, the left has either relinquished an effective role in law and order or had it taken from them. Tony Blair—no leftist by any stretch of the imagination, Bob Rae's mentor; that's Bob Rae, the Liberal—with his "We've got to be tough on crime and even tougher on the causes of crime": You'll notice that the Liberals, Mr. McGuinty, adopted that mantra.

Look, statistics are statistics are statistics. You get the academic types, the Ph.D. types, who want to impress the public with the fact that statistically, a certain type of crime is down; murders are down. That means absolutely nothing to the person who was just victimized by a criminal. The fact that they had a little bit better odds of surviving a walk down Yonge Street doesn't impress them when they've been mowed down by a gunman, does it? The fact that the police in your community say, "Oh, well, we've reduced the number of break-and-enters this year," when your mom comes home to find her house trashed and those irreplaceable mementoes, be it wedding photos or the ring that she inherited from her grandma, gone, never to be retrieved, the fact that statistically there may have been fewer B and E's this year in your community than there were last year, means absolutely nothing to her.

We talk about crimes of violence—reprehensible, of course—but I've got to tell you, and I've had occasion to say this before, the violation of one's home, a break-and-enter, especially for a senior citizen, is one of the most invasive and damaging acts that could ever be performed on them. So many of these people who have been victimized by break-and-enters literally spend the rest of their lives in fear of a recurrence. They get up and they double-check the doors at night. They come home from the supermarket or the department store and all they can envision is a house that's been vandalized by a break-and-enter artist.

**1640**

Of course we have to talk about youth crime, because this you do know: Old people don't commit crimes. People "age out" in the criminal system—unless you're Conrad Black or, for that matter, Bernie Madoff. Quite frankly, there are a couple of CEOs from Nortel who should be charged with crimes who haven't been yet. But by and large, people age—I used to be a criminal lawyer. I did a lot of work with so-called young offenders back then. I was practising law before the Young Offenders

Act came in, and I've got to tell you, I was critical at the time, because what the Young Offenders Act of course did was bring 16- and 17-year-olds into that youth regime. I've got to tell you, when you've got a 17-year-old with biceps the size of tree limbs, who has the tattoos and all the gang paraphernalia, who's walking around "packing iron," as they say, it's awful hard to think of him as a child. Regrettably, here we have to talk about the corrections end of it rather than the actual legislation, the Young Offenders Act, the criminal youth justice legislation. I believe that the public of Ontario are still incredibly concerned about the effectiveness of our legislation, our criminal legislation, as it affects younger offenders.

One of the things that I've witnessed over the course of many, many years now is the inconsistency in treatment facilities and in custodial facilities, far too many of them privately operated—transfer-payment agencies—with inadequate and insufficient supervision by the provincial government. One would like to think that unifying them under Comsoc would help in that, but I'm not sure—and facilities, I tell you, that range from very good to outright flakey. There are some groups out there running young offender facilities that simply have no business being in the business—whacky. I've been to these places, and I've seen the variation in effectiveness of the programs.

Some people may have cited the observation by the United Nations, the UN Convention on the Rights of the Child, that youth justice courts impose sentences that avoid the detrimental effects of detention as much as possible and that youth sentences be minimal, proportional and in the child's best interests. You see, proportionality is a concept of adult sentencing. If the primary focus or goal of young offender sentencing is to intervene in a young person's life—and look, you've heard it from everybody here who has spoken to this, and again, I acted for a whole lot of those kids. Ninety-nine per cent of them were very damaged goods; I have no hesitation in telling you that. They were the victims of sexual abuse within their family or by other family members, the victims of violence, the victims of parents who were incapable and incompetent, drunken drug addicts, and many times victims of a system that let them slip aside because they were a little harder to work with than others.

I say this: You can send kids to young offender facilities all you want, just like you can send adults to jail all you want, but if you aren't doing something with them while they're there, you're wasting everybody's time, aren't you? They're going to get out sooner or later. If you haven't made a significant change in their lives, they're going to be no better, and probably worse.

I know that professionals are loath to diagnose teenagers and pre-teens as sociopathic, but you know as well as I do that if it walks like a duck, if it looks like a duck and if it quacks like a duck, it probably is. So we're actually handcuffing professionals who should be engaging in far more effective intervention for a longer period of time so that the effect of it is successful.

Look, there are some offenders in our society who simply should be locked up for the protection of society. I also have a long-time belief that there should be two types sentences: very short ones or very long ones—very long if that person is incapable of being rehabilitated; short, but sufficiently long to intervene in that person's life.

Go to some of the young offender facilities in this province and, again, look at the incredible inconsistency from facility to facility in the quality of teaching, in the level of intervention.

Come down to where I live, down in Niagara. We've talked about this in this Legislature before: the absolute paucity of youth mental health services. George Marshall, a good friend of mine, a regional councillor, a long-time therapist at the Welland County General Hospital's psychiatric wing, would tell me time and time again about his waiting list and his efforts to work with young people, knowing full well that an effective intervention could make a lifetime of difference.

I strongly believe that all correctional facilities in this province, young offender or adult, should be run by the province of Ontario, with civil service workers operating those facilities, to ensure uniformity of the type of treatment and intervention that takes place in those facilities.

I also believe that the public has a right to know whether there are dangerous offenders in their midst, whether they're 17 years old or not. I believe—and that's not for us to decide—the courts should have far more discretion in publishing a young offender's name. I'm not talking about a young offender who got picked up for stealing a package of Wrigley's gum at the corner store, although the corner store operator doesn't particularly appreciate it. I'm talking about serious offenders, violent offenders, who show little potential for changing their behaviour. I believe communities have a right to know when one of those young people, children, is in their midst. I believe courts should have far more discretion when it comes to identifying young offenders who pose a danger to the community, not only to the health and safety, but the property, of other people in that community. Communities have a right to protect themselves. Parents have a right to protect their kids. Homeowners have a right to protect their property.

I just love the line that I heard many years ago that the definition of a redneck is a liberal whose house had been broken into the night before. It's remarkable how being the victim of a crime changes people's perspective about crime.

I'll put this to you: If one of your kids was attacked, I suspect you'd do anything you had to to identify and apprehend that attacker. You might even be predisposed, rather than to sit down and want to have a little discussion, to respond in a far more visceral and perhaps even primitive way—but we'll deal with the niceties later.

People have a right to be protected against criminals.

Again, we've got to talk about young offenders, because as people age out of the system, they commit

fewer and fewer crimes. It's hard to be a second-storey man when you're my age or Mr. McMeekin's age. It's just too physically arduous and you're not likely to be doing it. It takes the agility of youth.

New Democrats have, for a long time, talked about the very sorts of things that, if we're really going to address crime—Mrs. Munro very, very appropriately put it in the context of families. I have no hesitation in saying, in that respect, I enjoy the stuff that Michael Coren has written about families and the failure of families to raise children.

Mr. Hudak will know what I'm talking about. We've got some big monster houses being built up in west St. Catharines—young families. You go canvassing at election time, and you can be there at 8 in the morning and nobody's home; you can be there at 8 at night and nobody's home. Both parents, if there are both parents, are working. You take a look through the window in the front door—none of us ever really do that, but of course we look—and you see people with a house that has a mortgage that's busting their backs with almost no furniture in it. You see some tricycles or maybe some hockey sticks, so you know there are kids there. But you also know you have two parents working eight-, 10-, 12-hour days, and you know you've got kids who aren't getting the parental contact that, in an ideal world, there should be.

**1650**

When you get down to minimum wage people—I've told you this before so many times. As a matter of fact, I was in the bank, giving the bank some money down in Welland on Friday, and a woman very nicely asked when we were coming back. I said that we were coming back on Tuesday. She said, "We appreciate your hard work." I was very flattered by that, and I said, "Ma'am, I don't work hard; trust me. You know who works hard?" I talk to my colleagues here at Queen's Park who say, "Oh, we work so hard." I say, "Show me your hands." Oh, soft, soft like Mr. Hudak's daughter's cheek; not a callus, not a scratch, not a scar. You know who works hard? The woman at the 7-Eleven who shows up for her 3 o'clock shift after working in the hotels in Niagara Falls from 6 in the morning through to 3 in the afternoon. That's who works hard. She does it for \$9 an hour. She's usually raising kids. And if she's working that hard, it's a pretty safe bet, a pretty good bet, that there's not a father in the household. When she's working that hard raising kids, she's got kids who don't have the parental support, the parental guidance and the parental companionship, let's say, going out to Girl Guide meetings or Boy Scout meetings, never mind—you don't go to minor hockey when you earn those sorts of wages because you simply can't afford the equipment. Soccer is a reasonably economic sport. Soccer is a strong sport down in Niagara, where I come from.

These kids, through no fault of their mothers, are also at risk. They don't have a mother at home making supper at 5 o'clock, because she's still working. They don't have a mother or a parent at home at 6:30 in the evening

helping with their homework, because she's still working. So they struggle along. If a kid has a learning disability, things like attention deficit disorder, in most of Ontario they don't have a mental health service that helps them deal with that, even if their mother had the time in her six- or seven-day-a-week work schedule to get that kid to a doctor, even if there was a doctor who was there to diagnose a kid and even if there weren't the huge waiting lists in places like the Niagara Centre for Youth Care.

But we can intervene effectively to prevent youth crime. We've got to start talking about family, and we've got to start talking about families that are living in decent housing. We've got to start talking about families that have enough time with each other so that that parent-child relationship can be nurtured and cultivated and so that the home is the base of the family, not the street. Just like where you come from, Speaker, or where I come from, city councils are under incredible pressure because of the failure to upload the download—10 years, now. Recreational facilities are being shut down. The fees to play baseball in the summertime are increasing.

I go to as many of the sea cadet, air cadet, army cadet and Boy Scout and Girl Guide events down in Welland and Niagara as I can. I recall—and I've had occasion to say this many, many times—as a lawyer, I had a very, very busy criminal practice and acted for a whole lot of young offenders, and I never had a kid who was an active participant in those organizations as a client. But that's not to say that they didn't perhaps from time to time, as I say, steal the Wrigley's chewing gum, but that was almost inevitably dealt with in a discretionary way, by a good cop who understood that kids do these things.

One of the other phenomena of the Young Offenders Act was that charges against young people increased because the Young Offenders Act in this country heralded a dividing line, a point in time when discretionary behaviour on the part of police officers—this isn't that long ago, when a cop, rather than laying a charge, would take a kid home to his or her parents or talk to the principal or the teachers at the school and try to find out what was going on, whether there was a problem that had to be addressed. But those days are long gone. Police are under pressure now to generate statistics and, quite frankly, to cover their butts. That means you lay charges, when at a time not that long ago police officers had far more discretion.

Then you've got young offender courts. I knew some of the best judges in the country, I'm sure of it—guys like Lloyd Budgell down in Welland and Wilma Scott—but with dockets three and four pages long. Here are skilled judges, hard-working judges, judges for whom I have the greatest respect, who are having to process people in a sausage-factory style. You've got probation officers who are harried and overworked because there simply aren't enough. Then you've got pre-sentence reports that are rushed and inadequate.

I used to drive the judges crazy because under the old Young Offenders Act, you could appeal to the judge to

have a psychiatric assessment done on a kid. I was criticized of overusing that provision, overusing that section. I did it without hesitation because here's an opportunity for the state, with all of its resources, to intervene in a kid's life, to find out if there's a sexual abuse problem, if there's a family violence problem, if there's a drinking or drug problem in the home, to find out if a kid has a learning disorder or attention deficit disorder, because it wasn't going to happen otherwise. But, as you know, the facilities to provide those tools are scarcer and scarcer, and waiting lists are longer and longer.

I'm not, by any stretch of the imagination as a New Democrat, talking about being easy on any offender. I'm a strong believer in those diversion programs. They can be very effective and do work. I'm a strong believer in enhanced police discretion. It's not quite germane, but there's that wacky story out of Mr. Rinaldi's area where a cop pulls over a guy smoking in a car who is, what, a teenager—

**Mr. Lou Rinaldi:** Twenty years old.

**Mr. Peter Kormos:** —twenty years old, a young man—and he's going to bust him for smoking in the car because there's a 15-year-old in the car with him. Catch this: So they get out of the car, the cop is writing up this 20-year-old for smoking in the car—I presume it was tobacco—and here's the 15-year-old, who is purportedly the victim of the crime, pulling out a pack of cigarettes and lighting up a smoke while the cop is writing up the 20-year-old who was driving. Nuts. Good God.

**Mr. Lou Rinaldi:** So what's your point?

**Mr. Peter Kormos:** What's my point? Here's a cop who doesn't use very much discretion, does he, Mr. Rinaldi? And he's one of yours.

**Mr. Lou Rinaldi:** He is abiding by the law.

**Mr. Peter Kormos:** I tell you, that is an incredible waste of police resources. That cop, as we speak, is being razzed in some police detachment by his colleagues somewhere here in the province of Ontario. That cop is going to get those newspaper reports stuck to the front of his locker as long as the newspapers keep publishing it. That cop is going to acquire a nickname. I can't even begin to imagine what it would be, but knowing cops as I do, they're very creative.

I quite frankly think that we need more diversionary programs and more discretionary powers, but we also need the ability to intervene effectively in young people's lives. We also need to make sure that young people have families, homes, educations and the ability to aspire.

There's a concept in sociology called anomie. I just reflect on how many kids whom I acted for, including more than a few adults, for whom life was better in a detention facility than it was in their own homes. How do you persuade that kind of kid that it's in his or her interest not to commit crimes? When a kid has nothing and no ability of ever getting nothing, how harshly can we condemn him or her for boosting a bicycle, notwithstanding that a bicycle theft is—especially for kids who lose a bicycle, it's just a tragic thing, never mind a dog, as you read about recently.

## 1700

The one concern that I expressed to Ms. Horwath about this legislation is that under the correctional services act, MPPs have the statutory right to enter and examine any jail in the province—and it's a right that I exercised often, a couple of times involuntarily. But I think that's an incredibly important role. I hearken back to the days of Jim Renwick and others here in this Legislature—and Mr. McMeekin will recall this well—who spearheaded prison reform in this province, who were mocked in this chamber for raising concerns about the violence on young offenders at St. John's Training School in Uxbridge, young women and young men—true tragedies. Those of us who have been here for a while recall them being in the visitors' galleries while they were apologized to, and we saw the broken lives, the shattered lives. I think it's an incredibly important role for an MPP to play: to ensure that there's hands-on—I'm not talking about interfering in what happens in a facility, but the ability to enter a facility, just like you have, under the Education Act, the ability and power to enter a school in your riding. I'm not sure whether that is within the—it's certainly not in Bill 103. But it's my understanding that that power is not being accorded to MPPs, and I find that genuinely regrettable.

This bill was the simple proposition, effectively, of merging the two tiers of young offender corrections. I really wish that this province would have a lengthier and serious discussion about youth corrections across the board, about the facilities that are there, about the appropriateness of those facilities, about the auditing of those facilities. I wish we'd have a lengthy discussion about understanding who's in those facilities and why they're there and, in many respects, the absurdity of proportionality when it comes to a young offender sentence. A seven-day sentence is the sort of thing you give a repeat offender adult shoplifter or somebody who commits a common assault in a bar. It's not intended to provide a venue or a period of time in which there can be effective treatment and intervention.

I also have concerns about family and children's services in this province. I believe there's a great inconsistency from community to community, and it is my dear wish that family and children's services would be abolished and become a direct government service. It's an antiquated 19th-century proposition, Victorian in its design, where there's no political accountability, notwithstanding transfer payment monies from Ontario taxpayers supporting, for all intents, everything that they do. The serious shortage of child mental health services, including beds and treatment facilities, is one that's going to catch up with us.

Dr. Thoppil Abraham, who just retired as a psychiatrist down in Welland—a dear friend of mine—now works at the Hope Centre as a volunteer. It's a soup kitchen, and many of the people there have serious mental health problems. Thoppil Abraham does everything from fill out ODSP applications to provide opinions as to their eligibility as a disabled person, to doing some

sort of hands-on street psychiatric treatment. One of the things that Thoppil Abraham has repeated over and over, and his words have been proven true over and over again, is that especially when we're in this huge economic turmoil, people are losing jobs, and when people lose jobs, families break down. Kids drop out of high school, never mind university and college, because the level of despair mounts and becomes increasingly incapable of being reined in. And that means the demand for psychiatric services is compounded.

So as much as we need the 12 GO Transit parking lots that the Premier announced today, we need a major infusion into children's mental health services. Because like the Petri dish in a lab, we will be breeding, nurturing, cultivating kids who have so little respect for themselves that they have no respect for others, kids whose sole outlet is violence and who at some point will be incorrigible, beyond the point of recovery, and then you've got to lock people up for life, don't you? And if you want to be purely pragmatic about it, that's not a cheap proposition either. So you can pay now or pay later. I'd say that our investment in our young people should be now, and we need that debate, in addition to this modest debate, at a broad-based level across all three parties and across the province in short order.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Mike Colle:** I was listening attentively to the member from Niagara Centre, and he got me to think about sometimes the messages our justice system sends out to young offenders or young people or people in general, the consequences of certain things or the paths you take.

For example, in my riding there's a park where men and boys come down and they play dominoes and they play cards. On Saturdays usually there's a guy who comes trying to support his family of four kids. He sells soup out of the back of a truck to make a few bucks—he does this every Saturday—and the guys playing dominoes will buy the soup from him for a buck or two. Wouldn't you know it? One day he gets a ticket for \$150 for selling the soup. Meanwhile, on the other side of the parking lot there's a guy selling dope and drugs. They're all laughing at him because they know the cop won't arrest them or give them a ticket for selling drugs, whereas the poor guy selling soup gets a \$150 ticket. I don't blame the police officer, because you know how difficult it is to get evidence on those drug dealers. You've got to have undercover people; you've got to have a whole record of surveillance and so forth. So the message really goes out to young people who are in the park watching this: The guy selling soup got the \$150 fine, so I'm not going to sell soup. I'm going to look at those other guys laughing in the bushes selling dope and nobody touches them—and they sit there every day selling dope.

Those are the kinds of messages we sometimes send. You know, young people are pretty perceptive. They see these things, they hear these things that take place, and

no wonder some of them say, "Hey, wait a minute now. Which way should I turn?" You certainly don't help these kids if you make it impossible for them to make a dollar selling soup.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Norm Miller:** I'm pleased to add a couple of comments to the, as always, interesting speech from the member from Welland on Bill 103.

We've been told by the government that this bill is more or less housekeeping, although it appears to be a little bit more than just housekeeping. It used to be that 12- to 15-year-olds were under one act dealing with younger kids, and the 16- and 17-year-olds were dealt with under the Ministry of Correctional Services Act. I do have some questions now when you're mixing 12-year-olds with 17-year-olds and about how that works out. Certainly if they are in the same youth detention facility, you could have a situation where the older youth are educating the younger youth, and not necessarily in the things that we would want them to learn. So I do have some questions for the government about how they maintain the separation between the youngest of that group and the oldest. I would be interested to hear what they have to say to do with that.

1710

**The Acting Speaker (Mr. Ted Arnott):** Further questions and comments?

**Mr. Jeff Leal:** I thought the member from Welland put some very thoughtful comments on the record today regarding Bill 103. He raised a point that was very interesting about organizations that young people can belong to.

I just recently had the opportunity to be in Lakefield, Ontario, which is a community just north of Peterborough, to attend a joint meeting of the local Lakefield Cub and Scout troops. There were a number of young people there who were from single-parent-led families, and after the session had concluded, it was interesting, because some of the mothers would come by to pick up their young children and teenagers, to have a coffee and a doughnut, and you could see the smiles on their faces when they had the opportunity to have their children in that kind of framework, because the topic that evening—they asked me to come to make a short presentation on the role of an MPP, but beyond that, they were talking about the responsibilities of citizenship on that particular night. They were talking about the requirement to get their citizenship badges. It was interesting to see how the troop leader that night was engaging all the young people there to talk about the rights and responsibilities, and the whole concept notion about citizenship. You could see that framework. They were certainly given the opportunity, of course, to participate, and there was quite a dialogue going back and forth to really create that self-worth for that young person to talk about his or her citizenship and the obligations that one has.

The other thing, I think, that's been helpful—particularly the waiving of fees for our gymnasiums across

the province of Ontario to engage kids in basketball and soccer. I recall, when I was a city councillor, the opportunity to provide kids with that opportunity to be involved in organized sports.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

I'll return to the member for Welland, who has two minutes to respond.

**Mr. Peter Kormos:** Interesting input from all members, and it underscores my belief that we need a much broader-based discussion about youth in Ontario, youth crime and solutions to youth crime. Mr. Colle tells an incredibly powerful story.

Let's understand, we glamorize deviant behaviour. Tony Soprano is a television hero. That series, an incredibly popular series, was designed to make viewers sympathetic to Tony and his problems as he sat with his psychiatrist. Hollywood was making us fans of Tony Soprano. There's a whole element of Hollywood-driven popular music out there that literally glamorizes gun-fighting, abuse of women, drug-dealing, anti-cop-ism. Make no mistake about it, this is driven by commercial interests; this isn't artistic freedom. This is what's going to sell at that particular point in time. I think we should reflect on exactly this growing phenomenon of celebrating deviant behaviour instead of celebrating positive and mature behaviour.

Mr. Leal talks about Boy Scouts—air cadets, sea cadets. Those kids are under an incredible lot of peer pressure because it's not always cool to do what they're doing. These are teenage kids. It's very, in some quarters, uncool. So what have we done? Once again, we don't celebrate the positive contribution that all of us, especially young people, can make to their futures in the community, but we're glamorizing Tony Soprano, along with any other criminal television-types. That warrants reflection as well.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mrs. Carol Mitchell:** Welcome back, everyone. I rise today—

*Interjection.*

**Mrs. Carol Mitchell:** And I mean it. I rise today to support Bill 103, but I wanted to give it a little bit of a different perspective, and I wanted to share a couple of experiences that I've had.

I know that many of the members are aware that we have the Bluewater youth detention centre located in my riding. I've had a number of opportunities to go on-site. One of the days that I wanted to share with all of the House and those who are listening today was when I was invited to the Duke of Edinburgh's Awards day. I can tell you that this is a day that the residents of the Bluewater detention centre certainly celebrate.

Why do they celebrate this awards day? Here's how it works for the Duke of Edinburgh's Award. They have the opportunity to sign up. There are different levels of awards, so they pick where they want to start and then they begin the process of going for the different levels.

All of them are encouraged to come forward and sign up for these awards. When the MP and the MPP of the riding show up, it gives them the opportunity to talk about the work that was involved at each level of the awards. One of the things that I certainly have learned over the years is that, more than just the family, it takes a community to raise all of our children.

When I think about the skills that they learn—I'll just give you an example, because I know the members are anxious to hear about some examples. One of the things that they did was survival. They were given limited water, limited food, and then they were taken out—it's a large property—and they had to provide the skills to keep themselves of sound mind and body while they were under this endurance test. They had to use all the skills they had been taught, such as starting a fire, setting up a tent, and actually preparing food over this fire. To listen to all of them talk about it, they were so excited that they were learning these skills, because, as you know, often the youth who come to the detention centre located in my riding come from larger urban areas, so it's a wonderful learning experience for them. While they are learning, they're also learning a multitude of skill sets, they're learning leadership, and they are learning the ability to retain all of the knowledge and how to apply it.

I think one of the most important things we can do is teach our children adaptability to the environment that they are in and then provide the skill sets they need to get on in their lives, and also the understanding that education is such a key component of that. So I really do want to congratulate, first of all, the Duke of Edinburgh for recognizing the need and then coming forward with a program like this.

I wanted to share with you a young man who is 18 years old, and the skills that he learned. I really want to recognize all of the work that he did to get to that level and to congratulate him. But I wanted to also share with you a young man who would be 20 or 21 years old. He now is at the university. He came into the detention centre and picked up the educational component that he needed to go on into posts-econdary and now is registered in post-secondary. So even within the environment of the justice system, we have to give the tools to those who choose to turn their back on crime.

When we talk about communities, what can we do as community members to ensure that our children have a foundation, that they can thrive and grow in a community while being very respectful of other community members, if in fact the life that they have chosen is a pathway of crime? How should that be dealt with?

When we think about the work that has been done on the poverty committee in developing the strategy, and we look at the many components that must come forward in a comprehensive strategy to ensure that that is a strong foundation to grow on, it really is what we need in every community. There certainly will be challenges for all of that to come together, especially given today's economy, but we look at what we can do with our children, for our children. It really is important. The work that will happen

in Bill 103 is just another piece of the puzzle that will ensure that our children have a very comprehensive strategy going forward.

**1720**

I know the member from Welland always likes to share a little story about himself, about what he was the leader of, so I'm going to share a little story about myself and the work that I've done with children over the years. I'm sure that you'll be anxious to know this: I'm what I would refer to as an old Girl Guide leader. I also was a Pathfinder leader, and I've worked with young girls for, oh, longer than I would want to acknowledge, because I'm just 29 and holding—so it was certainly a long time. But one of the things that we certainly taught the young ladies was a strong sense of community, how important their role is within the community and what their citizenship means: respect for themselves, first and foremost; respect for others; and respect for the community they live within, and how, then, they can thrive.

I think about all the young ladies over the years whom I had the privilege to work with. What they have gone on to become really is something to see. Sometimes when you say things like this, it sounds a bit trite, but one of the things that we always said in Girl Guides was, "You always leave a place better than when you found it." It is something that I believe the young ladies who went through have certainly demonstrated in the latter part of their lives and will continue to do as they go forward.

I'll go back to Bill 103. I support it because I believe that it is important to focus on a different strategy from ages 12 to 17 and then to identify the tools that would be most successful in helping our young people who choose to turn their backs on crime and to develop that strategy, making sure that we've done everything we can do to move them forward.

I'm very disappointed that I don't have as much time as I had hoped for. We could have gotten into when I taught swimming lessons for a number of years. I know that the members would be anxious to hear about how we did leadership and a team approach. One thing I do want to say to those who are listening is that government can put policies in place, we can do a lot of things—we have a number of tools to work with—but at the end of the day, it's a community that must bring about change for all of us, a change of attitude, and all of us can make a difference in young people's lives today.

I always like to end with my old Girl Guide saying: "We must leave the place better than we found it." If our young people take that to heart and we ensure that they have the tools to work with, I'm sure Bill 103 will be successful.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Mike Colle:** I just wanted to comment briefly on the remarks of my colleague from Huron–Bruce and her very personal input on this bill, because I think it has made us reflect a bit about why we need to look at this bill in its narrow context but also in its wider context, the wider context being that our young people do need some

appreciation at times. As much as they need discipline, the appreciation comes from the fact—I think the member from Welland mentioned it. I don't know the statistic exactly, but I think it's 50% of the inmates in juvenile detention institutions have either dyslexia, ADD—attention deficit disorder—or some kind of abusive history in their family. Some of them have medical conditions that have never been diagnosed, like hearing problems, so they basically are in there because they couldn't adapt to the normal classroom; the home setting was not appropriate. And yet they end up in that very horrible situation, the detention centres. If we don't give them any help, then they're essentially condemned to a horrible, horrible future.

I just think that sometimes we have to stop and reflect on that, and that's why it's so important to give young people opportunities to get involved in community work and have some self-esteem, some sense of worth, which is sometimes difficult. As we've said around here, sometimes parents are not able to do that, whether it's one parent at home or a parent with three jobs; it's not unusual—parents or grandparents that raise children.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

I'll return to the member for Huron–Bruce, if she chooses to reply.

**Mrs. Carol Mitchell:** I want to thank the member from Eglinton–Lawrence for his kind comments.

I know that there has been a great deal of discussion on this bill, and I know that there will be, going forward, because the members of the House, all members, all sides, know how important this work is, and specifically, in dealing with our youth, our young people, what a difference there will be in this province if we get this just right.

So we recognize that Bill 103, the poverty strategy coming forward, will be many comprehensive policies that are knit together that will provide the foundation for our young people. We also know the commitments that we have made to post-secondary and our secondary, elementary—those are also tools that are available for our young people. But it's about making sure that all of our young people have opportunities.

*Interruption.*

**Mrs. Carol Mitchell:** And there someone's calling to let me know that they have some opportunities.

Mr. Speaker, I do want to thank you for giving me the opportunity to speak to Bill 103.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

Government House leader.

**Hon. Monique M. Smith:** I move adjournment of the debate at this time.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Third reading debate adjourned.*

**Hon. Monique M. Smith:** I move adjournment of the House at this time.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry?

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

All those opposed will please say “nay.”

In my opinion, the ayes have it.

This House stands adjourned until tomorrow at 9 a.m.

*The House adjourned at 1729.*

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Hampton, Howard (NDP)	Kenora–Rainy River	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
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Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
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Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
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Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
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Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
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<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Small Business and Consumer Services / Ministre des Petites Entreprises et des Services aux consommateurs
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
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Howard Hampton, Greg Sorbara  
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