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Monday 23 March 2015

Lundi 23 mars 2015

Speaker
Honourable Dave Levac

Clerk
Deborah Deller

Président
L'honorable Dave Levac

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 23 March 2015

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 23 mars 2015

The House met at 1030.

The Speaker (Hon. Dave Levac): Good morning. Please join me in prayer.

Prayers.

The Speaker (Hon. Dave Levac): Please join me in a moment of silence for inner thought and personal reflection.

INTRODUCTION OF VISITORS

Hon. Michael Coteau: It's my pleasure today to welcome Tanisha Martinez, who is joining us here today at the Legislature. There she is. She is one of our first torchbearers selected here in the province of Ontario. She was selected because of her bravery: She actually helped save the life of a man who was under some trauma back in 2013; she provided assistance. It's a pleasure to have her here and a pleasure to have her participate as a torchbearer in the Pan Am/Parapan Am Games.

Hon. Kevin Daniel Flynn: We have some new pages today. The very first page captain is Marin Papulkas, and her father has joined us today. Please welcome Thomas Papulkas to Queen's Park.

Hon. Brad Duguid: I'm delighted to introduce Sam Salloum, father of Chris Salloum, my outstanding legislative assistant. He's here from Edmonton, Alberta. Welcome.

Mr. John Vanthof: Our page captain today is Jessie Meanwell. I'd like to introduce Jessie's mother, Frances Cockburn; Jessie's father, Charles Meanwell; and Jessie's aunt, Lynn Cockburn. Welcome to Queen's Park.

Hon. Reza Moridi: Mr. Speaker, please join me in welcoming Mr. Saadettin Ozcan, president of the Anatolian Heritage Federation; Mr. Ahmet Tamirci, vice-president of the Anatolian Heritage Federation; as well as Mr. Mehmet Durmus, the CEO of the Turkish Canadian Chamber of Commerce. The federation is having their annual event here at the committee room. Please welcome them.

Mr. Peter Tabuns: It's my pleasure to introduce Mr. Ric Randmaa, father of page captain Luc Randmaa. He is in our public gallery.

Ms. Harinder Malhi: I'd like to welcome Mr. Robin Singh, who is joining us in the public gallery today. He is the father of page Japneet Kaur.

Mr. John Fraser: Mr. Speaker, I'd like to welcome, from Ottawa South, page Joe Fast.

The Speaker (Hon. Dave Levac): Further introductions?

On a point of order, the member from Nepean–Carleton.

Ms. Lisa MacLeod: I wanted to bring to the attention of the House the crushing defeat of the Toronto Maple Leafs at the hands of my Ottawa Senators this past Saturday in what is known annually as the battle of Ontario. I wanted all members, particularly those from Toronto, to hear about that crushing defeat on Saturday night.

Interjections.

The Speaker (Hon. Dave Levac): Order, please. I'd like to thank the member for Nepean–Carleton for starting the heckling before question period.

It is now time for question period.

ORAL QUESTIONS

BY-ELECTION IN SUDBURY

Mr. Jim Wilson: Speaker, my question is for the Premier. On March 9, the public became aware of the RCMP investigation into senior officials of the Ontario Provincial Police Association. A mere six days later, Commissioner Hawkes announced the officers under investigation were suspended.

On December 15, the public learned of the alleged bribery in the Sudbury by-election, and here we are, 92 days later, and you, Premier, have yet to hold anyone to account. Premier, will today be the day you show some integrity and ask for Pat Sorbara's resignation?

Hon. Kathleen O. Wynne: Mr. Speaker, welcome back. As I was saying, the situations are very different. I think the interim leader of the opposition knows that. The investigation into the OPPA arose out of an internal complaint and investigation within their organization. The Sudbury investigation arose out of allegations from the opposition.

I can't comment on the OPPA's internal review, Mr. Speaker, the facts which led to their decision. The fact is that there is an investigation going on in the Sudbury situation. That investigation is happening outside of this Legislature, and we're going to let it unfold as it should, outside the Legislature.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Jim Wilson: Back to the Premier: With the OPP officers under investigation suspended from duty and fired or removed from their positions, they are, Premier, physically removed from the OPPA offices which are the focus of the investigation. This action removes any doubt as to the integrity of the investigation.

Premier, for three months you have allowed your deputy chief of staff access to every shred of evidence

pertaining to the Sudbury by-election and the OPP's bribery investigation. Why won't you hold yourself to the same standard of integrity as the OPP commissioner?

Hon. Kathleen O. Wynne: Well, Mr. Speaker, again, as I've said, I can't comment on the OPPA's internal review of the facts that led to their decision. But what I can say is they are very different situations. The one was an internal complaint within the organization. The situation in Sudbury is an allegation by an opposition party.

The fact is, there is an investigation going on. I've been very clear about my actions. I made a public statement. I've answered questions repeatedly. There is an investigation going on. We will work with the authorities, but we'll work with the authorities outside of this House, which is where the investigation is taking place.

1040

The Speaker (Hon. Dave Levac): Final supplementary.

Mr. Jim Wilson: The commissioner of the OPP and the board of the OPPA have done the right thing. They've made the decision to remove the officers, seal the evidence and allow the RCMP to have an arm's-length proper investigation. They've restored some integrity back into their system and into our system of justice. They've not acted as their own judge or jury. They've not acted above the law. They simply did the right thing while the investigation unfolds.

It's a standard that Ontarians have a right to expect of you and the office you hold: to do the right thing, the honourable thing. Premier, what is it going to take for you to hold anyone in your office to account for the actions they have done?

Hon. Kathleen O. Wynne: As I've said in this House many times, I take this situation very seriously. The investigation is independent of government. The only statement that has been made by an organization, Elections Ontario—I've said this many times; I've quoted this many times in the House, but I will do it again, Mr. Speaker. The Chief Electoral Officer clearly stated, and I'm quoting: "I'm neither deciding to prosecute a matter nor determining anyone's guilt or innocence. Those decisions are respectively for prosecutors and judges."

Those decisions will not be made in this House, Mr. Speaker. Those decisions will be made as a result of the investigation and whatever process thereafter, and that's all happening outside of this Legislature.

HOUSING SERVICES CORP.

Mr. Ernie Hardeman: My question is to the Premier. When you were Minister of Municipal Affairs and Housing, you would have received the social Housing Services Corp.'s 2010 financial statement. The HSC makes their money by marking up the cost of natural gas and insurance for housing providers. They are supposed to be part of helping the most vulnerable people in our society. The financial statement showed that HSC had invested Ontario social housing dollars in a company called HS 497 Ltd. Can you tell me who HS 497 Ltd. is and where they are located?

Hon. Kathleen O. Wynne: Minister of Municipal Affairs and Housing.

Hon. Ted McMeekin: Mr. Speaker, I just want to be very clear: I share the honourable member's concern about expenditures. Where we differ, I suppose, is how you respond to that. It was the honourable member's government that put in place the Housing Services Corp. without the accountability mechanisms necessary. We, of course, in government, changed that and, as a result of that, were able to spot some difficulties and respond to them.

In terms of that—the specifics—the Housing Services board has agreed to operate under the expense regime of cabinet and Treasury Board. They've also asked us to work with them to bring in a third party to evaluate.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Ernie Hardeman: Back to the Premier, Mr. Speaker: I'm not surprised that the minister was unable to answer, because it was during the time that you were Minister of Municipal Affairs and Housing. I just want to say that we found out through documents that are available—and I think you should have read that report—that HS 497 Ltd. is not even in this country. Under your watch, the HSC invested Ontario affordable housing dollars in a company located in Manchester, England. There's no evidence that Ontario got a single dollar back, and HS 497 has been dissolved.

Premier, this isn't the only questionable deal. HSC loaned over a million dollars to Innoserv Solar. Most of the loans were written off as uncollectible in the same year they were given. Innoserv is now dissolved, too, so another million dollars of affordable housing money is gone. Your review isn't even looking for this money. Will you ask the auditor to review this?

Hon. Ted McMeekin: Mr. Speaker, I think the honourable member's comments support what I'm saying: There are some changes that are happening at the Housing Services Corp.

Let me just say this: One of my favourite philosophers—

Mr. John Yakabuski: Who's going to jail?

The Speaker (Hon. Dave Levac): Stop the clock. That'll do.

Mr. Gilles Bisson: You have friends?

The Speaker (Hon. Dave Levac): That'll do.

Start the clock.

Minister?

Hon. Ted McMeekin: Most of my friends would agree with this philosopher who said that the needs of the many must supersede the needs of the few or the needs of the one.

This corporation was set up—

Interjections.

The Speaker (Hon. Dave Levac): Thank you.

Minister?

Hon. Ted McMeekin: Just continuing—

Interjection.

The Speaker (Hon. Dave Levac): The member from Nepean—Carleton will come to order.

Carry on.

Hon. Ted McMeekin: The concept of pooling efforts—which was one thing the party opposite, when they were in government, got right—is something that we continue to maintain so that the benefits can accrue to all municipalities, including small municipalities like the one the honourable member is from.

The Speaker (Hon. Dave Levac): Final supplementary.

Mr. Ernie Hardeman: Back to the Premier: Premier, your so-called accountability measures aren't working. In 2013, Housing Services Corp. advanced \$125,000 to a for-profit company that they formed with yet another British organization. Since then, the HSC CEO has spent thousands and thousands of affordable housing dollars travelling across Canada—and to Europe—pedalling that for-profit company.

There is a pattern of affordable housing dollars being funnelled into for-profit companies. It's Ornge 2.0. Premier, can you explain to the 165,000 families waiting for affordable housing how this is helping them? If not, will you call the auditor today to investigate?

Hon. Ted McMeekin: As I stated earlier, I thought quite clearly, there is a third-party independent review of the entire operation of the Housing Services Corp., and the operations of all their subsidiaries. That's a prudent step and it's one that the Housing Services Corp., which is an independent, non-profit corporation separate from government, requested us to help—

Interjection.

The Speaker (Hon. Dave Levac): The member from Renfrew, come to order.

Hon. Ted McMeekin: —and we are delighted to do so. We'll be proceeding with that review, and that review will guide us on any further steps that may need to be taken.

GOVERNMENT'S AGENDA

Mr. Taras Natyshak: My question is to the Premier. Speaker, the Premier is slashing services because Liberal scandal and incompetence has left the Premier scrambling to pay the bills. Does the Premier think the way to pay for Liberal waste is to close child care centres, slash half a billion out of education and close neighbourhood schools all across our province?

Hon. Kathleen O. Wynne: I'm going to assume that this is the beginning of the NDP's attack on a budget that they have not read, that they have not seen yet, the assumptions underlying which they ran on.

The fact is we are investing in people—we have been doing that; we will continue to do that—investing in their talent and skills. We are investing in infrastructure, and by that I mean the roads and bridges across this province; I mean the transit that is needed. We are making those investments in order to allow our economy to continue to recover and to thrive.

We are setting up a retirement security plan that is going to allow people in this province to be more secure in their retirement. We are creating a dynamic business climate that allows private business to do what they do

best, and that is create the jobs that we know we need in this province.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Taras Natyshak: Does the Premier think that the best way to keep funding Liberal waste and scandals is for the Liberal government to fire nurses in Sudbury, Timmins, Quinte, Leamington or Sault Ste. Marie?

Hon. Kathleen O. Wynne: Since that's not what we're doing, I would challenge the premise of the question because we continue to make investments in those very services that are needed in all of those communities. We're going to do that with a budget that is based on an elimination of the deficit by 2017-18.

This fantasy or this myth that the NDP wants to propagate that somehow we are not making those investments and somehow we are not supporting the services that people need is just not the case. That is the plan we brought in in our last budget. That's the plan that we are executing and that is the plan that we will continue to implement when we bring our budget forward this spring.

1050

The Speaker (Hon. Dave Levac): Final supplementary.

Mr. Taras Natyshak: That's exactly what we're afraid of: the last budget being repeated. Ontarians have seen first-hand that privatizing hydro generation and deregulation in the late 1990s and early 2000s has shot our bills through the roof, and even Liberals said that privatizing the 407 was a complete disaster.

Interjection.

The Speaker (Hon. Dave Levac): Minister of Economic Development, come to order.

Mr. Taras Natyshak: Now the Premier is planning to privatize even more hydro assets that Ontarians own. Does the Premier really believe that a fire sale today is the solution to a problem created by a fire sale 15 years ago and compounded by 10 years of Liberal incompetence?

Hon. Kathleen O. Wynne: I just want to be clear because this is a very important gambit and it's going to come up over and over and over again. Let me be clear: I have said and we have said clearly that we are going to invest in transit and transportation infrastructure across this province. That is a commitment and we are going to remain true to that.

Having said that, we ran on a plan that would review the assets that are owned by the people of Ontario. We ran on that plan, Mr. Speaker, and they ran on that plan. They ran on the same assumptions that we ran on. That was part of their platform. We are doing that review.

Now the third party has said, "We don't think there should be any change in the LCBO or in the Beer Store. We don't think there should be any change in Hydro One." Basically what they're saying is, "We don't think you should invest in transit because we don't think anything should ever change." Well, that's not our position.

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. Be seated, please.

New question.

GOVERNMENT'S AGENDA

Mr. Taras Natyshak: Back to the Premier: Last year, right around this time, the Premier was insisting that she had introduced the most progressive budget since the dawn of time, but a year later—

Applause.

Mr. Taras Natyshak: —curb your enthusiasm—schools are being cut, nurses are being fired, child care centres are being closed and the Liberals are beating the drum of privatization. All the while, she's opening new loopholes for the wealthiest corporations in the province while everyone else picks up the tab for more than a decade of Liberal waste and corruption.

Premier, can we expect a rerun of last year with claims of a progressive budget while we experience what Bloomberg called the “biggest ... cuts since Harris”?

Hon. Kathleen O. Wynne: There are 24,000 more nurses practising in Ontario than there were when we came into office. On top of that, let me just say that the plan that makes sense, that this member ran on in the election, was—

Interjections.

The Speaker (Hon. Dave Levac): I would caution the member to not hold anything up. Thank you.

Carry on.

Hon. Kathleen O. Wynne: That is just the document that the third party ran on, and they ran on it using exactly the same financial and fiscal assumptions that we made, except that they said they were going to find \$600 million more.

They said, on page 2, “We will balance Ontario's books by 2017-18 with significantly more fiscal space than the Liberal plan.” That was their plan: to find \$600 million more, in addition to everything that we were doing, including reviewing assets.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Taras Natyshak: The Premier can claim that she has another progressive plan, but here are the facts: education—half a billion in cuts; health care—nurses being fired across the province; child care—18 centres facing cuts and parents losing child care spaces; public services—fire sale.

Who's getting help? The wealthiest companies in Ontario are getting brand new HST handouts while families have to deal with cut after cut, all because of more than a decade of Liberal waste and corruption and scandal. Can we expect more of the same in this budget?

Hon. Kathleen O. Wynne: What you can expect is exactly that we will continue to invest in health care, that we will continue to invest in education. In fact, those budgets are going up this year; they're not going down.

The member opposite simply will have to read the budget when it comes out and understand that the investments that we are making in home care, in our children's education and in our young people's job opportunities—those are the things that will set us up for the future, including the investments in transit and transportation infrastructure that they apparently do not think that we should be making. All of that will be part of our budget.

The Speaker (Hon. Dave Levac): Final supplementary.

Mr. Taras Natyshak: Ontario can't cut its way to prosperity, but instead of laying the groundwork for growth, the Premier is cutting education. She's firing nurses and she's cutting child care so moms and dads can't afford to go to work. She's even planning to privatize hydro assets that Mike Harris and Ernie Eves took off the chopping block. The Premier is spinning—

Interjection.

The Speaker (Hon. Dave Levac): Minister of Education, come to order.

Mr. Taras Natyshak: —from the left, governing from the right and—

Hon. Liz Sandals: You have a really weird definition of cut.

The Speaker (Hon. Dave Levac): Stop the clock, please. As I was asking her to come to order, she continued speaking. The Minister of Education, come to order.

Finish your question, please.

Mr. Taras Natyshak: Premier, you're spinning from the left, governing from the right and destroying the middle class.

Will this budget mean more cuts, more corporate giveaways and more Liberal corruption? Or will the Premier commit to stopping her cuts and finally putting people first?

Hon. Kathleen O. Wynne: Our plan is about putting people first. It's about making the investments that people need. It's about making investments in transit that will help people get home to their kids and get to work in better time.

Our plan is about making the investments in roads and bridges in counties and municipalities around this province that are needed by those municipalities in order to draw business. Our plan is about making sure that young people have the opportunity to have work experience so that they can get into the jobs that are going to allow them to have that lifestyle in the future, that will allow them to look after their families. That's what our plan is about and that is, in fact, Mr. Speaker, the plan that we ran on. It's the budget that we introduced last year and this year's—

Hon. Charles Sousa: Twice.

Hon. Kathleen O. Wynne: Twice—we introduced last year's budget twice. This year's budget will be an exact extension of that plan.

DRIVER LICENCES

Mr. Michael Harris: I've got a question to the Minister of Transportation. Minister, how long does it take your ministry to review and respond to a medical suspension of a driver's licence?

Hon. Steven Del Duca: I do thank the member from Kitchener–Conestoga for that question. I'm delighted to hear a question coming from a member on that side of the House on an issue that I know is important not only to that member but, of course, to many members. This is

something that comes up from time to time in many constituency offices, including my own.

That member would have heard me say on multiple occasions—I say it all the time—that road and highway safety is perhaps my most important responsibility as Minister of Transportation. In responses or answers to media last week, I talked a lot about that when this kind of question came up.

What I know is that our Ministry of Transportation is currently meeting or exceeding our public service guarantee with respect to evaluating medical data related to driver's licence suspensions in a responsible amount of time so that drivers are back on the road as soon as possible while ensuring that ultimately our roads remain safe.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Michael Harris: Minister, for you to say your ministry is exceeding the guarantees for MTO medical evaluations confirms you have absolutely no idea what's going on in your own ministry.

You tell us that you will review cases and take action within 30 business days. The truth is, for many, it's taking double that time or more. Every MPP here can tell you about the frustrated motorists putting lives and livelihoods on hold while awaiting medical review. It's great that substitute teacher David Wallace got his licence back after going to Global News last week, but what about the tens of thousands of others still waiting? Do they all have to go on Focus Ontario to get you to act?

Minister, Mr. Wallace finally has his licence—

Applause.

Mr. Michael Harris: Thank you for that—thousands more are waiting for an answer. Will you commit to hard deadlines today and fix this broken system?

Hon. Steven Del Duca: The member opposite knows this is a very important question and something the Ministry of Transportation takes very, very seriously. He mentioned in his second question that we do have a 30-business-day window, which we work hard to respond to. What the member didn't say—and he knows full well that I can't respond to specific anecdotal circumstances or cases that he may bring forward here in the Legislature. But it's important for us to recognize that from time to time there's a requirement for additional documentation, for additional information from doctors to make sure that we get it right.

There are literally thousands and thousands of individuals who have to go through this process on an annual basis, and I'm pretty sure that member and people living in his community wouldn't want the Ministry of Transportation to get it wrong because I know they share our desire to make sure that our roads and highways remain as safe as they are.

BY-ELECTION IN SUDBURY

Mr. Gilles Bisson: My question is to the Premier. It's been three and a half months since both Pat Sorbara and Gerry Lougheed were caught on tape offering what the

OPP and Elections Ontario have called a bribe to Andrew Olivier to get him not to—

Interjections.

The Speaker (Hon. Dave Levac): Order.

1100

Mr. Gilles Bisson: You finally, after a month of stalling, decided that you'd finally found time to meet with the Ontario Provincial Police, and that time is a month from now. I'm not so sure anybody else in Ontario would be able to say, "Hold off, OPP," for two months, but you get the chance to do that.

My question is this: What has the Premier done to make sure to turn over all of the emails and documents to the OPP as part of this investigation? Have you given them all your emails and all your correspondence dealing with the Olivier situation?

Hon. Kathleen O. Wynne: Mr. Speaker, I'm going to repeat what I said last week about the timing of the interview. I will also repeat what I've said in this House many times, which is that the entire investigation is taking place outside of the Legislature, not in this Legislature.

The timing of my interview has been determined by the OPP and my legal counsel, Mr. Speaker. They have been working to find a mutually convenient date. They have also agreed that because there's an ongoing investigation, the dates and times of interviews will not be made public. This is a normal protocol in the context of an ongoing investigation. The OPP and my counsel have agreed on a date for my interview, to be conducted before the end of April.

As I've said, my office and I will continue to cooperate fully with the OPP in that investigation that's taking place outside of this House.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Gilles Bisson: My supplementary is back to the Premier. What is not ordinary is that if somebody comes and knocks at the door of any citizen in this province, and the OPP says, "I want to meet with you as part of an investigation to a crime," guess what? You don't get to put it off for a month. You don't get to say it's going to happen next month. You do it right away. But this Premier has decided, for some reason or other, that she should be treated differently.

We saw what happened to the OPPA. Those particular officers, when they became the subject of an investigation, themselves decided to step aside. Why is it that you, as the Premier, feel that you're so above the law that you can push off, for two months, meeting with the OPP, and somebody who broke the law is able to keep their jobs, by the name of Mr. Lougheed and Mrs. Sorbara?

Hon. Kathleen O. Wynne: Mr. Speaker, nothing could be further from the truth in terms of my cooperation with the OPP. I've been very clear that we've been working closely with the OPP.

In terms of, in this House, calling people criminals, I think it's beyond the pale. I don't think it should happen. I think that the member opposite should withdraw what he has said, but that is my opinion.

I have been very clear that I'm working with the authorities and will continue to do so.

Interjection.

The Speaker (Hon. Dave Levac): The member from Prince Edward–Hastings will come to order.

New question.

GOVERNMENT ASSETS

Mrs. Kathryn McGarry: My question is to the Minister of Finance. There have been several media reports that the Ontario government will be allowing the sale of beer in grocery stores. In my own riding of Cambridge, not only have I had some constituents contact my office about these reports, but it has been the talk at hockey games, at restaurants and neighbour get-togethers.

It's no secret that the people of Ontario have been asking for more choice and convenience when purchasing alcohol. In my riding of Cambridge, we have a thriving local craft brewer in Grand River Brewing. Many of my constituents have told me that they are hopeful that local craft beers such as these will become more widely available.

Speaker, through you to the minister, are these reports true? And can the minister confirm that this is in the plans for the 2015 budget?

Hon. Charles Sousa: I do appreciate the question from the member from Cambridge. First of all, let's be clear: It's premature at this point to suggest that any decisions have been made about alcohol distribution in Ontario. Those discussions will be revealed in the 2015 budget.

The distribution and selling of alcohol responsibly is a public trust that this government takes seriously. We have been open about people's concerns around fairness of the Beer Store and the opportunity to improve customer convenience by ensuring there's a wide range of brands, including craft brew.

In so doing, the advisory council will be guided by three principles. The first is that the public interest must remain paramount and protected. The second is that any discussions taken must align with maximizing value to Ontario. Finally, and the most important, is that the process remains transparent, professional and independently validated.

The Speaker (Hon. Dave Levac): Supplementary?

Mrs. Kathryn McGarry: Thank you, Minister. I know the people of Ontario will be waiting eagerly for the 2015 budget.

However, I do have another question for the minister. There has been a lot of talk about the Premier's Advisory Council on Government Assets, led by Mr. Ed Clark. Unfortunately, some of that talk has been in the form of fearmongering by those who would, for their own benefit, seek to stop the government from maximizing the full value of the assets it owns to the benefit of the people of Ontario.

Speaker, through you, can the Minister of Finance tell us more about the council and their work?

Hon. Charles Sousa: Again, I appreciate the question.

As mentioned earlier, the Premier has asked Mr. Clark and the advisory council to ensure that their work be guided by those three important principles that I just mentioned.

Now that we've discussed the how, let's discuss the why. The review of the assets is important. The value is to unlock those assets by optimizing their value and to use them afterwards, investing them in key infrastructure priorities, that way improving people's quality of life and maximizing opportunities for the people of Ontario, as well as becoming more competitive. Every dollar realized from unlocking our assets will go into the Trillium Trust and then will be reinvested in important infrastructure needs. This will include building highways, bridges and public transit.

This has always been and will continue to be about maximizing the value of our assets—your assets in the end—and reinvesting them in a way that benefits the people of Ontario.

HYDRO ONE

Ms. Laurie Scott: My question is to the Minister of Energy. Ombudsman André Marin has received over 10,000 complaints about Hydro One, the most ever received regarding any one organization. If the skyrocketing cost of hydro wasn't already tough for customers to swallow, it has now been a year since the investigation into billing practices at Hydro One was launched, yet customers are still dealing with erratic overbilling and empty threats to shut off power in the coldest months.

Minister, since you didn't apologize to the people of Ontario for wasting \$2 billion on smart meters, will you take the high road today and apologize for the predatory actions of Hydro One?

Hon. Bob Chiarelli: The member refers to the Ombudsman's investigation with respect to Hydro One. He has been doing a very comprehensive investigation. In the course of that, he's had about 10,000 complaints. He's referred 3,400 of them to Hydro One for resolution. Of those that the Ombudsman has referred for resolution, 99% of those have been met.

With respect to the disconnections, I'll deal with that in the supplementary.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Laurie Scott: I see first-hand the struggle that my constituents face trying to pay their hydro bills and deal with Hydro One. A staff member in my constituency office solely deals with helping residents of Haliburton–Kawartha Lakes–Brock with their Hydro One complaints. Minister, that's almost 40 hours a week cleaning up your mess.

The Ombudsman said that his upcoming report on hydro billing won't come with a bouquet of flowers. Minister, will it come with your walking papers, or is hydro too complex for the Ombudsman too?

Hon. Bob Chiarelli: There are a significant number of people in our community who have been having

trouble with their hydro bills. We've come through the two worst winters in recent history. Hydro One has a policy of not disconnecting during the winter months, and they have been following that.

There has been some controversy over a particular letter that is being sent to people who are in a position where they could be cut off. Hydro One and the Ombudsman are working together to agree on a letter that would be more acceptable to the Ombudsman. They're working co-operatively.

NURSES

M^{me} France Gélinas: Ma question est pour le ministre de la Santé et des Soins de longue durée.

During the last general election, the Premier and her Minister of Health said that they would not cut front-line care and that they would not cut nursing positions. Right now, hospitals are laying off nurses almost every single day. Last week alone, we learned that Sudbury will lose 42 nurses, and the week before that the children's hospital of Ottawa is cutting 50 registered nurses, and in Cambridge, it's 22 registered nurses.

We all know that it is patients who will pay the price of these nursing cuts. Minister, how many more nurses will lose their jobs and how many patients will suffer before the Liberals stop these painful cuts to our front-line nurses?

Hon. Eric Hoskins: The member opposite is a fellow health care professional. I know she understands that as hospitals and other facilities evolve, change and add and subtract programs to better serve their constituents or their catchment area, often that requires a change in the complexion of health service providers who are there. Sometimes individuals are let go or laid off; others are hired. There's an ebb and flow that takes place regularly, and she knows this well, being a health care practitioner.

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But the reality is that in the last decade roughly—that's since 2003—there are more nurses working in this province. There are 24,000 more nurses working in this province. In fact, we added 3,500 nurses in 2013 and we continue to add nurses. Importantly, the percentage of those nurses who are working full-time has gone up significantly over the past decade as well.

We're making improvements. I understand that she wants to try to score some political points, but she should understand, being a health care worker, what the reality is.

The Speaker (Hon. Dave Levac): Supplementary?

M^{me} France Gélinas: Well, it is the patients across this entire province who pay the price for the Liberal cuts to front-line care, cuts that we were told during the last election would not happen. But it is happening, Speaker. Cutting 50 nurses at the Children's Hospital of Eastern Ontario will leave sick kids with less care. Seventy-five positions are being eliminated in North Bay hospital. In Sarnia, it's 39 nurses who are being cut, and nearly 40 positions will be lost in Timmins.

Every family understands that fewer nurses mean less care for the people who need it. What will it take for the Minister of Health to get the message and stop laying off front-line nurses?

Hon. Eric Hoskins: Again, my fellow health care professional does understand—I know she does—that these changes that take place in our hospitals don't necessarily or always mean layoffs. Programs change and programs are added.

I was at CHEO, the Children's Hospital of Eastern Ontario, just a couple of weeks ago with a number of my colleagues, actually, announcing a new program there for pediatric chronic pain management. I know we opened a similar program just a couple of weeks ago in London as well, and two here in Toronto. We're adding staff to those programs as those new programs continue to evolve and expand.

In fact, on Health Sciences North, the member opposite—I know she knows that Health Sciences North has not cut nurses. They have not cut nurses in Health Sciences North.

I understand her perspective, but the reality, I think—if we need to look at any number, we need to look at the complement of nurses working in this province: 24,000 more working in the last decade than were before.

RAIL SAFETY

Mr. Glenn Thibeault: My question is for the Minister of Transportation. I was in Gogama recently, where we all saw that volatile train derailment that took place. According to the Railway Association of Canada, oil shipments moved by Canadian railways went from 500 car loads in 2009 to 160,000 car loads in 2013 alone.

The movement of oil by rail continues to increase, and this means that rail safety will continue to be a growing issue for our province. Mr. Speaker, can the Minister of Transportation please provide members of this House with an update on what our government is doing in response to the Gogama derailment?

Hon. Steven Del Duca: I want to thank the member from Sudbury for a very important question on what I know is a very serious topic. I actually had the opportunity, as well, to see the derailment site myself when I visited the community of Gogama a number of days ago.

Speaker, I want to emphasize the fact that the safety of Ontario communities is our government's top priority. That's why I indicated some time ago that I intended to contact and in fact have contacted federal Transport Minister Lisa Raitt, as well as representatives from CN, about Saturday's derailment.

We are not the only province that is taking this issue seriously. I have spoken directly with my Quebec counterpart, Transport Minister Robert Poeti. Minister Poeti and I agree that the federal government needs to do more to ensure that another derailment incident does not happen in the future. That's why we wrote a joint letter to Minister Raitt to express our many concerns regarding the movement of dangerous goods by rail in Ontario and

Quebec, but also across the country. In light of the recent accident, we know that more needs to be done to better protect our communities.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Glenn Thibeault: I want to thank the minister for providing an update to this House on the action we're taking in response to the Gogama derailment. I'm very pleased to hear that our government is working co-operatively with the Quebec government on this important issue.

While members of this House were relieved to know that no one was injured by that Saturday's accident, the effects of the derailment and the fear felt by those living in nearby communities remain very real.

We also know that we're not the only province that has felt effects of an accident like this. Quebec has also experienced the Lac-Mégantic disaster, which claimed the lives of 47 innocent people. Both our government and that of Quebec have chosen to work together to urge the federal government to ensure that disasters like this can never happen again.

Mr. Speaker, can the minister please tell members of this House what is contained in the joint letter that was sent to the federal transport minister, Lisa Raitt?

Hon. Steven Del Duca: Thank you again to the member for asking that important question. As I mentioned, Minister Poeti and I sent a joint letter to Minister Raitt asking the federal government to take stronger action with respect to addressing this issue. We know that the Transportation Safety Board of Canada has warned that the existing standard for all new tank cars built for the transportation of flammable liquids is not sufficient.

A recent Transportation Safety Board review of Transport Canada's implementation of recommendations following the Lac-Mégantic disaster found that Transport Canada had not yet put in place an effective oversight regime. That's why our letter urges Transport Canada to work closely with the Transportation Safety Board as well as US regulatory authorities to better understand the cause of these accidents.

We've also asked that the federal government sit down with Minister Poeti and myself to provide us with an update on the actions that Transport Canada is taking to address this urgent situation—

The Speaker (Hon. Dave Levac): Answer?

Hon. Steven Del Duca:—including an update on the implementation of the recommendations made in the Transportation Safety Board's report on the Lac-Mégantic disaster.

It is our hope that the federal government will work co-operatively with us—

The Speaker (Hon. Dave Levac): Thank you.
New question.

PAN AM GAMES

Mr. Todd Smith: My question is for the minister responsible for the Pan Am Games. In mid-February you announced that roughly a quarter of the 1.2 million

tickets you've targeted to sell for the games have been sold. Despite being over 900,000 tickets short with just over three months to go, you've stopped ticket sales from March 9 to mid-April. The reason? To sell tickets for the Parapan Am Games. I have a hard time believing that you'll sell another 900,000 tickets total when you won't let people buy them.

Now, I know technology isn't your forte over there given the eHealth scandal and the SAMS scandal that's going on, but, Minister, it's a simple question. Why can't you sell tickets to the Pan Am Games and the Parapan Am Games at the same time?

Hon. Michael Coteau: I'd like to thank the member for this question. We've been able to sell 350,000 tickets for the Pan Am Games so far, and we're very, very proud of that number.

The reason why we stopped selling the Pan Am tickets to introduce the selling, during a short period, of the Parapan Am tickets is to make sure it gets the right type of attention the Parapan Am Games deserve.

This is the first time in the history of Pan Am/Parapan Am Games that we have a live broadcast for the para component that is full throughout the entire duration of the games; the first time that we have medals with Braille on them. We've built infrastructure that is the most accessible in the country, if not the world.

We are so proud of the para component of these games and we need to give it the right type of attention it deserves.

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock, please. Be seated, please. Thank you.

Supplementary?

Mr. Todd Smith: That's the most ridiculous thing I've ever heard, Mr. Speaker. All you have to do is run two separate computer systems.

Listen, guys—

Interjections.

The Speaker (Hon. Dave Levac): Order, please. Thank you.

Please finish.

Mr. Todd Smith: It's ridiculous.

Minister, I want to draw your attention to a Price-waterhouseCoopers report prepared for your ministry back in 2009. That report ranks the likelihood of certain problems occurring with the Pan Am Games. Guess what has the highest probability of occurring? A shortfall in ticket sales, it said.

You've known since 2009 that you'd fall short of your nearly \$34 million in projected ticket revenue, yet you've still closed ticket sales to the Pan Am Games for over a month. I just want to know, will Ontario taxpayers be forced to pick up the tab for your inability to plan the games and to sell the tickets for the games?

Hon. Michael Coteau: You know, 350,000 tickets—the last time I checked, that's a pretty large number.

But in addition to those tickets, this is the first time in history that any sporting event has been able to attract 60,000 people to sign up to volunteer for these games—

60,000 people. We're very proud of the record on this side of the House.

Mr. Speaker, we are very confident with ticket sales, and we are very confident with these games. They're going to be the best games that Canada has ever put on.

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EDUCATION FUNDING

Mr. Peter Tabuns: My question is to the Minister of Education. Schools are at the heart of our communities, but this Liberal government wants to cut education funding and shut down schools across this province. Last fall, the New Democrats uncovered the Liberals' plan to cut \$500 million from our schools. Now we know that 48 schools in Toronto alone are facing closure. This unprecedented wave of school closures will make life harder for families by selling off green space and closing child care spots across the city. How can the minister defend her plan to shut down schools and wring public funding out of classrooms at the expense of our students?

Hon. Liz Sandals: I really do need to talk about the premise of your question, because the idea that we have cut funding to public education is, quite frankly, preposterous. We have, in fact, increased funding of schools by 56.5% since 2003. That's an increase of 56.5% while the enrollment has been declining. The per pupil funding has gone up; it has gone up by over \$4,000 per pupil for each and every pupil in Ontario, Speaker. So this whole idea that we're out there cutting funding is absolutely preposterous.

The same is true of child care funding: Child care funding has also gone up, as have the number of child care spaces.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Peter Tabuns: Speaker, the simple reality is that the minister has issued discussion documents telling school boards to be prepared for cuts of 1.5% to 2%—\$500 million in cuts. The minister, this morning, did not use the normal argument that we're funding empty seats in our schools, a key part of her argument.

The Canadian Centre for Policy Alternatives actually did the math. They called the ministry's numbers on the empty schools "bogus" numbers. Speaker, that means that the Liberals are defending their school closure plans by using bad math, and forcing Toronto families to pay the price. When will the minister show parents the respect they deserve and stop using bogus numbers to justify deep Liberal cuts for children's schools?

Hon. Liz Sandals: Actually, it was interesting to see what Margaret Wilson had to say about this whole issue, because Margaret Wilson looked at it, and she said, yes, there are a lot of schools in Toronto in which there is unused space. We had examples of 70 kids in a school that was built for 500, 300 kids in a school that was built for 1,000. We actually believe, Speaker, that what we need to do is concentrate on funding good programs for children who are there.

Of course, TDSB—and many other boards, but TDSB in particular—has identified that it has a backlog of renewal. Why does it have a backlog of renewal? Because it's spending all its money on trying to maintain space that isn't required. We want them to focus on maintaining the space that is required and on providing program for kids who are there.

TORONTO DISTRICT SCHOOL BOARD

Mr. Han Dong: My question is also to the Minister of Education. I appreciate this opportunity to stand up in this House and ask a question that truly concerns the many constituents in my riding, especially the students, educators and parents like me. It's about the Toronto District School Board. The TDSB is the largest and most diverse school board in Canada, with approximately 246,000 students attending nearly 600 schools. Public confidence in the TDSB is critical to ensuring public confidence across the entire education system. I know constituents in my riding and across the city are concerned about the recent events taking place at the board. Minister, can you please tell the House how our government is handling these issues at the TDSB?

Hon. Liz Sandals: The member is correct that public confidence in our school systems is absolutely critical.

Given some of the problems last November, I asked Margaret Wilson to have a look at the operational issues at the Toronto District School Board. Her observations were very troubling and confirmed the need for our government to take action, which is why I directed the TDSB to comply with 13 directions which reflected Margaret's recommendations. I was encouraged to see that the TDSB has made some progress on a number of those directions. Clearly, it has ignited a discussion around community hubs, the role of trustees and a number of issues.

One of Margaret's recommendations was to appoint a panel to actually consult with the community and to make recommendations about more effective governance. That's why last week I announced the appointment of the panel which Margaret recommended.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Han Dong: I thank the minister for her answer. I know constituents in my riding will be pleased to hear that our government has taken action to ensure governance issues at the TDSB do not become an impediment to student achievement and well-being. I know our government's top priority is the well-being of our students and to ensure that our students continue to achieve excellence.

I am also encouraged to hear that progress is being made by the TDSB on a number of directions. You mentioned that the seven-member expert panel will conduct public consultations within the local TDSB community. Minister, could you please tell this House some more information about the committee of advisers and what they will be looking into?

Hon. Liz Sandals: The seven-member panel will be led by Barbara Hall, who of course is just stepping down

as Ontario's Human Rights Commissioner. She's also got a lot of experience as a lawyer and municipal politician, and a strong record in the ability to bring diverse groups together to solve problems.

The panel will be consulting with the TDSB community and make will recommendations on how to improve the governance structure at the TDSB. The panel will be looking for ways to create a supportive and inclusive culture at the board that will continue to support the success and well-being of our students, and to address the culture of fear which Margaret identified.

The panel will be leading 15 to 20 public consultations but the panel will also consult with trustees, senior staff, principals and union representatives across the TDSB, and will be reporting in the summer of—

The Speaker (Hon. Dave Levac): Thank you. New question.

DOCTOR SHORTAGE

Mr. Jeff Yurek: My question is to the Minister of Health and Long-Term Care. Minister, under the imposed contract with doctors in Ontario there is a lack of clarity of where in rural Ontario doctors will be allowed to practise—in particular, the use of your term “high-needs area.” In fact, your ministry has provided little detail in the definition of a high-needs area.

Minister, throughout rural Ontario, many communities have a shortage of doctors which you have ignored. Can you please provide me with your definition of a high-needs area and what communities will fall under this definition?

Hon. Eric Hoskins: I hope in the supplement of the member opposite's question he will be a little more specific because I would hope that he knows that doctors are entitled to practise wherever they want in this province. It's not a matter of restricting their ability to practise in the north, for example, or in southwestern Ontario or here in Toronto.

If what he's in fact referring to is a specific category of those family doctors who choose to practise in family health teams—and I will only be able to determine this based on the supplemental—we are proposing and making some modest changes as well so that we can focus physicians in that important investment of family health teams in those parts of the province which need them the most. In the north, for example, where we currently have 40 family health teams, we need more. In other parts, in the underserved areas of the province and in rural Ontario, we have about 60 family health teams. We need more.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Jeff Yurek: Speaker, the minister does know the fact that the majority of graduates and doctors are in family health teams, so to go off on that tangent is pure humbug.

Minister, due to the imposed contract with the current doctors, new graduates are going to leave this province.

In addition, medical students will move to other specializations than family practice.

With an aging population and the retirement of many family doctors, the need for family physicians is only going to grow. Can you please provide the Legislature with your estimate as to how many fewer family physicians will be practising in this province as a result of your government's imposed contracts?

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Hon. Eric Hoskins: Well, the answer to that question is that there will be more family physicians and more physicians and specialists practising in this province. In fact, since 2003, there are now 5,000 more doctors practising in Ontario as a result of our investments, and our family doctors have grown by 20% more in that decade. Our specialists have increased by 26%.

We've made significant investments to continue to attract doctors, but we also need to make sure—I think the member opposite would agree—that we deploy those physicians and we provide incentives to those places that really do need a family doctor or need that specialist to serve them.

Despite the fact that now 93% of Ontarians have access to a primary health care provider, that's not enough. We need to continue to make those investments, but we also need to make sure that those rural parts of Ontario, including the north, as I mentioned, have family health teams. We have to make sure that we provide the level of services that those parts of the province deserve and require.

RAIL SAFETY

M^{me} France Gélinas: Ma question est pour le ministre de l'Environnement et de l'Action en matière de changement climatique. As we all know, Speaker, on March 7, a CN train derailed. Dozens of cars spilled their oil and caught fire just outside of beautiful Gogama. The effect on the community and the environment has been severe and devastating.

Speaker, people throughout Ontario want their government to send businesses who deal with transporting dangerous goods to other communities a very clear message. Is the minister ready to use his own power to send that clear message to those businesses that they must operate safely or not at all, and that they are responsible for every penny needed to clean up the environment now and into the future?

Hon. Glen R. Murray: I'm very glad the member has asked the question. It's disappointing that it's taken so many weeks for her to get up and ask a question on an issue that is now that old.

As you know, briefings were given to members opposite and the full weight of our very considerable authority is being applied in this situation. Staff were on the ground the first day—water, air and soil monitoring and remediation. CN is picking up all of the costs and providing capacity investments in those.

As you know from the briefing that you were given, we are now reviewing our legal options. We're also working with Quebec and with both the Quebec and Ontario ministers of transportation. We presented a common front to the federal government to increase their standards and their practices to avoid these from happening in the future.

The Speaker (Hon. Dave Levac): Supplementary?

M^{me} France Gélinas: We know that the CN train derailment and spill has changed Gogama forever. I've talked to dozens of families from Gogama and from the Mattagami First Nation, and they are really worried. They are worried about what their future holds, especially if their livelihood depends on the natural resources.

Will the minister use the power that he has under the Environmental Protection Act to assist the people of Gogama and Mattagami First Nation in establishing claims against CN and the company who owns the crude oil?

Hon. Glen R. Murray: I think the member and her colleagues opposite know from briefings they have received that that entire process is already under way. We have specific legal authorities as a province, which we are exercising to the maximum of the law. We are also asking the federal government to do that. This includes people in tourism and in fishing. These are very important.

Mr. Speaker, I'm very concerned. Had this accident happened two kilometres farther down the track, it would have happened in the community of Gogama, and we could have faced another Lac-Mégantic.

This government and past ministers of transportation and the environment have raised this for years with the federal government jointly with our colleagues in Quebec. We have failed to see any action. We have had four derailments in northern Ontario. We've had Lac-Mégantic. We had Mount Carbon in West Virginia, which was a horrible tragedy, and we've had two in Illinois.

Rail standards and safe transportation of dangerous goods have been a priority for this government. It's about time it was a priority for the federal government.

MUNICIPAL INFRASTRUCTURE

Mr. Arthur Potts: My question is also to the Minister of the Environment and Climate Change. I, too, am delighted to hear so many of the members opposite asking questions that matter to their constituents, and there are matters that are important to this House.

In that vein, Mr. Speaker, as the parliamentary assistant to the Minister of Agriculture and Rural Affairs, I would like to ask a question about the Owen Sound Sun Times, which had an article recently about an issue that concerned that community. The city of Owen Sound would like this government to help them pay for some of the increased costs they're facing due to broken water mains. We in Beaches–East York face the same concern. More pipes were frozen in Beaches–East York this winter than in any other part of the city of Toronto.

But the article goes on to say that the Bruce-Grey-Owen Sound Progressive Conservative member plans to speak to Liberal Minister Glen Murray as soon as the Legislature resumes today. He hasn't asked that question, so I will. Mr. Speaker, through you to the minister—

The Speaker (Hon. Dave Levac): Thank you.

Interjections.

Mr. Gilles Bisson: You should disallow that question.

The Speaker (Hon. Dave Levac): I'd like to be the Speaker.

I am not impressed with anyone who puts assignment to any other member in this House. It's not appropriate, and it won't be done.

Minister?

Hon. Glen R. Murray: Yes, this is a very critical issue. We are facing unprecedented levels of impact on municipal infrastructure. We look at Burlington. Burlington, one of our newest suburban communities, now has a stormwater system that I know the Minister of Infrastructure will tell you is at capacity and needs major reinvestment, because we're now experiencing once-in-a-hundred-years flood events almost every second year now.

Communities like Bancroft are facing flood events like they've never experienced before, and we're seeing that in Owen Sound, which is why this government has put this issue forward.

We have had weeks—with these kinds of communities, whether it's Bancroft or whether it's Owen Sound—of members opposite claiming they were concerned about this, while we've had radio silence in this House.

I'm very glad the member for Beaches–East York is raising these issues, because they are very, very critical. I'm sure my colleague the Minister of Municipal Affairs and Housing would like to talk about this further.

Interjections.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Arthur Potts: My apologies to the House. It was not my intention to make assignment.

I would like, however, to get a more specific response to the issues in Owen Sound. Mayor Ian Boddy and his council would like provincial assistance to cover between \$500,000 and \$1 million in additional costs associated with these frozen water pipes.

Mr. Speaker, through you to the minister, will our government help the municipality of Owen Sound when it comes to covering off these costs?

Hon. Glen R. Murray: The Minister of Municipal Affairs and Housing.

Hon. Ted McMeekin: I'd like to thank the member from Beaches–East York for taking the opportunity to raise this issue.

We've had a particularly cold winter, and I'm aware of concerns about frozen pipes and water main breaks in some municipalities across the province. Although the winter was severe, our cities and towns have a responsibility to plan and manage their infrastructure assets responsibly.

I remain committed to touring the province and hearing from as many municipal councils as possible. In fact, this afternoon, I'll be visiting with my 115th mayor and council when I head up to Grey Highlands in order to listen to their concerns and bring those concerns back to my colleagues here in government.

Mr. Bill Walker: Point of order.

The Speaker (Hon. Dave Levac): A point of order from the member from Bruce–Grey–Owen Sound.

Mr. Bill Walker: Thank you, Mr. Speaker. I'd just like to suggest that I'm not satisfied with that answer and would like to perhaps—

Interjections.

The Speaker (Hon. Dave Levac): When I stand, you sit.

I'm going to leave this with all of you. This was not a race to the top. The righteous indignation of everyone in this House takes place when you don't race to the top.

VISITOR

Mr. John Fraser: A point of order, Mr. Speaker.

The Speaker (Hon. Dave Levac): The member for Ottawa South.

Mr. John Fraser: Mr. Speaker, I was remiss this morning when I introduced page Joe Fast. I forgot to mention his father, Stewart Fast, who's in the gallery today.

CORRECTION OF RECORD

The Speaker (Hon. Dave Levac): The member from Timmins–James Bay on a point of order.

Mr. Gilles Bisson: A point of order, Speaker: I said "broke the law." I should have said "allegedly broke the law" in my question.

The Speaker (Hon. Dave Levac): The member is correct: At any time that any member wants to correct their record, they can do so.

There are no deferred votes. This House stands recessed until 1 p.m.

The House recessed from 1140 to 1300.

MEMBERS' STATEMENTS

CHATHAM MEMORIAL ARENA

Mr. Rick Nicholls: I'm incredibly honoured to say that Chatham-Kent has made the top 10 of the Kraft Hockeyville 2015 competition.

Hockey has a rich history throughout this country, and it brings entire communities together to celebrate the game we all love. In Chatham, that gathering place is at the Chatham Memorial Arena. First built in 1949 on the grounds of a training area used by the Canadian Forces during World War II, the Chatham Memorial Arena is the oldest arena in the community, yet it has had the fewest upgrades. It has been home to the Chatham Senior

Maroons, who won the Allan Cup back in 1960—yes, Speaker, I do remember that—and also the Chatham Junior Maroons, who won the Sutherland Cup for Junior B hockey in 1999. I actually gave that team a motivational speech when they were down three games to nothing against Leamington, also in my riding. They came back to not only win that series but the league championship, and then they went on to win the Sutherland Cup.

Interjection: It must have been the speech.

Mr. Rick Nicholls: Had to be the speech.

Our area manager, Brian Bennet, has been a part of the arena since the 1960s. He devotes himself to the arena and the community, and he could use some help. The roof needs some work. The bathrooms need upgrades, and I'm sure that hockey players would love to see some larger dressing rooms. The same hard benches that were installed in 1949 remain as seating today. The arena offers a rustic, and some might even say rough, atmosphere.

The winner of the contest will receive \$100,000 in arena upgrades and host an NHL pre-season game. So I encourage every member of the Legislature to get out and vote especially for Chatham-Kent.

CO-OP PROGRAMS

Ms. Peggy Sattler: Last week was co-op week in Canada, and to celebrate the occasion, two Ontario students were honoured as national co-op students of the year: Andrew Andrade from the University of Waterloo and Rumman Ullah Khan from Fanshawe College, which, I am proud to say, is located in my home community of London.

Andrew Andrade is a third-year engineering student from Mississauga. During an entrepreneurial co-op work term at the University of Waterloo, he not only co-founded his own start-up, PetroPredict, but he also hired and supervised four other co-op students to assist with his software business.

Rumman Ullah Khan is an international student, studying business marketing at Fanshawe College, who has completed three co-op work terms and praises the opportunities that co-operative education provides.

Rumman is exactly the kind of immigrant we need in London and in Ontario. I urge the Liberal government to advocate strongly to ensure that the new express entry immigration process does not create barriers for international students like Rumman.

On behalf of the NDP caucus, I want to congratulate Andrew and Rumman. Congratulations as well to Ali Zaheer from Sheridan College and Skye Wattie from the University of Waterloo, who also received Ontario Co-op Student of the Year Awards from Education at Work Ontario. The excellence and achievements demonstrated by these four young people shows how co-op programs benefit students and the Ontario economy.

I hope all members of this Legislature will support my private member's bill, Protecting Interns and Creating a

Learning Economy Act, that will expand co-op programs in this province.

THE SPEAKER

Ms. Sophie Kiwala: Mr. Speaker, as I stand here today

With something I really must say,
I hope you're listening at the back
And I hope you don't mind
That I share it in rhyme,
For it's about a sage man called Levac.

For o'er 10 and five years,
You have worked in this sphere
As MPP for the riding of Brant,
But for the last few
You had much more to do
As the Speaker, with pow'r to end rants.

The Speaker, you'll know,
Is not just for show.
He presides over all in this House.
With the guardian here
The debate rules are clear,
Defined well beyond any doubts.

In most recent days,
Debate's been ablaze,
With the same points ever repeated.
Your response has been just,
You're holding our trust,
Though discussions are oft overheated.

Alas, here we are,
Spring break now seems afar,
How we long for a changed conversation.
But no ... it's more: "I stand, you sit,
"Twice warned and that's it!"
Instead of our new legislation.

Legislative changes much needed,
Demands for "Order!" not always heeded,
I listen, yet shake my head in awe.
Teacher and principal at heart,
Your compassion and patience—true art,
How the daily antics here surely must gnaw.

So let it be known
While insults are thrown
That we truly respect what you do.
To the citizens of Brant
I direct my rant
From this House's heart: Hear, hear; thank you.

The Speaker (Hon. Dave Levac): Because I heard some heckling, I want to hear it again.

Sorry; members' statements. The member for Perth-Wellington.

PADDYFEST

Mr. Randy Pettapiece: This past weekend I was pleased to celebrate Paddyfest in Listowel. Paddyfest is a two-week-long Irish festival organized by the Kin clubs of Listowel. Now in its 38th year, it is one of North America's biggest Irish festivals.

Paddyfest is packed with events, including concerts, sporting tournaments and family fun activities. I spent Saturday morning flipping pancakes at the Paddyfest pancake breakfast and taking part in the Paddyfest parade, which brings the whole community out.

I would like to thank the Kinsmen and Kinette clubs of Listowel for their hard work organizing yet another successful Paddyfest. I would also like to recognize Melissa Dunphy, this year's Paddyfest ambassador.

There was a great turnout at this year's Paddyfest. Proceeds will be going towards community projects, including the Steve Kerr Memorial Complex. We hope the province will join us in supporting this project.

Again, thank you to the organizers, the volunteers and the sponsors who contributed to Paddyfest, and thank you to the North Perth community for coming together to enjoy this year's festival.

INDIAN INDEPENDENCE MOVEMENT

Mr. Jagmeet Singh: Today I rise to commemorate three freedom fighters who opposed British oppression in India and fought for the independence of India, in fact. Those three individuals are Bhagat Singh, Sukhdev Thapar and Shivaram Rajguru.

March 23, 1931, is recognized as martyrdom day. They fought for an independent place, an independent country. They fought for a place which would respect human rights, freedom and the dignity of life.

However, it's ironic that three days earlier, March 20, in the year 2000, there were very heinous massacres that occurred and which were perpetrated ostensibly by the Indian government itself. This is not the type of India that these three brave souls gave their lives to defend. This is not the India that these brave souls fought for the independence of.

Bhagat Singh, Sukhdev Thapar and Shivaram Rajguru fought for a free and independent country, not a country which is responsible for mass human rights violations, particularly what happened in the Chattisinghpura massacre, which is connected with the Pathribal killings as well as the Barakpora killings.

Bhagat Singh stated—and it's a very strong and powerful quote: "It is easy to kill individuals, but you cannot kill their ideas. Great empires crumbled while the ideas survived." In memory of Baghat Singh, let us hope that we can move towards a society where all can live in freedom and justice.

MENTAL HEALTH SERVICES

Ms. Ann Hoggarth: During constituency week I had the pleasure of touring and making a funding

announcement at the clubhouse at the Canadian Mental Health Association Simcoe County. The CMHA Simcoe County Branch is a non-profit charitable association funded by the Ministry of Health and Long-Term Care through the local health integration network. Funding is also provided by the United Way and the Ministry of Children and Youth Services.

Founded in 1960, Barrie Mental Health provided the city of Barrie with its first psychiatrist. This agency also provided community education, advocacy and volunteers to go to the Oak Ridge facility in Penetanguishene. CMHA Barrie-Simcoe continued to grow, offering a full range of services including case management, employment opportunities, a social-recreational clubhouse, and housing services. In 2010, CMHA Simcoe amalgamated with Simcoe Outreach Services.

When new clients arrive, they are welcomed by greeter cats Daisy and Lilly. Led by Lynne Raimondi and Lori Howcroft through the RSVP program at the clubhouse, clients are then provided with recreational, social, vocational and peer support.

I am pleased to recognize the dedicated staff and volunteers for all the invaluable work that they do for our community. Thank you.

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ANATOLIAN HERITAGE FEDERATION

Mr. Todd Smith: Today, our friends from the Anatolian Heritage Federation have come to Queen's Park to host their annual friendship reception in support of Turkic Canadian solidarity and cultural heritage, and we welcome them. I'd like to take this opportunity to welcome our friends and thank members from the communities for their many contributions to the multicultural fabric of our province.

The Anatolian Heritage Federation is a not-for-profit organization that represents Turkic communities right across Ontario. On this special occasion, I'd like to inform you that the Ontario PC caucus will be co-sponsoring a bill to proclaim one week in March every year as Turkic Heritage Week in Ontario, in order to remember and share the cultural heritage and educate future generations about the inspirational role that Turkic Canadians have played and continue to play in communities in Ontario.

Turkic Heritage Week shall occur during the third or fourth week of March, whichever includes the 21st day—and that's the day we mark the first day of spring and promote values of peace and solidarity between generations and within families.

On behalf of the Ontario PC caucus, I'd like to wish members of the Anatolian Heritage Federation and all attendees of today's friendship reception a very happy and successful event. I strongly believe that with the help of all of our colleagues here in the Ontario Legislature, the proposed bill will become a law, and I'm confident that one year from now, we'll all celebrate Turkic Heritage Week for the first time in the history of our province of Ontario.

The Speaker (Hon. Dave Levac): We welcome our guests.

COMMUNITY SKATE

Mr. Arthur Potts: Mr. Speaker, I'd like to tell you about St. Patrick's Day, when I hosted—not hoisted—my first community skate at the East York Memorial Arena in Beaches—East York.

Constituents of all ages came out to enjoy hot chocolate and cookies provided by the local McDonald's. They received a Toronto Maple Leafs program from MLSE and took in the dulcet sounds of New Orleans jazz performed live by our constituent Patrick Tevlin and his band, The Happy Pals.

The kids wasted no time to lace up, show their moves and play games of tag. Dozens of families from Crescent Town, Main Square, Parma Court and the Secord communities came out to participate. Parents and kids alike were very appreciative, many saying that this was the best part of March break.

I'd like to thank Tameem Sharifi of the Thorncliffe Park youth centre for providing us with four hockey bags filled with skates and helmets. Because of their generous donation, many kids for the very first time had an opportunity to come out and skate.

I remember one little girl, Alisha. It was her first time on skates and she could barely stand up, but she was absolutely determined to make it around the rink. About a half an hour later, there she was, with a little help from friends and family, standing there with a big smile on her face, and you could see that her mother was equally proud.

Mr. Speaker, a big thanks to my staff, the volunteers and the companies that helped put on this event and for all those who came out. I look forward to an even bigger and better event next year. It's been just a tremendous opportunity to enjoy the community's activities.

OTTAWA BIRTH AND WELLNESS CENTRE

CENTRE DE NAISSANCE ET DE BIEN-ÊTRE D'OTTAWA

Mr. John Fraser: I rise today in recognition of the incredible work being done at the Ottawa Birth and Wellness Centre, also known as the OBWC, located in my riding of Ottawa South. Earlier this month, I was pleased to attend the centre's first birthday party, and it was a wonderful celebration. The centre was the first of its kind in Ontario and is an important partner in child and maternal health. We're very fortunate to have it located in the heart of our community.

Over the past year, the Ottawa Birth and Wellness Centre has provided 450 moms and their families with more options for natural childbirth in an environment that is safe and respectful. They have become known for their responsiveness and professionalism and are regarded as insightful leaders in our community.

My father used to say that each time we welcome the birth of a new baby, it means a little more hope for the world. Mon père disait toujours qu'à chaque fois qu'un bébé est né, cela signifie du nouvel espoir pour le monde.

Congratulations to everyone at the Ottawa Birth and Wellness Centre on your one-year anniversary and thank you for bringing a little more hope to our world.

The Speaker (Hon. Dave Levac): I thank all members for their statements.

INTRODUCTION OF BILLS

ONTARIO SOCIETY
FOR THE PREVENTION
OF CRUELTY TO ANIMALS
AMENDMENT ACT, 2015
LOI DE 2015 MODIFIANT
LA LOI SUR LA SOCIÉTÉ
DE PROTECTION DES ANIMAUX
DE L'ONTARIO

Mr. Naqvi moved first reading of the following bill:

Bill 80, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act and the Animals for Research Act with respect to the possession and breeding of orcas and administrative requirements for animal care / Projet de loi 80, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario et la Loi sur les animaux destinés à la recherche en ce qui concerne la possession et l'élevage d'épaulards ainsi que les exigences administratives relatives aux soins dispensés aux animaux.

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

First reading agreed to.

The Speaker (Hon. Dave Levac): The member for a short statement?

Hon. Yasir Naqvi: Today we are moving forward with a bill that amends the Ontario Society for the Prevention of Cruelty to Animals Act and makes related amendments to the Animals for Research Act.

The Ontario Society for the Prevention of Cruelty to Animals Act will be amended to prohibit the breeding and acquisition of orcas in Ontario. The bill also enables regulation-making authority to set administrative standards of care for marine mammals, such as dolphins, belugas and walruses, to ensure the best possible care and conditions for these animals.

731149 ONTARIO LIMITED ACT, 2015

Mr. Bailey moved first reading of the following bill:

Bill Pr17, An Act to revive 731149 Ontario Limited.

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

First reading agreed to.

The Speaker (Hon. Dave Levac): Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

MOTIONS

COMMITTEE REPORT

Hon. Yasir Naqvi: I believe you will find that we have unanimous consent to put forward a motion without notice regarding the Select Committee on Sexual Violence and Harassment.

The Speaker (Hon. Dave Levac): The government House leader is seeking unanimous consent to put forward a motion without notice. Do we agree? Agreed.

Hon. Yasir Naqvi: Notwithstanding the order of the House dated December 11, 2014, the Select Committee on Sexual Violence and Harassment be authorized to present its interim report no later than June 24, 2015.

The Speaker (Hon. Dave Levac): Mr. Naqvi moves that, notwithstanding the order of the House dated December 11, 2014, the Select Committee on Sexual Violence and Harassment be authorized to present its interim report no later than June 24, 2015. Do we agree? Agreed. Carried.

Motion agreed to.

COMMITTEE MEMBERSHIP

Hon. Yasir Naqvi: I believe you will find that we have unanimous consent to put forward a motion without notice regarding committee membership.

The Speaker (Hon. Dave Levac): The government House leader is seeking unanimous consent to put forward a motion without notice. Do we agree? Agreed.

Hon. Yasir Naqvi: Speaker, I move that Ms. DiNovo replace Ms. Forster on the membership for the Standing Committee on Estimates, and Mr. Singh replace Madame Gélinas on the membership of the Standing Committee on Social Policy.

The Speaker (Hon. Dave Levac): Mr. Naqvi moves that Ms. DiNovo replace Ms. Forster on the membership for the Standing Committee on Estimates, and Mr. Singh replace Madame Gélinas on the membership of the Standing Committee on Social Policy. Do we agree? Agreed. Carried.

Motion agreed to.

PETITIONS

ALZHEIMER'S DISEASE

Mr. Bill Walker: "To the Legislative Assembly of Ontario:

"Whereas Alzheimer's disease and other dementias are progressive, degenerative diseases of the brain that

cause thinking, memory and physical functioning to become seriously impaired;

“Whereas there is no known cause or cure for this devastating illness; and

“Whereas Alzheimer’s disease and other dementias also take their toll on hundreds of thousands of families and care partners; and

“Whereas Alzheimer’s disease and other dementias affect more than 200,000 Ontarians today, with an annual total economic burden rising to \$15.7 billion by 2020; and

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“Whereas the cost related to the health care system is in the billions and only going to increase, at a time when our health care system is already facing enormous financial challenges; and

“Whereas there is work under way to address the need, but no coordinated or comprehensive approach to tackling the issues; and

“Whereas there is an urgent need to plan and raise awareness and understanding about Alzheimer’s disease and other dementias for the sake of improving the quality of life of the people it touches;

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

“To approve the development of a comprehensive Ontario dementia plan that would include the development of strategies in primary health care, in health promotion and prevention of illness, in community development, in building community capacity and care partner engagement, in caregiver support and investments in research.”

I fully support it and sign it, and give it to page Danielle.

EMPLOYMENT STANDARDS

Ms. Peggy Sattler: This is a petition to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas there are an estimated 100,000 to 300,000 unpaid internships in Canada each year; and

“Whereas youth unemployment in Ontario is over 15%; and

“Whereas the Ontario Ministry of Labour is not adequately enforcing the laws on unpaid internships;

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

“(1) Proactively enforce the law on unpaid internships;

“(2) Engage in an educational campaign to inform students, youth, employers, educational institutions and the general public of the laws surrounding unpaid internships; and

“(3) Undertake a comprehensive review of the current laws surrounding unpaid internships in Ontario.”

I fully support this petition, affix my name to it, and will give it to page Cameron to take to the table.

OFF-ROAD VEHICLES

Mr. Steve Clark: I’ve just got to get the right one here, because Norm Miller is behind me.

This is a petition to the Legislative Assembly of Ontario.

“Whereas it has been over a decade since regulation 316/03 of the Highway Traffic Act has been updated to recognize new classes of off-road vehicles and a motion to do so passed on November 7, 2013, with unanimous support of the provincial Legislature;

“Whereas owners of two-up ATVs and side-by-side UTVs deserve clarity in knowing which roadways and trails are legal for use of these off-road vehicles; and

“Whereas owners should be able to legally use their vehicles to access woodlots, trails and hunting and fishing destinations;

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

“That private member’s Bill 58, which seeks to update the Highway Traffic Act to include new classes of all-terrain and utility task vehicles, receive swift passage through the Legislature.”

I’m pleased to affix my signature and send it to the table with page Jade.

FIRST RESPONDERS

Ms. Teresa J. Armstrong: “To the Legislative Assembly of Ontario:

“Whereas emergency response workers (paramedics, police officers, and firefighters) confront traumatic events on a nearly daily basis to provide safety to the public; and

“Whereas many emergency response workers suffer from post-traumatic stress disorder as a result of their work; and

“Whereas Bill 2 ‘An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to post-traumatic stress disorder’ sets out that if an emergency response worker suffers from post-traumatic stress disorder, the disorder is presumed to be an occupational disease that occurred due to their employment as an emergency response worker, unless the contrary is shown;

“We, the undersigned, petition the Legislative Assembly of Ontario to unanimously endorse and quickly pass Bill 2 ‘An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to post-traumatic stress disorder’.”

I sign this petition and give it to page Kari.

CREDIT UNIONS

Mr. Peter Z. Milczyn: I have a petition to the Legislative Assembly of Ontario.

“Whereas Credit Unions of Ontario support our 1.3 million members across Ontario through loans to small businesses to start up, grow and create jobs, help families

to buy homes and assist their communities with charitable investments and volunteering; and

“Whereas Credit Unions of Ontario want a level playing field so they can provide the same service to our members as other financial institutions and promote economic growth without relying on taxpayers’ resources;

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

“Support the strength and growth of credit unions to support the strength and growth of Ontario’s economy and create jobs in three ways:

“—maintain current credit union provincial tax rates;

“—show confidence in Ontario credit unions by increasing credit union-funded deposit insurance limits to a minimum of \$250,000;

“—allow credit unions to diversify by allowing Ontario credit unions to own 100% of subsidiaries.”

I support the intent of this petition, affix my signature to it and hand it to page Aiden.

HEALTH CARE FUNDING

Mr. Norm Miller: I have petitions that were given to me at the Save Our Services rally for the hospitals in Bracebridge and Huntsville on the weekend—thousands of signatures. It reads:

“To the Legislative Assembly of Ontario:

“Whereas we categorically reject the notion that core services such as surgical procedures should ever be moved to one hospital site in Muskoka and that doing so would have an adverse effect on our municipalities;

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

“We urge our leaders to act now to reject single siting surgery and/or other core services that would result in the closure or downgrading of either acute care site in Muskoka. We believe the Ministry of Health and Long-Term Care needs to address the health care funding model as it applies to Muskoka Algonquin Healthcare, which will avoid the situation as it stands.”

Mr. Speaker, I fully support this petition. I have signed it and will give it to Luc.

SOCIAL ASSISTANCE

Miss Monique Taylor: I have a petition to the Legislative Assembly of Ontario.

“Whereas social assistance benefits in Ontario leave recipients far below the poverty line, struggling to meet the basic costs of living, and without any resources to handle emergencies;

“Whereas the provincial government recently cut the Community Start-up and Maintenance Benefit;

“Whereas the Community Start-up and Maintenance Benefit helped families pay for basic utilities in emergency situations and helped prevent people from becoming homeless;

“Whereas this program provided options for vulnerable people including women, children and people with disabilities to escape domestic violence and transition to safer housing;

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

“That the province of Ontario restore full funding for the Community Start-up and Maintenance Benefit and ensure that it goes directly to those who need it.”

I couldn’t agree with this more, Mr. Speaker. I’m going to affix my name to it and give it to Thomas to bring to the Clerk.

WATER FLUORIDATION

Mr. Arthur Potts: I have a petition to the Ontario Legislative Assembly.

“Whereas fluoride is a mineral that exists naturally in virtually all water supplies, even the ocean; and

“Whereas scientific studies conducted during the past 70 years have consistently shown that the fluoridation of community water supplies is a safe and effective means of preventing dental decay, and is a public health measure endorsed by more than 90 national and international health organizations; and

“Whereas dental decay is the second-most frequent condition suffered by children, and is one of the leading causes of absences from school; and

“Whereas Health Canada has determined that the optimal concentration of fluoride in municipal drinking water for dental health is 0.7 mg/L, providing optimal dental health benefits, and well below the maximum acceptable concentrations; and

“Whereas the decision to add fluoride to municipal drinking water is a patchwork of individual choices across Ontario, with municipal councils often vulnerable to the influence of misinformation, and studies of questionable or no scientific merit;

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

“That the ministries of the government of Ontario adopt the number one recommendation made by the Ontario Chief Medical Officer of Health in a 2012 report on oral health in Ontario, and amend all applicable legislation and regulations to make the fluoridation of municipal drinking water mandatory in all municipal water systems across the province of Ontario.”

I agree with this petition. I sign my name and leave it with page Jessie.

TAXATION

Mr. Bill Walker: “To the Legislative Assembly of Ontario:

“Whereas the Liberal government has indicated they plan on introducing a new carbon tax in 2015; and

“Whereas Ontario taxpayers have already been burdened with a health tax of \$300 to \$900 per person that doesn’t necessarily go into health care, a \$2-billion smart

meter program that failed to conserve energy, and households are paying almost \$700 more annually for unaffordable subsidies under the Green Energy Act; and

“Whereas a carbon tax scheme would increase the cost of everyday goods including gasoline and home heating; and

“Whereas the government continues to run unaffordable deficits without a plan to reduce spending while collecting \$30 billion more annually in tax revenues than 11 years ago; and

“Whereas the aforementioned points lead to the conclusion that the government is seeking justification to raise taxes to pay for their excessive spending, without accomplishing any concrete targets;

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

“To abandon the idea of introducing yet another unaffordable and ineffective tax on Ontario families and businesses.”

I fully support it, will affix my name and send it with page Ian.

GASOLINE PRICES

M^{me} France Gélinas: I have this petition that was put together by Mrs. Kathryn Farrell from Garson, in my riding. It reads as follows:

“Whereas northern Ontario motorists continue to be subject to wild fluctuations in the price of gasoline; and

“Whereas the province could eliminate opportunistic price gouging and deliver fair, stable and predictable fuel prices; and

“Whereas five provinces and many US states already have some sort of ... price regulation; and

“Whereas jurisdictions with gas-price regulation have seen an end to wild ... fluctuations, a shrinking of price discrepancies between urban and rural communities and lower annualized gas prices;”

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They “petition the Legislative Assembly of Ontario” to:

“Mandate the Ontario Energy Board to monitor the price of gasoline across Ontario in order to reduce price volatility and unfair regional price differences while encouraging competition.”

I support this petition, will affix my name to it and ask Jade to bring it to the Clerk.

CREDIT UNIONS

Ms. Indira Naidoo-Harris: I have a petition here that’s addressed to the Legislative Assembly of Ontario.

“Whereas Credit Unions of Ontario support our 1.3 million members across Ontario through loans to small businesses to start up, grow and create jobs, help families to buy homes and assist their communities with charitable investments and volunteering; and

“Whereas Credit Unions of Ontario want a level playing field so they can provide the same service to our

members as other financial institutions and promote economic growth without relying on taxpayers’ resources;

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

“Support the strength and growth of credit unions to support the strength and growth of Ontario’s economy and create jobs in three ways:

“—maintain current credit union provincial tax rates;

“—show confidence in Ontario credit unions by increasing credit union-funded deposit insurance limits to a minimum of \$250,000;

“—allow credit unions to diversify by allowing ... credit unions to own 100% of subsidiaries.”

I agree with this petition. I’m affixing my signature to it, and I’m handing it over to page Natasha.

WINTER ROAD MAINTENANCE

Mr. Norm Miller: I’ve received petitions from Golden Valley, Ontario, with regard to improved winter road maintenance. It reads:

“To the Legislative Assembly of Ontario:

“Whereas the area maintenance contract system has failed Ontario drivers the past two winters;

“Whereas unsafe conditions led to the maintenance contractor being fined in the winter of 2013-14, as well as leading to a special investigation by the provincial Auditor General;

“Whereas the managed outsourcing system for winter roads maintenance, where the private contractor is responsible for maintenance, but MTO patrols the region and directs the contractor on the deployment of vehicles, sand and salt, has a proven track record for removing snow and ensuring that Ontario’s highways are safe for travellers;

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

“That the Ontario Ministry of Transportation take immediate action to improve the maintenance of winter roads based on the positive benefits of the previous delivery model, where MTO plays more of a role in directing the private contractor.”

I support this petition and give it to Aiden.

MUNICIPALITIES

Ms. Peggy Sattler: I have a petition signed by a number of constituents in London West. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas questionable activities and ethical lapses have been occurring by elected officials in various municipalities throughout the province; and

“Whereas in the city of London the Ontario Ombudsman has been repeatedly asked to investigate questionable conduct by elected officials, including secret private meetings in apparent contravention of the Municipal Act; and

“Whereas the Municipal Act of Ontario lacks the legal mechanisms to prevent such closed meetings from happening, lacks concrete consequences to discipline conduct breaches, and provides no mechanism to suspend or remove a municipal council member facing or being convicted of criminal charges;

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

“To re-evaluate and amend the Municipal Act, and the Ombudsman Act, to ensure the integrity of our democracy. We call upon you to help restore the public’s confidence and trust in our municipal governments by ensuring accountability and providing citizens a means to initiate disciplinary recourse where and when appropriate.”

I affix my name to this petition and will give it to page Luc to take to the table.

HEALTH CARE

Mr. Steve Clark: I have a petition to the Legislative Assembly of Ontario that reads as follows:

“Whereas providing patients with access to information about their medical doctor’s treatment history is fundamental to regulating the medical profession and ensuring Ontario’s health care system is accountable and transparent;

“Whereas currently, Ontario patients do not have access to this information, which is also an important measure to improve patient safety and empower them when making decisions about medical treatment;

“Whereas making public all information about complaints, cautions and remedial action taken against a physician does not diminish the College of Physicians and Surgeons’ ability to self-regulate, but rather brings balance to the relationship between doctors and patients;

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

“That the Minister of Health and Long-Term Care act immediately to implement the transparency and accountability measures contained in Bill 29, An Act to amend the Medicine Act, 1991.”

I’m pleased to affix my signature in support and send it to the table with page Ian.

ORDERS OF THE DAY

PROTECTION OF PUBLIC PARTICIPATION ACT, 2015

LOI DE 2015 SUR LA PROTECTION DU DROIT À LA PARTICIPATION AUX AFFAIRES PUBLIQUES

Resuming the debate adjourned on March 5, 2015, on the motion for second reading of the following bill:

Bill 52, An Act to amend the Courts of Justice Act, the Libel and Slander Act and the Statutory Powers

Procedure Act in order to protect expression on matters of public interest / Projet de loi 52, Loi modifiant la Loi sur les tribunaux judiciaires, la Loi sur la diffamation et la Loi sur l’exercice des compétences légales afin de protéger l’expression sur les affaires d’intérêt public.

The Speaker (Hon. Dave Levac): When this item was last debated, the member from Bramalea–Gore–Malton had the floor. I will recognize the member from Bramalea–Gore–Malton.

Mr. Jagmeet Singh: It’s my pleasure to continue debate on this important piece of legislation. What I discussed earlier was how important this bill was in terms of protecting public participation. It’s, again, a hallmark of our society that people need to be able to participate in discourse, particularly on matters that impact their communities, so it should go without saying that people should be encouraged, not discouraged, from participating in issues that affect where they live and how they live. This law will address that.

When we speak about public participation, we also need to talk about other forms of public participation, and those areas that need to be addressed as well. One of the most important ways that people can participate in public discourse is through protest. Protest, or dissent, is often referred to as the hallmark of a democracy, a hallmark of a free society. You need to be able to get up and say, “I disagree with what’s going on.” While we, in this legislation, are looking to protect public discourse, so that people don’t get sued in a strategic way that is seeking to silence them, so that people who raise their concerns are not going to suffer from a long, drawn-out legal battle that seeks to discourage them from participating in whatever the discourse was, we also need to look at the other forms of public discourse, namely protests.

The G20—we referred to this a number of times—was one of the worst examples, one of the worst cases of civil rights violations in the history of Ontario and, in fact, one of the most heinous acts of civil rights violation in the history of Canada. It was something that happened due to a number of factors, including the use of the PWPA, the Public Works Protection Act, which is also a law that is overly broad, overly vague and resulted in some gross violations.

But there is also another area. There is a certain combative culture that exists right now between the police and the citizenship. That combative relationship needs to be addressed. It’s something that requires a culture shift. When I spoke at an event just a year or so back, there was an association of police boards, and they had made recommendations on how to improve upon what happened at the G20. I was invited to speak, and they asked me, “We want you to be critical. We don’t want you to hold your punches. If there’s something we can improve upon, look at our report and speak freely.” I warned them, “If I’m given free licence to speak freely, I will actually do that.” They encouraged me. They said, “For sure. Speak freely and let us know what you think.”

One of the sections of the report talked about the improvements they need to do around protests. They re-

ferred to protests and they said, “We need to improve our strategies around crowd control.” I got up and I said—I want to share this with you, as well, as members of the Legislature—that right off the bat, when you discuss dealing with protesters as “crowd control,” it creates a combat. It creates a divide between the police and the everyday citizens. It creates a tension. The suggestion is that the police are going to control the crowd.

Instead, I suggested, what if the remarks were based around looking at facilitating the protesters, facilitating this democratic right in an effective and safe way? That would be a shift in the culture if, instead of looking at this as a problem—“Someone is protesting. This is a problem. We need to solve this problem. We need to control this crowd”—the approach was, “This is a democratic right. We want to encourage people protesting. We want to encourage people’s right to dissent.”

How can we facilitate this right in a meaningful way? That would absolutely shift the combative and intense relationship between the police and the protesters, and instead shift it to something that was more positive, that would in fact encourage democracy, that would in fact encourage those protesters and allow it to be facilitated in a way that would be effective, again, also keeping in mind the police’s important role of providing safety and security. That’s a shift that we need to see.

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If we really want to encourage public participation, it needs to be seen as something that is seen as a valid and important thing. When it comes to what happened in the G20, a lot of the problems arose, again, from the PWPA, the fact that that law was so broad and gave far too many powers. When you have broad powers that are vague, it results in violations.

In addition to that, there’s also a problem around the culture. The culture was not one that spoke to facilitating and encouraging the protesters; it spoke to fighting with them, controlling them—this combative discourse. That’s what we need to shift.

While this law certainly speaks to protecting people from legal ramifications, it doesn’t address the other form of public discourse or public participation, which is protest. We need to talk about that. So I suggest that one particular, concrete action we can take is looking at how we can change policies when it comes to people protesting.

In terms of the provincial government, the Attorney General’s ministry can inform police forces across this province and say, “When there is a protest, this is something that should be encouraged. It should be something that’s facilitated.” How can we do that? Well, we can make sure that there isn’t an immediate escalation of the protests by having an approach which is militarized or an approach which is aggressive or an approach which is combative. We can begin by saying that we don’t need to approach protesters as a problem; we can step back and be passive in terms of our approach to them.

These can be policy directives that this government can implement. Again, if we are serious about encour-

aging public participation, let’s have a policy directive from the government that says that protesting is acceptable, protesting is encouraged, and we want the police to facilitate it. We want the police to have a passive role in terms of protests until there is a clear and identifiable risk, and to only approach those identifiable risks in a manner that’s appropriate and proportional to the risk. Instead of assuming the worst and having an aggressive stance right off the bat, we would like to see, and I would like to see, a policy that encourages those protesters by saying, “We can begin the interactions by having a passive approach, an approach which is not combative.” That would encourage more discourse.

The reason why I speak to this is, while the laws are important—and laws obviously determine the direction that our province moves in, and laws that protect discourse are, of course, important—we also need to have policy directives. We also need to inform police officers and the police forces across municipalities and across the province in terms of what their direction should be. What should be the appropriate manner in which they deal with citizens?

In addition to that, it also speaks to some of the recent events that we’ve seen in the past year where there have been some serious concerns around police accountability and the approach that police take to individuals in general. In addition to something that I’ve requested, which is this directive on encouraging public participation through a policy on how protesters are dealt with, we also need to look at the police strategy around de-escalation of conflicts. Right now, as it stands, the police have a policy which, if you look at recent events, seems to be an escalation strategy. If there is a conflict, if there is a problem, the police come in in a manner which is escalating the conflict, which is escalating the situation, particularly in situations that are already tense.

I refer to the Sammy Yatim tragedy, which is one of the telling situations where the police could have approached that situation in a manner that would have de-escalated the violence. There was a threat. There was certainly a concern. But Mr. Yatim was in a streetcar by himself. There were no other bystanders in that streetcar. The approach taken by the police in that case was not one that looked at de-escalating that situation but instead looked at approaching it in an aggressive manner that escalated the violence. These are areas that we really need to look at.

Again, if we’re speaking about public participation, we’re speaking about encouraging people and allowing them to participate in democracy. But we also need to look at how the police approach protesters. There needs to be a serious discussion around how the police approach conflict. Instead of looking at strategies which involve the use of force, use of weapons, let’s look at the use of de-escalation tactics—the use of negotiation, the use of communication—to take a situation and bring down the tension levels, bring down the stress levels so that we don’t see some of the tragedies we’ve seen in the past year.

When we look at this particular legislation, while I'm encouraged by much of the bill—the recommendations from the SLAPP panel were implemented in a meaningful way in this bill—I also want to speak to some of the problems we still see. One of the major problems that still exist is that if we look at the situation—let's use the example of a community meeting where the community is opposed to a particular development in their neighbourhood. The community members get together and say, "We do not want this development to occur. It will erode the nature or the character of our community, and we don't want it here. We don't want that particular development." They get together and protest this development, whatever it may be.

As it stands, without this legislation, the developer can say, "Because of this protest, because of these key community activists or community spokespeople who are opposed to our development, we are suffering an economic loss. We are suffering, potentially, because we can't make this building or this store happen. We can't allow it, or it can't be built. Because there is a delay in it being built, it's going to cause us an economic loss." So a lawsuit is initiated, and its sole purpose is, essentially, to silence that individual.

This bill will protect that incidence, that particular scenario, by saying, "Listen, in those cases where a developer seeks to sue somebody strictly to silence them—there is really no merit to their argument—and, in fact, what that community spokesperson or activist is doing is something we want to encourage; they're participating in public discourse, they're actually speaking about how they want their community to develop, and that's a good thing, this law will allow for a quick mechanism to dismiss those types of lawsuits."

But what about the letter that's sent? If you don't have legal training, what if that community spokesperson isn't actually sued but they receive a letter, and the letter reads, "You will be taken to court and sued for a substantial sum of money with all the recourse of the law," and there's legal terminology used in that letter; there is the threat of a lawsuit in that letter? That letter itself is so chilling—it has such a chilling effect; it's so scary to read—that the community spokesperson says, "Listen, I don't want to get sued. I'm going to stop doing what I'm doing. I'm not going to risk a multi-million-dollar lawsuit, because I am just afraid. I have received this letter from a very prestigious law firm or a well-known lawyer, and I'm afraid," and that person decides not to participate. This bill wouldn't protect that scenario. That letter is something that could silence that individual, could intimidate that individual, and we don't have recourse.

The individual ought to know—if they have legal training, they would know—that simply receiving a letter in the mail isn't an actual lawsuit and isn't going to result in anything. But what does an individual who doesn't have any legal training know about that? The reality is that we need to do more. If we really want to encourage public participation, we need to ensure that people are informed of their rights.

So, in addition to this legislation, I think that one of the areas we need to work on is policy directives for the police to encourage participation in terms of protests, but we also need an informed public. Not only do we need legislation that protects people from being sued in a strategic way to silence them; we also need some concerted effort from the government to educate and inform the people of Ontario that it is something you are allowed to do, and we in fact encourage you to participate in this way.

We want people to speak about their communities. We want people to speak up for a particular development or against it. This is something we want to see happen, and it is your right to organize, to get together as a community and speak about these issues. If you receive a letter that says you are going to be sued, this new legislation will protect you from frivolous lawsuits—lawsuits that are without merit. And if you are engaged in meaningful public participation, that is something we want to encourage and protect; don't be afraid of letters of that sort.

So I think there needs to be an education component to this discussion, this sentiment or this idea of public participation. We have a law that is before us now, which is important, but we also need to have an education component that speaks to informing the public of their rights, of the importance and of our position as legislators; as decision-makers, we want to encourage people. In addition, we need policy directives that actually speak to those who are actually going to enforce the rule of law. We want them to know, those who are involved in police forces, those who are involved in carrying out and enforcing the law—we want them to be informed and to have policy directives that make it clear that we, as Ontarians and Canadians, believe that people should participate in public discourse and debate and have dissent. This is something that's important.

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I want to highlight—and I spoke of this very briefly on a previous occasion—the New Democratic support for this bill. Ontario New Democrats have long believed in protecting public participation. In fact, both in 2008 and 2012, Andrea Horwath, the leader of our party, introduced anti-SLAPP legislation. When Ms. Horwath, the leader of our party, introduced this legislation, we did not receive support from the Liberals at the time, and we want to make it clear that we have supported this issue. We acted on that support by introducing legislation, and we're happy to see now that the Liberal Party has finally caught up with us.

The importance of this bill, again, can't be understated. There have been a number of incidents where people have tried to raise their concerns and have been silenced by lawsuits. I spoke about environmental groups that have raised their concerns and have been silenced by developers. I previously spoke about, and I want to raise again, people who are part of municipalities who have raised concerns around various developments.

In fact, there were a number of people who were concerned about the treatment of animals at a particular

facility, at an amusement park, and while the government has now introduced a law seeming to address this issue, I want to make it clear that people have raised concerns around animal treatment and did not receive any support or protection and, in fact, were hit with significant lawsuits. For example, Mr. Powell of Marineland Animal Defense is right now currently facing a \$1.5-million SLAPP. It was based on his activities raising concerns and information around the treatment of animals. Right now, he is facing this lawsuit.

This is a real issue. People are faced with these lawsuits which discourage them, which intimidate them, which make them unlikely to participate now and in the future as well. We need to make sure that people know that this law is going to be enacted, and when it is enacted, we need to make sure the public is aware of their rights, that they're aware that there may still be lawsuits initiated against them but there is this protection that exists. I think that is so important. Often we have a law, but if that law, first of all, doesn't get enforced, it does nothing. In addition, if we don't know about the strengths of that law, if we don't know there is a law that protects our actions, it doesn't have the same weight.

While this law is supported by all parties, and I'm looking forward to its passage, I want to make sure that we do some work around informing the public of their rights so they know they have this protection. I look forward to a society where we encourage more public participation.

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

Mr. Bas Balkissoon: I'm glad to have this opportunity to say a few words based on the comments of the member across the way, from Bramalea–Gore–Malton.

This particular piece of legislation, if I could say, Mr. Speaker, to add to what he has already said, is long overdue. If I could share quickly with all of you, I was a community activist back in 1985. I had a confrontation with the Ministry of Finance on property assessment. The assessor and myself did not agree. And guess what? The government served me one of these letters, saying that I should cease and desist. Had I gone away, market value assessment would not be in place today. I ignored the letter, I pushed ahead and, sure enough, we had market value assessment in 1998. The law was changed. This Legislature agreed with me.

I have to say to you that this particular issue has been outstanding for a long time. It's long overdue. I want to congratulate the government for finally recognizing that we need to stop this because it happens in many areas in community concerns, where someone takes an action because they have a concern in their community and they receive these types of letters from lawyers for developers and all kinds of other issues in communities.

So it's long overdue. I think it's the right direction to go in. There might be some concerns because it's a made-in-Ontario piece of legislation. It's a first of its kind. But when it goes to committee, all of us will have opportunity to discuss it and hopefully improve this piece of legislation.

Thank you very much, Mr. Speaker, for giving me that opportunity.

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

Mr. Toby Barrett: I always listen attentively to the member from Bramalea–Gore–Malton on issues like this. He has a background in the law. His comments are quite appropriate with respect to these kinds of SLAPP lawsuits.

We just heard in this chamber that action on this issue is long overdue, and I do know—I heard a fair bit about the issue of SLAPP lawsuits probably seven years ago. I was environment critic. We were debating the Lake Simcoe Protection Act. Public hearings were held, and a number of people were at the witness table representing an Innisfil ratepayers' group. He was about to speak, and then he looked around furtively. Then he explained to us on the committee that he was subject to a \$1-million lawsuit. He felt maybe he was somewhat protected to be able to stand up at committee and talk about the confrontations—you mentioned confrontations—that they were having, as a ratepayer cottagers' group, with developers. This was up at Big Bay Point. These hearings were being held just a few days after Remembrance Day. Here we had someone at the witness table, very reluctant to present their case because of this lawsuit.

I can empathize with his concern, his fear. I've been involved in confrontation on Caledonia, and I have been named in a lawsuit. This is hard to believe. I've been named in a lawsuit that totals \$226 billion. That's "billion" with a B. Many people think I'm referring to million, but I'm subject to a \$226-billion lawsuit. I don't think this assembly can help me out on this one.

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

Mr. John Vanthof: It's always an honour to be able to stand in this House and follow the comments from my colleague from Bramalea–Gore–Malton on Bill 52. Basically, it's anti-SLAPP legislation, and I'm hopefully going to have the opportunity to speak a bit more this afternoon on that issue.

He raised an issue that I hadn't thought about for a long time, and that's the ugly lawyer letter. You know what? I'm sure a lot of us have had those. I can remember when I first got involved with community groups, with farm organizations, and I can remember my first ugly lawyer letter. Basically, unless I complied with this letter, the sky was going to fall in. When you're 22 or 23, you're just starting out with your business and starting out with your family—maybe I was 25; I can't remember. You got this letter, and it's sitting on your kitchen table. You think, "Okay. Do I continue with this battle or do I throw in the towel right now?" How many good fights, worthwhile causes, have been lost because of—and I'm sure there's a nicer word for it, but I call it the ugly lawyer letter?

He brought up a very good point. This legislation—and we support it. It is kind of a touchy subject in parts in my riding. In parts of resource industry places it's a

touchy subject, and I'll get to that in my 20 minutes. But we've supported this legislation from the start, continue to support it, but it doesn't have any impact on the legal professions—you know, the \$1,000 lawyer letter: you pay \$1,000, they send you an ugly letter, and hopefully you go away.

1400

We do need a training session on how to equip people to deal with that, because most of the time, when people get involved in these controversies, they come to it innocently enough, and they have to learn the hard way.

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

Mr. Lorenzo Berardinetti: It's a pleasure to have an opportunity to speak about the legislation in front of us today, in particular the remarks made by the member from Bramalea–Gore–Malton.

I just want to address one aspect about this bill that has been brought up by some of the opposition members: that the government is moving slowly on this. We just want to reassure the members that we were debating this before May of last year. An election was called at the beginning of May, we went to the polls, and as a result, there was a new mandate—when the election took place on June 12. What happened was, as we all know, any existing legislation that was being debated had to be reintroduced and debated again in this House.

I'm hearing a lot of the same comments that were made in the previous debate before May of last year. I think all three parties support this bill and want it to move on. I'm hopeful that that will happen. I think the government wants this to move forward. The government has been consulting, since the very beginning, with certain groups—the panel—to make sure that the legislation is drafted properly. We've all seen the legislation; it makes a lot of sense. I think it's important to get this to committee and, hopefully, back here for third reading after some changes are made, and eventually into law.

I listened carefully to the member from Bramalea–Gore–Malton when he last spoke on the 5th of March—it was debated that morning. I was rereading some of his comments, and I think they're right in line, pretty well, with what all three parties are saying: We have to fix the system. We have to make sure that people who want to protest against a certain kind of law—if they want to participate in public participation, when someone wants to build something or a developer wants to put something up, they want to be able to speak out, and they don't want to be stopped by a lawyer's letter, or a lawyer writing something and saying, "Dear Mr. Protester: You're going to be sued."

The Acting Speaker (Mr. Ted Arnott): That concludes our time for questions and comments. I return to the member for Bramalea–Gore–Malton for his reply.

Mr. Jagmeet Singh: I think one of the things that's important to address when we talk about this bill is that many of these lawsuits that are launched against individuals that are speaking out often get dismissed in the end. But when's the end? It's years and years of legal battle;

years and years of battle; the case drags out; there is significant cost; there's significant intimidation; there's significant pressure on the individual; and when a judge finally says, "You know what? This case really has no merit. I'm going to dismiss this lawsuit that's been hanging over this individual's head," it's years later.

The effect of the lawsuit is that, during that time period, the individual didn't speak out on it, was silenced, was discouraged from participating because they had this lawsuit hovering over them. What this lawsuit does is—not the fact that people can't be sued frivolously; people will be sued, potentially. What this law will do is that if there's a frivolous lawsuit, if there's a lawsuit strictly designed to silence somebody, there's a mechanism to have that dismissed in a quick fashion. That's really what this bill does, and that's a good thing. That's an important thing.

We have to recognize that, as I've said, many cases have actually been dismissed by judges. They've found that there is really no merit to the lawsuit, but it's taken years. The importance of this bill is that it allows for a quick identification of a case that's frivolous—that's a SLAPP—and will allow for that type of lawsuit to be quickly dismissed so that the individual facing that lawsuit can move on and continue to do what they want to do, which is participate in their community.

I want to thank all the members for sharing their experiences—some members who have also faced these types of lawsuits themselves. It's important to hear their stories because this is a real issue. I'm really encouraged that we have this legislation that will ensure that, at least at some level, we can encourage public participation.

The Acting Speaker (Mr. Ted Arnott): Further debate? The government House leader and Minister of Community Safety.

Hon. Yasir Naqvi: Thank you very much, Speaker, for recognizing me to speak on Bill 52. I will be sharing my time with the Minister of Transportation and with the member from Etobicoke Centre.

Speaker, I'm very excited to stand again to speak to Bill 52. I've had the opportunity to speak to its predecessor—Bill 83, I believe—which died on the order paper. But my excitement really stems from the fact that this is an issue that I have had the great opportunity to work on for many years now on behalf of my community of Ottawa Centre.

The member from Bramalea–Gore–Malton was right when he suggested that the member from Hamilton Centre did propose a bill, Bill 138, in 2008, but, once it died on the order paper, never re-introduced it. It was a bill which was similar in gist to what we are talking about but had some different elements to it.

I worked along with my community and I have had the opportunity to speak in this House because of certain circumstances some members of my community went through to ensure that we do have robust anti-SLAPP legislation in the province of Ontario. Where I picked up on the work was based on the work of the advisory panel that the Ministry of the Attorney General had created

back in 2010. That advisory panel was made up of some really notable people like Professor Mayo Moran, who is the dean of the Faculty of Law at the University of Toronto, along with Brian Rogers of Brian MacLeod Rogers Law Office and Peter Downard of Fasken Martineau. That panel recommended one overarching recommendation, being that Ontario should have anti-SLAPP legislation, but then also provided some very specific recommendations as to what should be in that bill.

In a nutshell, what they said was that anti-SLAPP legislation in the province of Ontario should have a test for courts to quickly recognize a strategic lawsuit, that it should contain appropriate remedies for strategic lawsuits, that it should have appropriate limits to the protection of legislation against strategic lawsuits, and that there should be methods to prevent abuse of any future legislation against strategic lawsuits.

What I did back in 2012 at the behest of my constituents in Ottawa Centre was to take that very thorough work that the advisory panel had done and work hard with the legislative counsel in drafting a piece of legislation that captured the advisory panel's recommendations. I was privileged to table a bill on October 15, 2012, Bill 132, as a sum of that work. The bill was called the Protection of Public Participation Act.

In that journey, I had the great opportunity of working with community associations like the Hintonburg Community Association in my riding and people like Albert Galpin, somebody who was SLAPPed and had a strategic lawsuit brought to him because he stood on an issue of public interest. I worked with the federation of community associations and Don Stewart, who is a representative and lives in my riding. He was very instrumental in giving me guidance.

I also had a great opportunity of working with many NGOs, groups like Greenpeace and Environmental Defence and other environmental NGOs who were very instrumental in giving me advice. I do want to give a shout-out to a good friend of mine who is a very good environmental lawyer, Will Amos, part of the Ecojustice legal clinic at the University of Ottawa, who has been a great source of inspiration to me on this particular bill. We were able to table in Bill 132 a real sense of the advisory panel's recommendations because of the work all these people did.

Coming back to my original point, the excitement for me is that when I look at Bill 83, which died on the order paper and which was the first government bill on this very important issue, and now Bill 52, what I see as almost a replication of what I had presented in Bill 132.

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I think it's a very exciting thing to see, when you see government adopting, in essence, all the elements of what you presented in your private member's bill in a government bill. So I want to thank the Attorney General for her confidence in the work that myself, legislative counsel, my staff—I want to give a shout-out to Geoff Turner, who worked very hard on this issue—and all the

community and non-governmental stakeholders that I worked with did, to be able to see their work reflected back.

In my very limited time, I just want to highlight some key things that are important in this bill and that are important to my community. The proposed legislation would implement most of the panel's recommendations, as stated earlier. The key elements of the proposal involve implementing a fast-track review process for potentially strategic litigation under the Courts of Justice Act. This new process would allow the courts to quickly identify and deal with lawsuits that unduly restrict free expression in the public interest, minimizing costs and other hardships endured by the defendant. It will extend qualified privilege in defamation law under the Libel and Slander Act. Currently, statements made by a person with a direct interest in a public interest matter to another person who also has a direct interest are privileged, so they do not give rise to liability for defamation. What the Ministry of the Attorney General is proposing is to extend this privilege to cases where these communications were reported in the media or otherwise, for example, discussed in a blog.

The legislation, if passed, will also make procedural amendments to the Statutory Powers Procedure Act to avoid lengthy and expensive legal cost applications before administrative tribunals. That's a very important point, because we forget that a lot of the matters in our system today are dealt with by quasi-judicial tribunals. They've been created because they're expert tribunals. They bring a certain level of expertise, and proceedings at those tribunals can be used as a matter of strategic lawsuits against public participation. The Ontario Municipal Board comes to mind because of development issues that many, many communities face. So this particular change is extremely important.

Speaker, what this bill really does, and I think all members, as I'm hearing the debate, are speaking to that, is protecting public participation and freedom of expression, which is core to the constitutional rights that have been given to us in this country, and protecting reputation and economic interests. That's the balance of what this legislation tries to do. We need to make sure that we are able, as members of the public and as members of respective communities, to be able to express our views that are important to the public interest and that are important to our communities, but also be able to then protect reputation and economic interests. That balance is very much captured.

That's why one of the key essences around this legislation—and I say this specifically in case people who are listening or paying attention to this issue wonder, "Why do we need legislation like this? Isn't our system already designed in a way that will protect frivolous lawsuits?" When communities and individuals in our communities speak on issues of public interest, that's a different matter. We need to make sure that there are safeguards in place. We should not have a system in place where lawsuits can be brought against those individuals because

somebody, the economic interest or whatever interest, maybe does not like what somebody else is talking about in terms of a particular public interest within the community and uses legal tools—"legal" means the legal system—to shut them down.

What this bill does, if passed—it does not stop somebody from bringing a legal case; it actually creates a fast-track method, an expedited process by which a judge could review whether this is a strategic lawsuit against public participation—when somebody is talking on an issue of public interest, they should be free in an open and democratic society—or if it has merit when it comes to some sort of libel or tort being committed.

In the case of one of my constituents who was SLAPped, and was in the end successful, his success came around two years down the road and it cost him about \$50,000 in legal fees. That's a huge burden on a member of the community who was just talking about an issue that was important to the community and the safety of the community. If something like Bill 52 had existed in law, that matter could have been resolved within 60 days, as outlined in this legislation, and of course you can imagine that the legal costs would have been that much more limited.

Speaker, I will stop here but to say that I'm very excited to see this bill, and I urge all members to support this. I think this will result in stronger communities and it will result in the protection of our rights and the rights of our communities in terms of expressing the public interest.

The Acting Speaker (Mr. Ted Arnott): The member for Etobicoke Centre.

Mr. Yvan Baker: It's a privilege to speak after our government House leader on this important bill.

I'd just like to take a step back and talk a little bit about why I think this is important. When I think about my community of Etobicoke Centre—and I know what I'm going to talk about is probably reflective of what you see in ridings across our province—you have a tremendous number of people who are investing their time, their energy and their resources advocating for their community and making their communities a better place. Most recently, in January, I held an event called the community service awards, where, for people in the community who had been doing good work on behalf of the community, we recognized them with a certificate in appreciation. We recognized them in front of their communities not because they asked for it, not because they wanted it, but because people in the community every day across our province, and Etobicoke Centre is no exception, do wonderful work.

When I think about this bill and how it applies to my community, I think about those folks and I think about how hard they work, how much time they invest—most of it is volunteer time—and the amount of impact that they have on our communities and how fundamental it is that they be able to speak up, that they be able to advocate effectively.

That's what this bill is about, from my perspective. It really goes to that issue. It goes to the issue of protecting

people who are doing great work on behalf of our community; in my case, the community of Etobicoke Centre.

There are many great things about our province, but one of the great things is that we live in a democratic country, and we believe it is important that people can speak out on matters that are important to us. By protecting citizens against frivolous litigation, this bill will allow us to stand up for the values that we hold dear. It will allow us to stand up for those democratic principles that we hold dear.

Using intimidation tactics to silence someone is a misuse of our court system. It's unethical, in my view, but it's also a misuse of our court system. If we pass this legislation, this would allow the courts to quickly identify and deal with strategic lawsuits and minimize not only the emotional strain but also the financial strain on defendants, as well as the waste of court resources.

I think about recent work that members of the community in Etobicoke Centre have done—and they didn't face lawsuits, to my knowledge. I think about the wonderful work that they have done. I think about the residents' associations. One that comes to mind is the Humber Valley Village Residents' Association, which recently worked very, very hard over the course of years and raised a tremendous amount of resources to advocate against a development in our community. I think about the amount of time and resources they put into that.

We need to protect people like that who are speaking out, who are doing their best to do what's good on behalf of our community. Again, this is what this bill is designed to do, and I'm very optimistic that that's exactly what it will do.

This bill was formed after the work of an advisory panel, a very highly qualified advisory panel. I think that's an important thing to consider: that our government was very careful in crafting this legislation. On May 28, 2010, we announced the establishment of an advisory panel to provide advice on legislation against strategic lawsuits. The panel was chaired by professor Mayo Moran, who was dean of the faculty of law at the University of Toronto, along with the Brian MacLeod Rogers law office and Peter Downard of Fasken Martineau.

On December 21, 2010, the advisory panel reported. The panel recommended a number of things: that Ontario should adopt legislation against strategic lawsuits, that the legislation should include a purpose clause for the benefit of judicial interpretation so that it's clear how the court should interpret the law, and a couple of other things that are also important.

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This is something that our government is putting in place, but this is something that has also been implemented in other jurisdictions. Approximately half of US states have statutes against strategic lawsuits, and on June 3, 2009, Quebec passed its own legislation as well.

When I think about this piece of legislation, I think it is one of those things that allow people in their community to do great work on behalf of their community. It

allows them to do that without the fear of emotional strain and financial strain, and it ensures that resources applied to our court system are applied to the area where they are most needed.

We are all here in this Legislature. We all speak up in this Legislature every day on a range of issues because we believe they will strengthen our communities and our province, and improve the quality of life for the people of our province. When I think about my community of Etobicoke Centre, I think about all the people who are doing fantastic work on behalf of our community, and I want to make sure we protect them that they can speak out, that they can advocate and build a better community for all of us.

That's why I think this bill is important, and I encourage all members in this Legislature to support it.

The Acting Speaker (Mr. Ted Arnott): The Minister of Transportation.

Hon. Steven Del Duca: I'm very happy to have the opportunity to stand in the Legislature this afternoon and add my voice, add my remarks, to the debate we have here at second reading of Bill 52, the Protection of Public Participation Act.

I had the opportunity, as we all did this afternoon, to hear the government House leader speak at length and very eloquently about the importance of moving forward with this legislation at second reading. Of course, just before I spoke, the member from Etobicoke Centre added his voice, again talking, I think, in a very articulate way about the importance of making sure that residents of his community of Etobicoke Centre can have the opportunity to participate in public debate, to add their voices to discussion in a balanced way, and to make sure they don't feel that sense of fear about the legal system being used to effectively shut down their participation in that process.

There has been a great deal of work that has gone into the creation of this legislation over a number of years. I know that the member from Etobicoke Centre did reference the work of the panel that was struck to do a very thorough examination and provide feedback with respect to how we should move forward. I think there are a number of individuals—not only those who participated in debate here at second reading, but in particular the government House leader when he served as a back-bencher—who pushed this issue and advocated for it so strongly and so effectively. Of course, both our current and former Attorneys General have contributed a great deal to this entire process.

I know that much has already been said by members on all three sides of the House with respect to the content of the bill. Of course, when I read the bill, when I hear the debate and discussion, and when I read about what the bill includes, the word that comes to me is the concept of balance. I think that's very, very important.

We can't do the work we do as MPPs, and our communities can't thrive and flourish in the way they need to, with all the challenges they face—whether you represent a community on the edge of Toronto, like I do, you're

from a northern community or a rural community in the southwest—when you're growing and you're building and you're prospering, there inevitably will be opportunities for dialogue, opportunities for what I'll call constructive disagreement. I think you'll want a process in place—and that's what this bill strives to achieve—that will help us arrive at that balance, provide those who want to participate in a very genuine, authentic way in the public process with the sense that they can do so, that they can speak their minds, that they can do it in a reasonable way and not fear that the legal system will be used in any way, shape or form as a weapon, I suppose, against their ability to participate in this process.

We wouldn't be here today if it wasn't for the efforts of a number of people on this side of the House—I already mentioned the government House leader; I'll reiterate that. In his time over the last number of years, he has been a persistent and, again, very effective advocate for moving forward with this legislation. I think it's fantastic that we're here at second reading. We've heard a number of individuals speak on this from all three caucuses. It is important that we proceed.

There are people out there facing a number of very difficult and challenging decisions in their community. I know, whether I'm thinking of my own community or others, that there are a number of organizations, grass-roots and otherwise, that want to contribute to that process and want the sense that they can do so without putting anything more fundamental at risk. This bill will help accomplish that. It is important for us to pass this bill at second reading, show our support for it and get it through the legislative process so that it can become the law of this province.

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

Mr. Steve Clark: I listened with interest over the last 20 minutes to the Minister of Community Safety and Correctional Services, the member for Etobicoke Centre and also the Minister of Transportation. You know what, Speaker? Kathleen Wynne is a hypocrite. She is a hypocrite when it comes to this—

Interjections.

The Acting Speaker (Mr. Ted Arnott): First of all, you can't refer to the Premier by her first name or her surname; she's Premier.

Secondly, that's a very unparliamentary comment. I would ask you to withdraw.

Mr. Steve Clark: I'll withdraw, Speaker.

The Premier says one thing and does something completely different. That's her mode—that's what she does time after time after time. Here we are debating this bill, this bill about public participation, and all I hear are speakers across the way talking about the fact that we need to do something about silencing voices, about intimidation. This is a government that has its own SLAPP suit against the member for Niagara West—Glanbrook and the member for Nepean—Carleton.

So the Premier says, in her throne speech, that she's going to let the justice committee do its report, but she

ensures that Peter Faist and Laura Miller don't testify. She ensures that other witnesses like Monique Smith or Beckie Codd-Downey—the list goes on and on and on.

We're never going to get to the truth of this case. Yet the Premier, again, says one thing, does something completely different, doesn't drop the suit and continues to try to silence the opposition, when she has silenced the whole debate by shutting the committee down. Again, she says one thing and does something completely different. I'm sick and tired of listening to the Liberals stand up with this holier-than-thou, self-righteous attitude when, if they really wanted to do something, they should drop that suit against those two members, and we should have this committee hear those witnesses and get to the bottom of the gas plant scandal.

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

Ms. Peggy Sattler: It's a privilege for me to rise on behalf of the people I represent in London West to respond to some of the comments that were made by the Minister of Community Safety and Correctional Services, the MPP from Etobicoke Centre and the Minister of Transportation about Bill 52, the Protection of Public Participation Act. This legislation has been discussed in this Legislature for many years. It's great to see, finally, that it is moving forward, and I want to congratulate the government for doing that.

I wasn't here in this Legislature when the bill was first debated, when it was brought forward as a private member's legislation by our leader, Andrea Horwath, back in 2008 and back in 2012, but I was here when it was introduced in the last session. It was one of the first pieces of legislation that I had the opportunity to speak to as a newly elected member of the Legislature.

I didn't really expect that it would resonate the way that it did with the constituents I represent in London West. London West has not had experiences, necessarily, with SLAPP lawsuits, but people in London recognize the importance of this kind of legislation to ensure free speech, to respect and protect the rights of citizens to engage in the democratic process and to voice their opinions about issues that matter to them in their community. In London, we see developments and we see people who are concerned about the impact on the environment. This legislation is desperately needed to enable those people to voice their concerns.

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

Mr. Han Dong: First of all, I recognize my colleague across, the member from Leeds–Grenville, for his ability to connect this anti-SLAPP protection for public participation bill to something political, you know, that has been debated in this House previously—

Interjections.

1430

The Acting Speaker (Mr. Ted Arnott): Before this gets out of hand, I would remind the member that his question or comment is to go back to one of the three government members who made the 20-minute speech.

Interjections.

The Acting Speaker (Mr. Ted Arnott): It's not to be a question and comment related to another question and comment.

The member for Trinity–Spadina has the floor.

Mr. Han Dong: I said I might—but that's okay. I want to speak to the bill and respond to the minister's comments.

In essence, I think this bill is to provide fairness and protect the small guys and also to preserve the democratic rights that we enjoy in this country. I'm thinking about the local—it could be a local environmental activist or a senior who is questioning how the property will be affected by a project nearby. Their rights need to be protected.

I also think about the intention of strategic lawsuits. I can't help but, in my mind, assume that it has to do with hiding some facts. Maybe it's too costly to address some of the concerns. This bill, if passed, will encourage more interaction between the big guys and the little guys and more communication and, through that, maybe there are some creative and constructive suggestions that would be beneficial for the big corporations. In the long run, I think it's good for the community and it's good for the business environment.

The other thing that I fully support is the balance. It would strike the right balance, if passed, between—and let the court make a decision whether it's a strategic lawsuit or not.

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

Mr. Bill Walker: I'm going to pick up where my colleague from Leeds–Grenville left off. It's very interesting that this supposed law is going to allow for fairness and the little guy to be represented and have a say, and yet it says one thing but does the other. So the Premier, again, has denied the ability for Laura Miller and Peter Faist to come forward and actually testify and give the true truth that the people of Ontario so truly deserve—and yet hide behind this and yet comes out with this type of legislation.

It's intimidating and silencing. She has a \$2-million lawsuit against two members of our caucus, Mr. Speaker—the height of saying one thing and doing the other. It's convenient for her when it works for her, but yet no one else should have the same abilities.

The Green Energy Act that this government brought in, that again denies local, municipally elected officials to have a say in their own backyard—there are lawsuits out there now that are trying, I believe, to scare the small, independent person who has a concern with this and the health of their family and themselves and their communities to be able to do it. They have removed those democratic rights. They have intimidated, by putting those types of things in.

I'm going to spend a fair bit of time in my presentation later giving some specific arguments, situations and proposals in regard to what I believe this is. It is, I believe, a step in the right direction. The challenge I

have—and my colleague did say it. I'm not going to use the word, but it really is the height of saying one thing and doing another, using it for your own benefit and trying to come across that this is for everybody.

At the end of the day, hopefully she will find it in her heart, the Premier, to drop this \$2-million lawsuit so that she can't silence two people from my caucus. Hopefully, she'll come forward at some point and allow Laura Miller and Peter Faist to actually be brought in front of people to answer the questions that Ontarians so truly deserve.

The Acting Speaker (Mr. Ted Arnott): That concludes our questions and comments.

The government House leader has two minutes to reply.

Hon. Yasir Naqvi: Thank you very much, Mr. Speaker. I want to thank the Minister of Transportation and the member from Etobicoke Centre for their comments and also the members from Leeds–Grenville, London West, Trinity–Spadina and Bruce–Grey–Owen Sound for their comments.

It's unfortunate, Speaker, that the official opposition trivialized the importance of this legislation by taking political jabs. They're entitled to it, and I won't begrudge them.

But I will go back to my community because that's where I get my marching orders. I can tell you that when I talk to members of the community and various community associations in Glebe, Hintonburg, Mechanicsville, Carleton Heights, Carlington, Westboro—

The Acting Speaker (Mr. Ted Arnott): Hog's Back.

Hon. Yasir Naqvi: You mention Hog's Back. When I look at all these communities that are so active—these are volunteers in my community who work with all of these different community associations day in and day out. They have only one focus and one focus only, Speaker, and that is to make sure that our neighbourhoods are better neighbourhoods to live in. They do a lot of activities. We all will know the bake sales that community associations host, just so they can do things that make their communities better.

Through this legislation, Bill 52, we want to make sure that somebody else who has a bigger interest, a powerful interest, is not able to use their might and silence these community groups, these hard-working volunteers in our neighbourhoods, from improving things, the quality of life. That is why I was so motivated to work with my constituents in drafting a very significant piece of legislation—a very significant piece of public policy—and with the help of many members from all three sides, to convince the government that this is worth being a government initiative. I'm really excited to see that it is, and I urge all members to support Bill 52.

The Acting Speaker (Mr. Ted Arnott): Further debate? The member for Perth–Wellington.

Mr. Randy Pettapiece: Thank you, Speaker. I have listened; it has been quite an interesting afternoon with this debate. I find some of the comments interesting—I'll put it that way—as to what has happened with the previous speakers.

Certainly, when it comes to openness and transparency with this government, I think that somebody should—maybe we could do this—look up the dictionary definitions of “openness” and “transparency” and send them across to the Premier so that she understands what they are.

Anyway, Speaker, the purposes of this—

Interjections.

Mr. Randy Pettapiece: I didn't hear what he said, anyway.

The purposes of this, in sections 137.2 to 137.5, are:

“(a) to encourage individuals to express themselves on matters of public interest;

“(b) to promote broad participation in debates on matters of public interest;

“(c) to discourage the use of litigation as a means of unduly limiting expression on matters of public interest; and

“(d) to reduce the risk that participation by the public in debates on matters of public interest will be hampered by fear of” litigation.

Speaker, this is a bill that has some high aspirational points it wants to bring forth and change what they call SLAPP legislation, so that people aren't intimidated by these lawsuits. A SLAPP is a lawsuit that is pursued for the sole purpose of soliciting and punishing those with an opposing viewpoint. The effect is also sometimes referred to as litigation chill.

Speaker, there are other pieces of legislation that people are getting a little bit upset with, too, and litigation chill is what it actually is, and that's with joint and several liability. This government refuses—200-and-some municipalities asked them to help them change joint and several liability. Last year at AMO, I was there when this minister—the Attorney General who we thought was going to work with these 200-and-some municipalities—said, “No, we're not doing anything. We're not doing anything.” So, now communities, including my own, are faced with what they call litigation chill.

This year, we saw some municipalities shutting down toboggan runs for kids—shutting them down. In my own municipality, they have taken out diving boards and different things because they're afraid of being sued, which is similar to what this legislation tries to address: a fear of being sued with these huge lawsuits.

Part of what defines a SLAPP is the fact that it is a meritless case that is intended more to intimidate or punish the defendant rather than seek justice for a wrong suffered by the plaintiff. Speaker, that gets right back to my previous points here about joint and several liability. It's a threat. It is a threat, and it's causing premiums to skyrocket for municipalities. The insurance companies have to try to justify their rates. How do you justify these things? How can you justify these things when you don't know just where it's going to go?

1440

Insurance companies—municipalities asked for some help here, and this government ignored them. We believe

the reason they were ignored is because the only ones they listened to, in the FOI documents that we were able to get on this subject, were four or five lawyers' groups. That's all they listened to. Of course a lawyers' group is going to say, "Don't touch this," because in effect you're fooling around with their income. So it's interesting that they bring this legislation back to the House, because it did die before, when they won't listen to things like I have just been talking about.

Speaker, I am certainly not a lawyer, and there are things that I do want to question about this bill. In the SLAPP legislation as it is right now, what I wonder about and what I think about is a case that happened in my riding a number of years ago. There was no lawsuit over it, but people were afraid to say anything, so maybe it pertains to this.

Back in the 1960s and 1970s, at the landfill site in the township that I still live in, Boy Scouts decided to plant trees around it. The trees were made to kind of beautify the landfill site, and they did. They planted native species. What it did was hide the garbage that was put in there. The other thing it did is that it stopped garbage from being blown out of the dump. We called it a dump back then; I guess you'd call it a landfill now. You could look at this bush, or forest, I guess, if you want to call it that—native species; there's ash planted and different types of evergreen trees—and you could see in there how it would catch these bags, especially plastic bags, which we all know are something that is being addressed; there are some plastic bags that will decompose over a certain period of time. But you could see them in the trees. Most of the bush was planted on the south side of the landfill site and around to the west and north, because our prevailing winds pretty much come in that direction.

When I was a councillor in the municipality of North Perth, where this landfill is, the landfill had to be re-designed. So we did a study, and they brought back what this landfill needed to do in order to come up to standards as prescribed by the government. One of the things that had to be done was that all these trees were ripped out. They ripped them all out.

The Scout leader who at the time had led this tree planting saw that this was happening. These trees by this time were about this big around, probably 30 feet high, something like that. He saw what was happening and said, "What are we going to do about this?" He said, "These guys"—Scouts at that time; they'll be in their 30s and 40s now—"are pretty upset because they worked quite hard at putting this in. It was a project of Boy Scouts at that time, and now it's going."

They were afraid to say anything. I don't know whether it was because of this, having a SLAPP lawsuit put on them, but I just wonder if that is something that could have been done, whether the contractor who was doing the work in the landfill—if the Scouts had come along and protested, whether they could have had a lawsuit slapped on them. They chose not to say anything. They didn't want to get involved with courts and they let it go.

When they got done clearing that bush, those trees, out—perhaps they were maybe planted in the wrong place; I don't know the whole story to it—there were logging trucks coming in there, day after day after day, taking these trees. They bulldozed the stumps out, they piled them up in a huge pile in the landfill and they brought in a big grinder and they ground them all down, as they did all the brush.

If you talked to this Scout leader, he was pretty upset. It was a pretty sad story on his part, anyway. But again, hopefully this type of legislation that is being proposed by the Attorney General will change some of this, where someone can get up and say, "Whoa. Let's stop this for a minute and let's talk about it," and the judges will certainly have discretion to say whether it's frivolous or not.

Speaker, another thing I want to talk about—I didn't know much about this until the member from Timiskaming—Cochrane spoke about it the last time we debated this bill—was his involvement with SLAPP lawsuits. That's terrifying, simply terrifying, what they did. As I recall, it was with a municipal land site, and as I recall, because people in the country are good folks—as there are good folks in the city, and all over Ontario—they got together and helped them out, both financially and with encouragement, so that he was able to stay with this thing, or his group was able to stay with this thing and fight it.

Because that's the issue. If somebody came to me and said, "I'm going to sue you for a couple of million dollars," even if I won the lawsuit at the end, what am I going to pay my lawyer with? It's very expensive. It's really expensive, and that's what keeps people saying, "Oh, we give up." This type of thing, the way it is now, allows that to be happening and allows that money to be spent, because you've got to keep fooling around with it.

As I understand the legislation, the judge will have some latitude. He can say, "Look, this is frivolous. We're not going to do this," and that's the end of the story. I like that part of it. I think, too, that we have to be careful; maybe, if it gets to committee, we can look at the parts of it that companies do have issues with. I've heard stories in the forestry industry that there are some issues with this legislation, because groups can move in to stop a forestry project, and this was one way they had to stop doing that—although it maybe needs to be changed a little bit to suit both sides of the equation.

The other part of what I wanted to speak about today, if I could find my notes—there we go. Speaker, I had quite a weekend. Paddyfest was in Listowel—it's been going on for two weeks—and also a Lions convention in Stratford that went on all weekend. I was at both for quite a bit of the time. There was an event—I will link it up to this business here. I went to the Presbyterian church on Saturday, flipped pancakes for three hours and fed the multitude. The Presbyterian church, in case you're ever interested, only charges five bucks for pancakes and sausage with maple syrup and the whole deal. It's very inexpensive. A lot of people could come in and enjoy this.

Anyway, when I got thinking about this joint and several liability—the Presbyterian church has done very well with modernizing their kitchen and whatever else to try to come up to standards, but then they have a bunch of volunteers in there who probably haven't studied the book as to procedures and whatever else.

1450

Now, I've been doing this for a lot of years; I've never been sick. None of the people who have come in have ever been sick. But yet, we have rules and regulations that say, "Well, you could get sick," and ta-da, da-da, da-da. And it costs people a lot of money.

Interjection.

Mr. Randy Pettapiece: Well, whatever. It costs people a lot of money to do these things. But I would suppose, and this may be way far out there, that if someone wanted to stop this process, stop this church group or even stop Paddyfest, they'd say, "We're protesting against the good people of Ireland and their ancestors," which I can't see happening, because on March 17 everybody wants to be Irish. I know that for a fact. If you saw the parade, you saw that everybody dressed up in green ties and hats. But I suppose if somebody was protesting something that happened in Ireland back a number of years ago, they could probably surround that church and stop the thing. So what would the church have to do? Call a lawyer and do a SLAPP? I don't know. Is that the recourse? I don't know.

I think we need to be careful how this legislation is drawn up and certainly safeguard some of the people that could be involved in these lawsuits.

I've been involved with service work for a long time. I joined the Lions Club in 1987. We had a number of events that we had been carrying on for years that we had to stop because of legal business. It didn't hurt anybody. It made us some money. But when we got to insurance costs and we got to legal business, we decided to give them up because we didn't want to get involved in things, maybe in a lawsuit here and there. I think that's probably where our lawsuit business has gone. It's gotten so big and so huge that the ordinary person and the ordinary group just backs off and says nothing about it. That's really too bad.

We used to have—I don't know—for 40-some years in Moncton we used to have what they called a turkey shoot. It went on for years. People would come out and they'd shoot at targets. They wouldn't shoot at turkeys, but the prize was a turkey. That's the way it worked. The Moncton Lions had this on for years, and it was a very successful event. Then the rules about guns started changing. You'd get the odd person—you'd hear a whisper or two: "If somebody gets hurt here," all this stuff. So we quit; we quit this thing.

The other thing that we used to do is we had a tractor pull. We had it for three or four years and built it up to a pretty big event. We quit that one too because of liability reasons. We were afraid of these lawsuits, and you couldn't buy insurance big enough to cover these things. In fact, some insurance companies wouldn't cover them,

period. That's all there was to it. So we quit these things. That's what this SLAPP legislation and legislation like it has done to, certainly, small communities. I can imagine what it could do to communities all around Ontario.

We stand by the rights of individuals to express their opinions, especially on matters of public interest. The reality is that while SLAPPs, as they are known, are relatively rare, when they do appear or occur, as we've heard, they can ruin people's lives. We do not think it is appropriate for residents to fear having a voice in the growth of their communities.

Moreover, these SLAPPs are, by definition, unfounded and stand little chance of succeeding—that's the interesting part, Speaker; they have little chance of succeeding—so they needlessly bog down Ontario's court system. Bill 52 does try to address this, so that's a good part of the bill.

In my time left, I will give a bit of a wrap-up to this.

The bill establishes a formal legal process for assessing suits to determine if they are SLAPPs, and disposing of them if so. That's a part of the bill that I think really has to be in there and should be worded very strongly so that our justice system can address it if it happens. In essence, Bill 52 establishes a framework that allows an individual to determine if a lawsuit brought against them is a SLAPP or not within a 60-day time frame—again, another good part of this bill.

Thank you, Speaker, for allowing me to speak. I'll be interested in the comments that come afterwards.

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

Mr. Jagmeet Singh: It's always great to continue with the debate. Again, I want to reiterate the fact that New Democrats certainly support protecting public participation. We've given examples. Many people in our caucus have examples of folks who have been SLAPPED, who have been silenced because of their public participation, and that's not what we want to see. We're very committed to the principle that people need to be able to participate in this democracy; that's without doubt. I think it's quite ironic that the government that has brought forward this bill currently has lawsuits against people for participation, participating in public discourse. That is quite ironic and that's something that was brought up in today's debate. I think it's somewhat troubling if a bill that's proposed is seeking to protect public participation and the very same government is actually discouraging public participation. It's quite ironic and I think it's something we need to look at. But it's certainly a bill that we support; it's certainly something that we need to see in terms of protection. It's something we need to see implemented quickly.

There's also one additional piece that I want to highlight. Initially, when this bill was introduced, there was a retroactive clause so that people currently facing lawsuits could make use of this new protection. I'm curious whether or not the government could answer this question: Is this retroactive clause no longer a part of the legislation? I understand that now there isn't the retro-

active clause, so that the existing lawsuits that people are faced with wouldn't actually have the protection of this piece of legislation. That's very concerning. There are people right now faced with serious lawsuits, and if they are not being protected by this legislation, this government is not really doing a good job in protecting public participation. So we really need to look at that. If that's not here, why was that removed and why aren't we protecting those people who are facing lawsuits?

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

Ms. Indira Naidoo-Harris: I'm pleased to stand today and speak about the bill for protection of public participation, Bill 52. Also, I want to acknowledge the members from Perth–Wellington and Bramalea–Gore–Malton, who spoke earlier.

This is a very important bill because it aims to protect a very important principle; namely, freedom of speech. We all in this House are really lucky, because every day we get to stand up in the House and be the voices of our communities and our ridings. In fact, I think it's really noteworthy that today I'm wearing jewellery that was made by some people from South Africa, people who understand what it's like to not be able to speak out and to not be able to have freedom of speech in their history.

I can tell you that many people in my riding of Halton have spoken out loudly and clearly about this bill. I have spoken to people who say they have been unfairly sued, people who say that they are suffering from emotional and mental stress because of these lawsuits. And they are saying to me that they're really pleased that we're moving forward with Bill 52. People need to have a voice when they are facing challenges, and people should not be afraid to make their opinions known because of strategic litigations designed to silence them. This is essentially a form of intimidation. Tactics to silence people are a misuse of our court system, and it is also costly and unfair. It is also unacceptable and undemocratic.

1500

We need to work together in this House to make sure that this bill moves forward. This is about something that is intrinsic to this House: allowing people to have a voice when they need to be able to speak out about something. If passed, this bill will allow our courts to move quickly and identify strategic lawsuits. I think this proposed bill is an extremely important attempt to protect our democracy, and I think it is noteworthy that the people here standing up today get to have their say whether they like what we're doing or they don't, because this is what our democracy is all about.

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

Mr. Norm Miller: I'm pleased to have an opportunity to respond to the speech from the member from Perth–Wellington on Bill 52.

I noted that in his speech he did talk briefly about the forestry industry and some concerns that they have raised. I know that many of the members are speaking positively about this bill. I would just like to raise some

concerns and say, "Hold on. Not quite so fast." I worry about unintended consequences of this bill.

I note that the Ontario Forest Industries Association is really concerned with Bill 52. In fact, they've written to the government, written to the minister. They say, "In its present form, Bill 52 is a direct attack on the job creators in this province and the 170,000 Ontario citizens who work directly and indirectly for Ontario's renewable natural forest products sector." They've gone through the whole bill and have made some criticisms and some suggestions for improvement, so I really hope the government looks in detail at their suggestions. They have four areas of concern: the public interest concept and how vague that definition is; they talk about proper onus; they talk about the costs sanctions and due process.

They are raising concerns because of what they have seen of organizations like Greenpeace targeting Ontario-based companies that are working in the forestry sector under the Crown Forest Sustainability Act in a very sustainable way, but attacking Ontario products.

They note, "We recently witnessed how a well-financed radical organization embarked on a malicious campaign filled with gross misinformation intended to damage the market for forest products sourced from Canada's boreal forest. We have shared with you Greenpeace emails in which they direct their volunteers to 'Write a false product review on Best Buy's website. Be creative, and make sure to weave in the campaign issues!'" I would go on, Mr. Speaker, to say that that campaign was successful.

I worry that they're raising some very valid concerns with regard to Bill 52.

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

Ms. Peggy Sattler: It is an honour for me to rise on behalf of the people I represent in London West to respond to the comments that were offered by the member for Perth–Wellington on Bill 52, the Protection of Public Participation Act.

At the outset, I want to reiterate the support that has been expressed for this legislation by members in the New Democratic caucus. Certainly, it is something that we welcome. It's something that New Democrats have been advocating for years, beginning with the private members' bills that were brought forward by our leader in 2008 and again in 2012.

With this legislation, essentially Ontario is catching up. We are catching up with Quebec and we are catching up with most US states, because those jurisdictions recognize the importance of having this kind of legislation to protect our democracy. Anti-SLAPP legislation is fundamental to encouraging democratic debate and participation, and engagement in public decision-making.

I want to raise a couple of concerns and echo a little bit of what was mentioned by my colleague the member for Bramalea–Gore–Malton. That is around the retroactivity or lack of retroactivity of this legislation, which is something that we definitely need to look at as this legislation moves forward—and also the need for a

public awareness campaign to make sure that citizens recognize their rights to participate in public discussions about issues affecting the environment and development. Both of those things should be looked at in committee, and I welcome this bill moving forward.

The Acting Speaker (Mr. Ted Arnott): That's it for questions and comments. I return to the member for Perth—Wellington for his reply.

Mr. Randy Pettapiece: I'd like to thank the members from Bramalea—Gore—Malton, Halton, Parry Sound—Muskoka and London West for their comments about what I had to say.

When I was first elected, I had a resolution passed in this Legislature. What it basically said was that before government introduces legislation and passes it, think about what it is going to do to the people it affects—it's a very simple principle—and I got all-party support on that, Speaker. You know, that was pretty interesting to me, anyway, my first time up. Unfortunately, we've seen that not happen here on different items.

This bill, if it is supported, has some good points to it. But I just wonder where the government is going with it, or even if they're interested in passing it because of things that are going on right now in this province. Like was mentioned, we still have a lawsuit against two members of our party, trying to make them be quiet about things that have happened in the past. We see all these investigations going on—four OPP investigations, I believe, right now. And yet the Premier, will not, in our opinion, do the right thing and make two of her staff—or one staff and one party worker—back away or step down until the investigation is over with.

So, they appear to want to be accountable to people, and yet their actions do not speak as loud as their words.

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

M. John Vanthof: C'est toujours un honneur de me lever ici pour parler, surtout sur le projet de loi 52, Loi modifiant la Loi sur les tribunaux judiciaires, la Loi sur la diffamation et la Loi sur l'exercice des compétences légales afin de protéger l'expression sur les affaires d'intérêt public.

The next 19 minutes will be in English—
Laughter.

Mr. John Vanthof: —but I'm trying.

This is a very important bill, and we do support the principle of anti-SLAPP legislation, very much so. But there are concerns, specifically in the forestry sector and in ridings that depend on forestry. Specifically, I will mention that the OFIA and the companies they represent are extremely worried that well-funded environmental organizations could misuse this legislation to create a catastrophe in the forest sector. Some of my mayors have expressed the same concern.

I do think that if this bill passes and goes to committee, we are going to have to be very, very cognizant of those concerns. Personally, and from my personal experience, I believe that this legislation is needed, because one thing I disagree with vehemently, and I've expressed this

to the OFIA—in a meeting I had with the OFIA, they told me that a SLAPP suit has never really been used in Ontario, so we don't need this legislation. That's wrong. That's not true. I know that's not true, because in a few minutes, I'll relate my personal experience. Why I'm actually standing here in this Legislature is the result of a SLAPP suit.

But just to go back to the OFIA and the forestry sector: Specifically, I lost the mill in my riding, and one of the reasons that the company gave was a result of their market being hurt by malicious statements made by environmental organizations.

As long as the legislation is crafted correctly, companies could also use this legislation, because if a malicious suit, without base, was put out against the company, the same legislation—within 60 days, the company could put their case forward and if that suit was malicious, without base, theoretically, if the legislation is crafted correctly—

Mr. Norm Miller: Theoretically.

1510

Mr. John Vanthof: Theoretically, but this is a debate about making laws.

If the time and effort is put into this legislation to actually reflect everyone, I think the principle of this legislation is valid.

Why we've always believed anti-SLAPP legislation is needed—and this is the second time I believe I've made this speech in this Legislature, but here we go again. In my riding, about 20 years ago, the city of Toronto was looking for a place to dump their garbage. The place that was picked was an abandoned open-pit iron-ore mine in my riding, Adams mine.

At the time, I had no interest in this issue at all. I was milking my cows, running my farm, and I happened to be a member of the federation of agriculture. I went to an open house in my local town. The city of Toronto had a lawyer representing them and the lawyer said something that sparked my interest. I told the federation and, lo and behold, I ended up representing the Temiskaming Federation of Agriculture on the public liaison committee for the city of Toronto.

Our only concern was that our water not be impacted by this project. Because—you know what?—farmers run businesses and we don't have a right to impact others, but in return, they shouldn't have the right to impact us. Officially, we have never been against this project. We still aren't. We have never said we're against this project. We just want it to work.

This project was on and off and on and off. About 10 years later, it wasn't the city of Toronto, it was the government of Ontario, with some private corporations who were really pushing this—under the Harris government. We were told originally that this project was going to work because the water going in the site was going to keep the leachate from going out. It makes sense. If you have a big bucket and you take a little bucket with some holes and you put the little bucket in the big bucket, the water in the big bucket is going to go into the little one. It makes sense.

Ten years later, we thought, okay, if that's the case, let's go measure the water in the site. We went once a month, a buddy of mine and myself, and we measured that water. In a year, that water never moved. So you've got a 65-acre pit with 300 feet of groundwater in it, and we were told by the hydrogeological experts at the time that if that pit wasn't pumped and filled with garbage, eventually it would overflow. But in a year, the water never moved. By that time that pit was fully accredited by the Ministry of the Environment. It had its licence to become a dump.

So with the help of my friend from Timmins—James Bay—I had never actually been in this building. He organized a press conference in the press gallery here, at the press booth. My friend and I stated that we had gone to measure the water and we thought that the licence was issued under false pretenses, and we believed that the licence should be removed. We were promptly sued for \$10 million. I was personally sued for \$10 million.

At the time, I would have been more concerned if I had been sued for \$100,000 because maybe I could have borrowed \$100,000. But \$10 million was just out of the realm. But at that time, the way I envision this legislation, I made a claim that was unsubstantiated. I had gone and measured the water, but I had made a claim that was unsubstantiated. I don't think, when the company sued at that point, that it was a SLAPP suit, because I had made an unsubstantiated claim.

But at the same time, we'd also looked for someone who would do a critical analysis of the MOE's approval. A "critical analysis," I learned during that time, is a very scientific term and there are only a few people qualified or willing to do a critical analysis of MOE's approvals.

One of them—and I'm going to give a plug where a plug is due. The man's name is Ken Howard and he's a professor of hydrogeology at the University of Toronto. He had a lot to do with Justice O'Connor's inquiry into the Walkerton crisis. He agreed to do a critical analysis at the same time of the MOE's work—not of our work; of the MOE's work—and he came out with a report saying that we might not be right, but the ministry certainly couldn't prove that it was going to work either.

Then the \$10-million suit against me and against the federation of agriculture—at that point it became a SLAPP suit, because we had a substantiated case. By then Mr. McGuinty was Premier, and during the machinations of how government works, there was a law passed in this very House, the Adams Mine Lake Act, that it's against the law to pump out Adams mine.

But they never took the licence. They took Ken Howard's report and everybody ran like crazy, basically. Because Dr. Howard laid out a five-point plan on how you could, over three years, prove whether Adams mine was going to work or not, and nobody wanted to prove it, even though it had been fully approved by the Ministry of the Environment—this Ministry of the Environment.

So the Adams Mine Lake Act was proclaimed. Everyone was very happy. Actually, the first time I knew about committee hearings, there was a committee hearing held

just outside of Toronto here and I spoke for the first time. I spoke against the Adams Mine Lake Act, actually, on behalf of the federation of agriculture, because I wanted to know how you could have what would be the biggest landfill in North America, how you could approve that, and then change your mind and not look at how it got approved in the first place. To me that was a little detail, because this was, at the time, going to be the biggest landfill in North America. Lo and behold, they decided, "Ooh, that's not as sure a thing as we thought," but this government never really looked at why it was approved in the first place.

Getting back to the SLAPP suit, the Adams Mine Lake Act was proclaimed, and because of the Adams Mine Lake Act, the way it was set up, they took away the right of the investors and the owners of Adams mine to use their fully licensed pit. So they all got paid. Do you know by who? By the taxpayers of Ontario. Because the government said, "No. You have a licensed pit, but you're not allowed to use it." So they all got paid by the taxpayers.

But the federation of agriculture and myself—the lawsuit never stopped. The company never dropped the \$10-million lawsuit. And what happens when you're a small business and you have a big lawsuit like that? The bank was really worried because at that time I probably owed half a million dollars, which isn't a lot on a farm, but I owed half a million dollars. The bank doesn't want to lend you any money.

We had insurance. We had anti—I forget what it's called. It's insurance when you're a director of an organization, so if you get sued—do you know who the toughest people are? The insurance company, because they get on your back so bad. The company said all I had to do was recant, go on local TV and say that I was wrong—"No, Adams Mine was going to work"—and they would drop the lawsuit. Well, I wouldn't, because we weren't wrong. I spent a lot of time on the phone with lawyers from my insurance company who wanted me to back down. The only way that I got out of that lawsuit is, I decided to run against the sitting MPP.

1520

Mr. Percy Hatfield: How did that work out for you, John?

Mr. John Vanthof: It didn't work out so good the first time.

But the truth is, the only way we could see of getting out of that lawsuit is being able to go on the campaign hustings and hammer the government, saying, "Okay. So you're taking credit for stopping this, but how come the people who really stopped it are getting sued, and you're not doing anything?"

Lo and behold—I was gearing up for that; that was going to be fun; I would have enjoyed that—four days before the writ was dropped, guess what happened? They dropped the lawsuit four days before the writ was dropped.

For years, my family—did we starve? No. But did our farm flourish when we couldn't borrow money? There

were times when the only way I got my seeding is when the neighbours came over and helped.

So when someone from the OFIA or from anywhere else tells me that, “Oh, no. We don’t need this legislation in Ontario,” I don’t buy that. Because if it happened to me, and we hear other people who it happened to, we need this legislation.

Again, we have to be very cognizant that this legislation can’t be misused—as any legislation. Right now, people are using the legal system—they’re misusing it to stop public participation. The idea, the principle behind Bill 52, hopefully, is to stop that misuse. But what we’ve got to be very cognizant of is, when you create a different type of legislation, you have got to be very cognizant that it, too, could be misused. I think we always have to be mindful of that.

Something we have to be very, very mindful of is that while we sit here and talk about legislation and wherever this legislation is drafted, in the halls around this lofty building here, that the legislation that we draft here actually works on the ground in the country.

I’ll give you an example of how some legislation doesn’t. One of my colleagues here spoke about the Green Energy Act. One of the things that bothers me about the Green Energy Act is that when it was created, it superseded most other acts in the province because this government wanted to kick-start green energy. So, basically, solar panels and windmills started popping up in places where you would never be able to build other things. That is happening right now in my riding.

Timiskaming, the centre part of my riding, is one of the best places for agriculture in northern Ontario. It is equivalent to most places in southern Ontario. Yet there is no classification for the land. So while this government, in their mandate letter to the Minister of Agriculture, said that we have to develop northern Ontario, that that’s the future of agriculture, in Timiskaming right now, they are covering it with solar panels—the best land in northern Ontario. What makes that even more insulting, Speaker, because of our sparse population, and because most people have no access to natural gas in the country, so people watch solar panels sprout up around them, and these same people, many who are on fixed incomes—worked hard, own their own houses—never thought that the price of electricity would go through the roof. So these people watched solar panels being built in front of them, and they don’t know how to pay their hydro bills. That is the ultimate travesty, and it’s happening as we speak here. We have no control, as we speak. Solar panels are going up on the best farmland in northern Ontario. Do you know what? The Premier says that the future of agriculture in Ontario is northern Ontario. Well, you’re covering the best stuff up with solar panels, and that’s because of the Green Energy Act. It must have sounded like a good idea here at the time, but you never thought out whether it was actually going to work beyond these walls, beyond these cities. With any legislation, we have to do a much better job at that, including this legislation.

At first read, this is a good idea, but we really have to be careful to make sure that we check the flaws. On top of that, Speaker, one thing that this government is extremely guilty of—I’ve only had experience looking at this government, but for a government to make mistakes? That’s not the worst thing. But not being willing to look objectively and correct them? That is close to a crime. When they know the problems that are happening with the Green Energy Act—they know that and yet they forge ahead. They turn the other way.

I look at my riding. We’ve got big solar projects where the contractors don’t get paid. This happens time and time again. They know this is happening, yet they don’t act. They talk about strategic lawsuits, and they use them themselves. Again, we have to make sure that when we make laws or criticize laws, we actually develop legislation that is going to work in the province, not just in these halls.

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

Mr. Peter Z. Milczyn: I want to thank the member for Timiskaming–Cochrane for his remarks and his experience as a citizen of challenging a government decision, challenging a private company that was pursuing an idea. His personal experience of being slapped with a lawsuit for standing up for his rights and for his community’s rights is the perfect example of why Bill 52, the Protection of Public Participation Act, is such an important piece of legislation. That type of incident that the member from Timiskaming–Cochrane experienced has been experienced by many other residents of Ontario, perhaps in some instances not as significant as that one, but in many smaller ones.

The government has made some changes to the proposed legislation from what was before the House before, and it has followed the recommendations of an expert panel, with one significant difference: that this bill does not recommend, as the panel did, the automatic ability to get awards of costs at certain administrative tribunals. Lawyers were consulted and felt that that was too inflexible and not a fair application of law. So to the member’s comments about trying to get the legislation right, there’s been a great deal of thought put into this bill to get it right.

The ultimate test of whether this bill is going to function properly is that we are a nation, a province, of laws. No government can simply make administrative decisions about whether lawsuits are fair or not; that is up to judges, in courts of law. People can have representation in those courts of law, and there are appeal mechanisms against a decision that somebody disagrees with, even under this legislation. So I think that the checks and balances are there, Mr. Speaker.

1530

I know in my own community there was a resident who fought a developer over a development application because he felt the development was going on crown land. The person opposing the developer proved that the development cannot go ahead because it’s on crown land,

on the waterfront, yet they faced tens of thousands of dollars in legal fees from a SLAPP suit. So they won, but they lost. This legislation would prevent that for the residents of Etobicoke–Lakeshore and for the residents throughout Ontario.

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

Mr. Bill Walker: It's a pleasure to speak to Bill 52, the Protection of Public Participation Act, 2014, and of course to bring comments to the presentation made by my colleague from Timiskaming–Cochrane. I always enjoy hearing him because he's a very pragmatic, down-to-earth person who typically brings a personal story. I certainly would have liked to have been able to hear some of those conversations when those insurers were trying to talk him into changing his mind. I would have liked to have been part of that conversation and hear a bit more about that, Mr. Speaker. I think his constituents are the luckier for it, that he stayed firm to his convictions, and if that was the reason he ran and is here today, then I guess there's some good that came out of that.

One of the key things that he brought up is that sometimes if the government doesn't really think of the legislation, there could be unintended consequences. He raised the issue of potential misuse of a piece of legislation and, in this case, it could be utilized by a well-funded special interest group, and he referenced the forestry sector. I believe my colleague from Parry Sound–Muskoka has already addressed this briefly and, at some point, will talk about that in a lot longer detail.

My colleague from Timiskaming–Cochrane suggested that in his community a mill was lost as the result of a malicious statement by an environmental group. I think what he was alluding to is, definitely this legislation is a move in the right direction, that he supports it in principle, similar to our caucus, but we need to get to committee and make sure that we review it very carefully and ensure it's balanced legislation, so that it will serve the greater good.

He brought up the Green Energy Act. I'd like to echo that that certainly is a piece of legislation that has been very punitive to a lot of municipalities. It was done with a lot of ability to steamroll other legislation and take away democracy from local, municipally elected people. That's not good legislation. That's not something that should have happened, and we don't want to see the repeat of this type of legislation be the same.

We are generally supportive. We want to see it go forward. It is able to protect and allow people to have freedom of speech and the ability to raise their issues, but we need to make sure it's balanced to protect all of us.

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

Mr. Paul Miller: Yes, just to stand up in support of my colleague's comments: Obviously he had a personal experience that was certainly a very negative impact on his family, worrying about a suit for all those years.

I can relate to something myself; I can go back to the 1990s when there was a certain company which will

remain nameless at this point that was going to build a landfill in upper Hamilton, on the mountain—on fractured bedrock, which is not a good idea in the first place. They were going to put liners in, technology and all of that. But any of the opponents of it that came out from the public—they even went as far as to—they asked some of their own in-staff about the landfill, and the people told the truth. They ended up being fired and served with papers by the company, their own employees. They used intimidation on several other private citizens who were environmentally friendly who were against this landfill—you know, harassment, bugging them with lawyers' letters, comments in the local newspapers and all these things that were going on by this individual company. They even went as far as to indicate to politicians that they wouldn't get a lot of support in the next election and things like that. In other words, they were being bullies. They wanted to get what they wanted in spite of what impact they had on average people. Of course, they were scaring everyone off because they were afraid to be sued by this particular company.

This Protection of Participation Act is long overdue. I'm glad to see it on the table. It certainly needs some more fine-tuning because some of these corporations and some of these individuals find loopholes and ways to get around legislation. We've got to close the loopholes, make it solid and protect freedom of speech and that people have the right to stand up in this province for what they believe is right and what they think is being done wrong.

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

Mr. Lorenzo Berardinetti: I listened very closely to the presentation made by the member from Timiskaming–Cochrane, and I found his personal experience quite interesting, quite lengthy and quite detailed.

I've been here listening to the whole debate this time, and prior to the election as well, because we debated this bill prior to the election—before June 12. It has come back to us again, and I'm gaining more and more information just listening to the members here and their own personal experiences, which is quite interesting.

This government committed to putting in place this anti-SLAPP legislation that is before us today: Bill 52. I can ensure the member from Timiskaming–Cochrane that the use of intimidating tactics will not be tolerated by this government. If passed, the legislation would allow courts to quickly identify and deal with strategic lawsuits, minimizing the economic and financial strain on defendants, as well as the waste of court resources.

Just listening to the narrative and the comments made by the member, he certainly had financial stress put on him and intimidation, when you're slapped with a \$10-million lawsuit and you have to wait it out. The way this bill works is that someone like the member can go in front of a judge and apply and put an argument forward that the \$10-million lawsuit is frivolous and has no merit, and the judge can decide early in the process whether to continue that lawsuit or throw it out. I think that's a

really good measure, because you can't have a \$10-million lawsuit bothering you for months and months; perhaps even years.

So, let's take this to committee; it might need more fine-tuning. I can't wait for it to go there for further discussion, and I thank the member for his comments here today.

The Acting Speaker (Mr. Ted Arnott): We now return to the member from Timiskaming–Cochrane for his reply.

Mr. John Vanthof: I'd like to thank the members for Etobicoke–Lakeshore, Bruce–Grey–Owen Sound, Hamilton East–Stoney Creek and Scarborough Southwest for their comments.

I think it's safe to say that everyone who spoke with regard to my comments agrees that the principle of this legislation is needed. I think, as in everything, the devil is in the details. We need to make sure that this legislation is more than a hollow shell and a nice press release. We need to make sure that the people who have spent a lot of time raising warning flags are listened to. At the end of the day, we might not agree with all of their concerns, but we need to make sure we listen to them, because I'm sure that some of them are valid.

That's the most important thing we can do with any legislation, and that's where this government has failed on other bills. That's why we're bringing this up. The Green Energy Act has failed on a lot of aspects—and I'm not trying to void this legislation; I'm just using it as an example. You've got solar panels; you've got windmills going up on farmland. That's a failure, especially from a government that talks about wanting to save farmland. That's a failure. You've got people who have worked hard who can't afford to heat their houses. That's a failure. And for a responsive government, you've got to look at ways we can fix that. The way to do it is to take people's concerns seriously before legislation is passed. We have to do that with this legislation, and we have to go back and look at legislation that was passed previously, because for people who can't afford to heat their houses, it is more than just a failure.

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

Mr. John Fraser: I will be sharing my time with the member from Scarborough–Agincourt and the Associate Minister of Finance.

It's a pleasure to speak to Bill 52, the Protection of Public Participation Act. Of course, the history of the bill is that it was originally introduced as a private member's bill in 2008 by the member from Hamilton Centre, and subsequently the member from Ottawa Centre put forward a private member's bill. We had the legislation, Bill 83, which we got to second reading and to committee, in the last Parliament. Then, of course, with the election, it died on the order paper. So I'm pleased that it's back.

I think there is a consensus in the House that we need to move forward on this legislation, and that it needs to have balance. I think I've heard from all sides of the

House that we need to make sure we protect the interests of all parties involved.

1540

I would like to touch on a comment from the member from Halton. She's wearing some jewellery from South Africa. She spoke about places where they don't have the same opportunity to speak as openly and freely as we do. As members of this Legislature, we have the privilege to be able to stand up and speak to bills and to important pieces of public policy. We enjoy privilege inside the House, which means the things that we say in here are not subject to the court system, in large part. There has to be a balance that we strike.

I heard some comments today from the member from Leeds–Grenville and the member from Owen Sound that livened up the debate. It was great, good to hear them. But I also wanted to remind them that about 20 years ago, the member who sat in my seat was subject of a suit from the former member from Parry Sound–Muskoka. I want to make sure that that—he's currently chair of the Treasury Board, I believe. I just wanted to remind him of that, because 20 years ago, none of us were here, but I do remember it.

I also want to touch on some of the comments from the member from Timiskaming–Cochrane, and his personal story in terms of the effect that a strategic lawsuit had on his family and his livelihood. It's important that we have this debate, Mr. Speaker, and that this comes out in debate, so we understand why it's important for us to protect people's ability to speak out on issues that affect their community, affect their families, affect their friends.

I think that in this bill we've struck a balance. We had an expert advisory panel come forward to us and make recommendations. I know we've made some changes to the bill since it was Bill 83.

If you take a look at the support, we have support from a wide range of people. Sixty-five of Ontario's municipalities have passed resolutions that want us to bring this legislation forward. Environmental groups have come forward calling on us to do that. We had the justices—the Honourable Ian Binnie, the Honourable Frank Iacobucci, the Honourable Roy McMurtry and the Honourable Coulter Osborne—who wrote the Attorney General asking us to bring this forward.

I think that the bill strikes a balance. It is really important that we do protect not only the ability to speak freely but also protect people from legitimate claims of libel or slander. It's not an easy thing to do.

I think we have a consensus in this House that we need to do something. I look forward to continuing debate and hearing what members of this House have to say, getting it to committee and making sure that, as the member from Timiskaming–Cochrane suggested, we put the best piece of legislation forward that we can.

The Deputy Speaker (Mr. Bas Balkissoon): The member for Scarborough–Agincourt.

Ms. Soo Wong: I'm pleased to rise this afternoon to speak in support of Bill 52. I listened to the passion from various speakers this afternoon about this proposed bill.

There seemed to be a story from every member who came forward to speak in support of the bill. We heard from our colleague from the third party talking about his own situation that arose about a potential lawsuit. I think each one of us in our own riding hears about this kind of story.

At the end of the day, this proposed legislation was brought forth going back to 2010 when the government asked for a panel. The panel came back with a number of recommendations. One of them is for this government to adopt legislation against strategic lawsuits. The other piece is, the panel also asked for the legislation to include a purpose clause for the benefit of judicial interpretation. The government is following through with the panel recommendations. As my colleague from Ottawa South just mentioned, the panel made of experts came forward with a number of recommendations asking the government to bring forth legislation of this nature.

More importantly, if the legislation is passed, Mr. Speaker, it will protect citizens across Ontario from strategic litigation because we know the government is there to protect the rights of every Ontarian. But it also allows us to speak out on matters of importance to all of us, because all of us have different issues across the province. At the end of the day, this is what makes Ontario so special. I, for one, am very proud to live in the best province in this country that encourages and supports the ability to speak out on matters that are important to our constituents and matters that are important to each one of us.

Furthermore, if the legislation is passed, it also allows the courts to quickly identify and deal with strategic lawsuits, because there are emotional issues and financial constraints if you have to take a case before the courts. Again, it also helps the defendant, who in many cases will be challenged if we have to drag out a lawsuit before the courts, and it will waste the courts' time. We heard about those nightmares in the courts for years and months because they cannot resolve an issue. I recently heard of a case involving a condominium's concerns. In each one of our ridings we hear different stories, but this made-in-Ontario legislation will address the issue of strategic lawsuits.

More importantly, it addresses the consensus recommendations by the expert panel. I think that is very important for us. We have an expert panel; we should listen to the expert panel's advice and act accordingly.

The other piece, as my colleague from Ottawa South talked about earlier, is that the proposed legislation strikes a balance to prevent abusive litigation, to stop that kind of litigation, but also to allow those legitimate actions to be taken. We don't want to stop those legitimate lawsuits occurring.

It also encourages Ontarians to speak out on issues that matter to each one of us, because no two ridings are the same across the province. We are very diverse and we need to respect the diversity, and, more importantly, to make sure each Ontarian has a right to speak out on matters of interest and concern to them.

Furthermore, anyone who has legitimate claims of libel or slander should not be discouraged or muzzled. We heard the member from Hamilton talk earlier. We heard those nightmare stories. I believe that if we have proposed legislation to protect and encourage public participation, this is what the proposed legislation is about.

At the end of the day, the proposed legislation also protects and ensures public debate on Ontario's comprehensive strategy to build a better justice system. Someone like myself—as an immigrant, I know. I come from a family from Communist China in the old days when you couldn't speak out. By having this proposed legislation, Ontarians across Ontario have an opportunity to speak out on matters that interest them, but, more importantly, on matters that are important to them.

I'm really encouraged to hear the debate today, and, more importantly, to hear the different stories. Very shortly, hopefully, this bill will go before the committee and have more stakeholder comments.

Finally, I also wanted to comment on my colleague from Ottawa South, who commented on numerous municipalities asking and encouraging our government to pass this proposed legislation. We also heard that different groups had written to the Attorney General supporting the proposed legislation.

At the end of the day, this is good legislation. As my predecessor, the Honourable Gerry Phillips, said to me, if it's the right thing to do, do it now. Don't wait until tomorrow; don't wait until there's a crisis.

The Deputy Speaker (Mr. Bas Balkissoon): The Associate Minister of Finance.

Hon. Mitzie Hunter: I'm also pleased to rise today to speak to Bill 52 and to join my colleagues in really underscoring the importance of bringing this bill back in front of the House.

Our court system is one of the central institutions of our fair and democratic society. By protecting citizens against strategic litigation, our government is protecting the right of Ontario residents to speak out on matters that are important and really vital to us. If passed, this legislation would allow courts to quickly identify and deal with strategic lawsuits, minimizing the emotional and financial strain on defendants as well as the waste of our court resources.

I know very much, coming from my riding of Scarborough-Guildwood, that being respectful of people's capacity to utilize our court system is of vital importance. Oftentimes I will have people who come into the constituency office and really are seeking even greater assistance to have their matters heard.

1550

We're proposing in this bill a made-in-Ontario approach to addressing the issue of strategic lawsuits, based on consensus and recommendations—as my colleague from Scarborough-Agincourt said—from the expert advisory panel, as well as from extensive stakeholder consultation, advice and input into this legislation. Our proposed legislation strikes a balance that will help ensure that abusive litigation is stopped but that legitimate actions can proceed through the courts. In fact, it will

essentially free up more capacity within the courts for those legitimate cases to get the attention that they need and that they deserve. Anyone who has a legitimate claim of libel or slander should not be discouraged, Speaker, by this legislation. In fact, the whole goal here is to ensure that more of those cases can be addressed, and those claims advanced, more quickly.

Protecting public debate is part of Ontario's comprehensive strategy to build Better Justice Together. When Bill 83 died because of the dissolution of the Legislature for the general election—that's why we weren't able to move forward with Bill 83—to reintroduce legislation to protect the public from lawsuits intended to discourage public participation was absolutely necessary. So Bill 52 was brought back forward, and if passed, this legislation will protect the right of Ontario residents to speak out on matters that are important.

The current bill includes a few minor amendments. It clarifies the appeal process respecting decisions (a) to dismiss lawsuits as strategic lawsuits and (b) to stay related administrative proceedings, as well. It also limits the amount of time spent on cross-examinations to seven hours per side, rather than one day per party. It also applies the legislation only to those lawsuits begun after the reintroduction of the bill, so as not to interfere with ongoing litigation; that provides necessary clarity to the courts, as well, as cases are ongoing. It also changes the effective date of the bill to the date of royal assent, instead of proclamation. Once again, urgency and time are important to really move these matters forward.

The ministry is aware that in certain sectors, like the forestry industry and, obviously, certain municipalities, there might be concern that the bill would allow undue or unfair criticism of very legitimate operations—forestry operations, business and economic operations. The legislation really aims to balance the interests of the defendants as well as the plaintiffs in defamation suits—the protection of public participation and the freedom of expression versus the protection of reputation and economic interests. It's really taking into account the input and the feedback from all sides; and I think the good work of the panel, as my colleague said, as well as those stakeholders, has really helped to shape this bill.

The proposed legal test for identifying strategic lawsuits is carefully balanced to ensure that lawsuits that seriously harm reputation, business or personal interests of others can continue. So it's very important that we really signal in this passage of Bill 52 that we are really seeking those very serious and warranted cases to come forward, and those that are just for strategic purposes will be cleared out of our court system to free up that time and that capacity.

One of the great things, Speaker, about living in a fair and democratic society is that we can speak out on matters that are important to us. I heard my colleague from Scarborough—Agincourt talk about places where that isn't the norm and that is not encouraged. We here in Ontario have that. It's something that we value and that we hold very dear to our democracy. By protecting citi-

zens against strategic litigation, our government is standing up for the values of the people of Ontario that we cherish. That's something that I just want to reinforce here, as I have the opportunity to stand and to speak in support of Bill 52. Certainly protecting expression on matters of public interest from undue interference, promoting the freedom of the public to participate in matters of public interest through expression and protecting citizens who exercise their views, is very important.

For example, in the planning process we know that this is also a very critical and necessary component. We're even working here at multiple levels of government, and we're working through communities and through municipalities. So having this type of legislation is going to also free up capacity within our municipal levels of government as well, as they seek provide that greater clarity through the planning process.

I just want to reiterate what this new bill includes in terms of its amendments: clarifying the appeal process respecting decisions to dismiss lawsuits as strategic lawsuits and stay related administrative proceedings; limiting the amount of time spent on cross-examination to seven hours per side rather than seven hours per party; as well as applying the legislation only to those lawsuits begun after the introduction of the bill so as not to interfere with ongoing litigation; and, of course, changing the effective date of the bill from the date of royal assent instead of proclamation.

I want to say, as I only have a couple of short minutes, that oftentimes, as I'm in my constituency office week to week, people will come forward—getting time through our court system is very important. It's important to their quality of life. It's important to the limited resources that they may have in their families, and having these types of strategic lawsuits tying up our court time and our court proceedings. Oftentimes it could even drain the resources of people before they have the opportunity to have their matters really settled. This is very discouraging—affects lives and affects individuals' quality of life.

I certainly join my colleagues in saying that this type of bill, Bill 52, is one that can be improved if we move forward in our agreement to support Bill 52 and get it passed, so that it can do the good work that it needs to do, which is to free up the resources in our court system and ensure that those legitimate matters that really need to be heard have their day and can receive the support that is expected.

I want to thank you so much for the time today to speak to Bill 52, and just want to add my support for this legislation.

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

Mr. Robert Bailey: I'd like to comment on the remarks of Ottawa South, Scarborough—Guildwood and Scarborough—Agincourt, and talk about this bill as well.

We support this bill at the end of the day. We want to see it go to committee and be improved. I know down in my riding as well that there's a number of citizens who would benefit from this because we've had a number of

big organizations to do with wind turbines, which everybody in Ontario is very aware of, where they've made it very difficult for people who oppose them. One lady left the province: Esther Wrightman. I know that's not a name that's unfamiliar in this room. She took on—I have to be careful and get the right name—NextEra versus—I won't say what the other name was that they used. But anyway, she took that—

Interjection.

Mr. Robert Bailey: Yes, that could have been it. She took that organization on. She felt that she had to leave the province because they made it untenable for her to survive and stay here with her family. She's from the riding of Lambton–Kent–Middlesex, but she certainly took that fight on for everyone in Ontario. She took that fight across the province. She was a very vocal advocate and did her due diligence for her family and for a number of other people who were unable to or would not take the step.

This bill, Bill 52, if it's enacted, will allow defendants in these kinds of situations to move a motion that would allow them the chance to prove to a judge that the legal proceedings being brought against them were unfair and were really targeted to just make them shut up and be silent. We want to see that legislation improved.

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The judge would also be able to award compensation regarding costs if it was appropriate.

They would have a 60-day timeline on the hearing, so it would have to be tenable. This would amend the Libel and Slander Act.

I guess my time's up.

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

Mr. Percy Hatfield: It's indeed a pleasure to stand on behalf of my constituents in the riding of Windsor–Tecumseh and say a few words this afternoon to the members from Ottawa South and Scarborough–Agin-court and the Associate Minister of Finance—very good comments.

When we talk about this anti-SLAPP legislation, I guess I can speak from a personal perspective. I was here just last term and I got served with a notice that I'd better shut up and not mention a certain company again or else I'd be in court.

Hon. Jeff Leal: SLAPPed.

Mr. Percy Hatfield: SLAPPed. Now, mind you, the suit went away. I'll tell you more about that when I have the opportunity later on this afternoon. But that was as a member of the provincial Legislature.

In my former role as a city councillor—as many councillors who are here know, there's always somebody out there who is going to sue the entire city, the mayor and the councillors. That happened more than once—never successfully, but the suits are out there.

In a former role as a municipal affairs reporter with the CBC, lawsuits weren't uncommon—never successfully, again. But it always niggles at the back of your mind: “Okay, I've got this suit pending. We're talking

major bucks here, and where am I going to get the money if we lose?”

I'm glad to be able to speak to this bill and to say it's badly needed. We have to put an end to this type of intimidation by the big bullies, and I look forward—later on in the afternoon, perhaps, if there's time—to filling you in on one or more of these misadventures that I've been through in the past few years.

Thank you for your time.

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

Hon. James J. Bradley: I was watching the member for Brockville—Leeds–Grenville—who was on this morning, and his speech was different from the member for Sarnia–Lambton. He made reference to a lawsuit today, believe it or not—you wouldn't believe this; you probably weren't in the chair—launched by the Premier against the former leader of the opposition and another member of the Conservative caucus and was talking about how awful this was in the context, because we're both speaking in the context of SLAPP suits.

I thought you, Mr. Speaker, having been here as long as you have—a distinguished and long-serving member of the Legislature—would remember that a gentleman by the name of Tony Clement, a federal cabinet minister, launched a lawsuit against the official opposition leader, Dalton McGuinty, and actually, I guess you could say, won the lawsuit, because Mr. McGuinty had to make amends. Therefore, you could say he won the lawsuit. Anyway, I appreciate you allowing me to get into some history and rebut the member for Brockville.

On this matter itself of the SLAPP suits, I am a very strong proponent of this from way back, and I notice it's something all three parties have made reference to. I think it was the member for Haldimand–Norfolk who made reference to the Simcoe case, which I think is a cause célèbre. But in St. Catharines, we had a former—actually, a person who I ran against first to get elected to the Legislature, Eleanor Lancaster, a great person in St. Catharines. She got hit with a kind of SLAPP suit. She went out and she found out that people had misspent during an election campaign municipally. Because she was being a good citizen and launching this, people went to court and tried to extract all kinds of her personal finances as a result of this. That's why this bill is needed.

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

Mr. Steve Clark: It's a pleasure to respond to a number of government members on this bill.

With the member for Ottawa South speaking about 65 municipalities that have come and said that they want this bill passed, I can recall a number of Ontario's 444 municipalities that were gobsmacked when the Attorney General addressed joint and several liability at last year's AMO conference. They were completely gobsmacked with her response. I want to say that the member for Perth–Wellington should be applauded, not just for his comments earlier today in the Legislature, but also for his initiative on dealing with joint and several liability.

But I do want to make a comment. I know the government was mad when I talked about the Premier saying one thing and doing something completely different. Don't take my word for it. Just Google "Kathleen Wynne SLAPP." That's "Kathleen Wynne S-L-A-P-P." The very first story that comes up is a column in the Financial Post from March 31. Here's the title of the story: "Why Kathleen Wynne's Legal Threat against Tim Hudak May Not Be the Smartest Option."

I think the members opposite should realize that this government says one thing, when it comes to Bill 52, and then does something completely different when the Premier has her suit against the member for Niagara West–Glanbrook and the member for Nepean–Carleton. To me, this government talks out of both sides of its mouth.

I'm tired of your self-righteous attitude—I used those words earlier. Maybe those were the words that upset the member for Ottawa South. It doesn't matter. Google "Kathleen Wynne SLAPP." There's a video there from Ezra Levant. I haven't had a chance to look at it yet, but I'm going to do that later this afternoon. I think it's going to be enlightening.

The Acting Speaker (Mr. Ted Arnott): I checked: With the tablets, I don't think you're supposed to be looking at YouTube in the House, right? I don't think so.

That concludes questions and comments. I return to the member for Ottawa South for his reply.

Mr. John Fraser: It was a pleasure to share my time with the member from Scarborough–Agincourt and the Associate Minister of Finance. I appreciate the comments of the members from Sarnia–Lambton and Windsor–Tecumseh, the Chair of Cabinet, and the member from Leeds–Grenville.

I do, however, want to say that I did misspeak; the Chair of Cabinet actually corrected me. It was the former member from Brampton West–Mississauga, not the former member from Parry Sound. I thank the current member from Parry Sound for mentioning that to me.

The member from Sarnia–Lambton is correct when he says that sometimes it's just a couple of people who are leading the fight. They take on that responsibility for all of us—all the people in their community. They take the risk, so we have to do something fair and balanced to make sure that risk is fair and balanced.

To the member from Windsor–Tecumseh, I would say that your misadventures aren't necessarily misadventures, other than they probably felt like that. You did what you were feeling was the right thing to do. In my books, that's not a misadventure. Obviously, the consequences—you won them all, so things are good.

I would, however, like to address the comments of the member from Leeds–Grenville. I do appreciate his comments, and I remind him of the former member from Brampton West–Mississauga.

The thing is: We have to be careful about the words we use. We have to be careful about the words we use in this Legislature; there are rules. There are rules outside of here, and we have to follow those rules.

This legislation is about balance. It's about making sure that those rules outside of here—

Hon. James J. Bradley: I'm going to send a copy to Tony Clement.

Mr. John Fraser: We'll email it to him right now, on the member from Leeds–Grenville's project.

Anyhow, I just want to remind him of that, and that I appreciate his comments very much.

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

Mr. Bill Walker: I'm going to share some thoughts on Bill 52, An Act to amend the Courts of Justice Act, the Libel and Slander Act and the Statutory Powers Procedure Act in order to protect expression on matters of public interest, or Bill 52, the Protection of Public Participation Act.

Mr. Speaker, this bill, commonly referred to as anti-SLAPP, seeks to amend the Courts of Justice Act, the Libel and Slander Act and the Statutory Powers Procedure Act in order to protect expression on matters of public interest. In other words, this bill aims to protect citizens, as they publicly voice concerns on matters of public interest, from fear of retribution; namely, the use of lawsuits against them as a means to silence or deter them from participating in discussion.

This bill was a recommendation from a 2010 report, and is a reincarnation of Bill 83, which died on the order paper when the Liberal government called the election last May.

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Some of my constituents have been vocal about their support of Bill 52. Here is just a smattering of some of my constituents' comments on why we need this bill to pass into law:

"SLAPPs threaten the very core of democratic dialogue. Citizens need to feel free to stand up and voice their concerns and government needs to hear them out." That was Michael from Georgian Bluffs in the great riding of Bruce–Grey–Owen Sound.

Another quote: "I'm concerned about the increasing number of lawsuits intended to discourage citizens, individuals or groups, from participating in the democratic process." That was Ann from Warton.

I quote again: "All citizens should have the right to make a complaint free of fear of reprisals by the very government that is supposed to be there to defend their rights." That was Margaret from Owen Sound.

Another quote: "It is important that ordinary citizens not be intimidated by expensive legal fees..." That was Jennifer from Shallow Lake.

I'd also like to mention that a few municipalities have passed resolutions in favour of Bill 52. One of them is in my riding, the township of Georgian Bluffs. They passed that resolution on March 4.

Mr. Speaker, I agree and support Bill 52, in principle. Principally, I agree that the bedrock of our democratic society is that we have healthy and strong public participation in our communities, voicing our concerns—even dissenting ones. That's what we're all here to do. Oftentimes, particularly when we as the opposition stand, that's our job. Our job is to look at legislation, to look at

things the government is doing or intending to do and to challenge them on it, to ensure that they're creating legislation that's going to be good, effective legislation for all users, all people who are going to be bound to that law, to that legislation. So I think it's always healthy when we have a good discussion, a good debate, in fact; and dissenting views are always welcome, I believe, as long as you can do it in a respectful, civil manner and take from it that there is really a good rationale to bring that forward. Hopefully, the other party can look at it, and at the end of the day we can then all come back, especially in committee, and look at those amendments, look at changes that are going to strengthen that bill, to make it the best, most effective legislation that we can come up with.

The bottom line, at the end of the day, is that we need to protect people's right to speak up on matters that impact them. Really, if we go right back to those brave individuals who died in the wars for us, it's that freedom of expression, freedom of speech that we all have the liberty to enjoy because of their heroic deeds and actions. It's something that I think we all have to stand in this House every day and remember, that we have that privilege, we have that right to speak freely.

Any time someone comes along and threatens that, particularly if it's a large group with a lot of money that tries to stifle debate, to stifle the ability for people, individuals, organizations, associations, even a small group of people, to have their say, to be able to bring their viewpoint to the table, I think we all have a right to stand up and fight that.

As I have told my constituents who wrote or called me about this bill, we've had a few examples of public participation being under attack in Bruce-Grey-Owen Sound. It's been talked about a lot in here today by a number of the speakers, the Green Energy Act. Particularly, the wind turbines are always top of mind in my riding of Bruce-Grey-Owen Sound. I talk about the heavy cost of litigation brought against my constituents by a wind turbine company. They really came in, a lot of these large companies, particularly with foreign ownership, and tried to bully their way through. They've tried to steamroll. Sadly, this government wrote legislation that virtually undermined all other legislation, which allows them to do that.

Our democratically elected representatives at the municipal level really have been silenced because the Green Energy Act just came in and said, "We don't need to listen to you. We don't need to ask for your opinion or your approval. We can place these wind turbines here if that's where we want them to go." It's unbelievable, Mr. Speaker. It has put a lot of people under significant stress and burden.

Was it meant to silence them, to intimidate them? A \$300,000 lawsuit can easily silence anyone into submission, particularly those of modest means. They just finally say, "You know what? I don't have the ability, I don't have the money, to be able to go against that." One of my colleagues here, from Timiskaming-Cochrane, I

think, said that—a farmer who was working hard, raising a family, running his business. When you start throwing lawsuits at them, that becomes very, very challenging. I credit him and applaud him for standing his ground for his principles and not giving in, despite his own insurance company coming to him and saying, "You need to give up on this. You need to pass and just retract those statements." So kudos to you, my colleague Mr. Vanthof from Timiskaming-Cochrane, for standing up for what you believe is right. That's what we all get sent here to do, and I trust that's why he has been re-elected to represent the people in his riding.

Some of that has happened across rural communities after residents tried to stop wind corporations from surrounding their homes and communities with giant turbines. They don't want them, they didn't want them, they continue to not want them, and yet, at the end of the day, they still have large lawsuits that are intimidating at this point.

In their statement of claim, the companies alleged that the residents were making misleading statements to discredit their business and have made misleading statements to the public, such as making comments on how residents were feeling terrorized by the wind companies.

The Green Energy Act was and continues to be a thorn in the side of rural communities and one that has brought on this kind of intimidating litigation that we're trying to stop here today. You can't threaten. You can't bully just because you're big and you have lots of money. That's not the way we do things in Ontario. It's not the way we do things in Canada, Mr. Speaker, and I think all of us in this House want to stand up and ensure that everybody has the equal right to speak.

Rural Ontario in particular has never really been the same since this government forced the Green Energy Act on our communities. I think it's only a bit ironic that we're debating Bill 52 in the context of this Liberal government's Green Energy Act. They have actually put legislation in place that took away the ability for locals to have a say in anything. Many other businesses wouldn't be allowed if we used current legislation before the Green Energy Act, and yet they brought in this legislation that supersedes and gives them the power to choose, "We will put wind turbines there," in someone else's backyard. A lot of people making those decisions will never have to put up with those wind turbines in their backyards, but they are certainly okay with it being done in someone else's.

It's especially ironic, Mr. Speaker, in the context of the Premier's own lawsuit slapped on two members of our opposition party. Her \$2-million lawsuit against the two members of our caucus is over the concerns they raised and the comments they made on the Premier's party's gas plant scandal, which has been under investigation by the Ontario Provincial Police for almost two years.

Of course, everyone in the House knows, as do members of the public, that we in the official opposition have questioned and continue to question the Premier's role in

the alleged wiping of computer hard drives in the office of former Premier Dalton McGuinty that relate to the cancellation of two gas plants in Oakville and Mississauga. Yet, at the end of the day, this Premier chooses not to bring two people forward to give testimony, the people that actually know the truth about this, and yet ironically she brings out this type of legislation.

I think my colleague from Leeds–Grenville has very appropriately brought up that saying and doing different things, different meanings—he used a different word that I’m not going to use so that I don’t have to withdraw, Mr. Speaker. But at the end of the day, we need to ensure that when someone says something, there’s one set of rules for all across our land and across our province. I have concerns that in some cases there is a bit of irony going on here, that what’s good for the goose isn’t always good for the gander.

How ironic and farcical that the same government that wants to protect us from intimidation practices is using a \$2-million lawsuit to intimidate and to shut down conversations to try to not allow them to speak—two members of the official opposition, two good colleagues of mine. To me, this \$2-million lawsuit is meant to stifle, silence and punish the two opposition MPPs for daring to question and give opposing viewpoints on the Liberal Party’s billion-dollar gas plant scandal. It’s simply unacceptable.

I believe that when people elected us, they entrusted us with the responsibility to ask tough questions. That’s part of the job of the official opposition: to challenge, to question, to ensure that the government is actually doing things in the best interest of the greater good for all of the people who have duly sent us here. Our pursuit of the truth is how we hold this government to account—any government, truly, to account. With this one, certainly, there are lots of reasons to hold it to account. Every day, sadly, we’re bringing them to account. Now we have four unprecedented investigations. I would be fearful that this government, again, is trying to bring in something to their own benefit that they can use to stifle debate and stifle us asking questions, and yet they’re trying to appear to the public that they want accountability and they want transparency. There are challenges sometimes when we hear one thing and yet we see a totally different action from that side of the House.

Because those two MPPs in our caucus raised valid criticism and debated an issue of great public interest, perhaps the Premier will want to be a willing host for the first application of Bill 52 when it’s passed into law.

There are a lot of good things. I think this is a step in the right direction, but I also do want to allude—and I believe my colleague from Parry Sound–Muskoka, when he has his turn to address, will bring this up, and certainly the member from Timiskaming–Cochrane—that we have to ensure that when we write legislation, it’s actually there for the greater good. We have to be cautious not to allow unintended consequences to come forward when certain large companies or vocal groups can actually misuse this type of legislation. I think well-funded

special interest groups certainly could take this, if we don’t write it properly—with balance, and making sure that we close any of those gaps and those corners so they can’t utilize it for their own benefit and turn it against a group—because we need to ensure that this legislation will always protect the greater good. We need to make sure that we’re not going to open up a door for people to use it in the exact reverse way that it was intended and be able to shut down things and shut down people being able to speak.

I think the member from Timiskaming–Cochrane gave an example of a mill in his riding that, as a result of malicious statements made by environmental groups, actually left his area. He lost that mill and that employment, the ability for that community to survive and thrive, because of some malicious statements that you can’t retract. The old laws allowed people to come out and say those types of things with really no retribution to them. I think it is a good first step. It’s moving in the right direction, in principle, I do believe. But I think we need to make sure we look at it from a well-rounded perspective. We need to ensure that there aren’t unintended consequences.

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A SLAPP is a lawsuit that is pursued for the sole purpose of silencing or punishing those with an opposing viewpoint. That’s unacceptable. As I said in my opening remarks, our province, our country, has the privilege because of those forefathers who went ahead of us, those brave souls who fought for us and lost their lives, made the ultimate sacrifice so we can have free speech. Anything that stifles that is simply not acceptable.

This effect is also sometimes referred to as litigation chill. Part of what defines a SLAPP is the fact that it is a meritless case, and it’s intended more to intimidate or punish the defendant rather than seek justice for a wrong suffered by the plaintiff. Typically, SLAPPs are withdrawn shortly before going to trial; however, by this time, they have served their purposes. They have forced the defendant to go through an extended period of duress, often at great cost financially.

Again, a lot of these things can happen, Mr. Speaker, where there would be a well-funded third-party special-interest group that knows that they’ve got a small body there, an individual or a small group of people, that doesn’t have the financial resources to fight this. They’re hoping that by bringing this out, they can just shut them down, they can keep them from having their say, and that’s inappropriate. Hopefully, we can utilize this legislation, Bill 52, to address that.

Bill 52 establishes a new legal procedure that can be used if someone is sued for voicing their opinion or opinions on matters of public interest. If enacted, Bill 52 would allow the defendant in this situation to move a motion that would allow them the chance to prove to a judge that the legal proceeding brought against them arises from a communication they made regarding the public interest. If the judge was satisfied that this is the case, the legal proceeding would be dismissed, as it

would, in effect, be determined a SLAPP. However, if the judge was not satisfied, the legal proceeding would proceed.

The judge would also be able to award compensation regarding costs in the motion if they deemed it appropriate. Again, we hear cases where there are frivolous lawsuits brought against someone, and we have no recourse to ever go after those people making those frivolous cases.

In my case, certainly I've had a lot of experience with quarries. Someone can bring up a frivolous concern against a quarry wanting to expand or open a quarry, with no real ramification to that person bringing it up. Yet they may hold that company, and more importantly, the people that that company may actually employ and give gainful employment to, up for many, many years and at millions of dollars of expense to said quarry owner. Those types of things, Mr. Speaker, I'm also trying to look out for as a legislator, to say, "How can we close those loopholes?" Nothing against someone being able to have their say, but in that case, it's the opposite of this: They're actually trying to hold up something with no real, sound, rational ability.

I'm going to go back to some of the more technical points.

If the judge dismisses the legal proceeding due to the motion and finds that the suing party brought the proceeding in bad faith, the judge may award the defendant damages as the judge considers appropriate. Again, I think that's a good strategy. That ensures that people doing it for frivolous reasons won't come forward. It's making sure that when there are sound, legitimate things going on, that can't happen and somebody can't frivolously or vexatiously hold that proceeding up.

If the suing party has proceedings before a tribunal, the defendant who has moved a motion under Bill 52 may also supply a copy of the motion that was filed with the court to the tribunal, and the tribunal proceeding shall be stayed until the motion is dealt with in court. Bill 52 also places a 60-day timeline on the hearing of the motion so that the matter may be dealt with in a timely manner. Again, I think what's happened in the past is, someone files this motion, and it just sits there in perpetuity for the most part—long periods of time that just stretch out the resources of the other party to a point, hoping that they'll just go away or they'll say, "I can't afford it if this stays in court too long," and they'll just give up and walk away. Thereby they are silencing that party again. That's not acceptable, Mr. Speaker.

This is a key factor in limiting SLAPPs' negative effect on the court system. It is also important for countering the effect of potentially having tribunal proceedings stayed while the motion is before the courts.

The bill also amends the Libel and Slander Act to establish that the current privileges regarding oral or written communication possessed by individuals who have a direct interest in a matter of public interest are also extended to media representations or communications of said individuals' oral or written communication.

Basically, right now if someone has a direct interest in a matter of public interest, they can discuss it and be fairly protected from legal action. However, if a reporter or someone else were to write about what that person said and publish it, then they would be susceptible to legal action because they could be seen as not having a direct interest in the matter. Bill 52 extends protections to include individuals/reporters recounting/repeating any discussions on the matter.

As PC caucus members, we stand behind the right of individuals to express their opinions, especially on matters of public interest. Again, back to most of what I've said here today, that's the whole fundamental tenet that we're based on: the ability to have free speech, the ability to challenge. Certainly, as a member of the opposition, that's one of the key roles and responsibilities that we have, to be frank: to ensure that we voice our concerns openly, that we are able to challenge the government on an act that they're bringing in or an intention that they want to bring in.

Mr. Percy Hatfield: Take your time.

Mr. Bill Walker: I'm going a little slower today, Percy. Have you noticed that?

Ms. Catherine Fife: Talk faster.

Mr. Bill Walker: Do you want me to ramp it up? Go back in auctioneer mode and get a few more words in?

Any time that we stifle the ability for anyone, whether it be an individual in this Parliament or outside of Parliament, to actually have an open dialogue, I think we're hurting all of us collectively. I think we're hurting the ability for us to have the best outcomes possible because I think that, at the end of the day, whenever you challenge anything there is typically a good exchange of information. You take all sides, you take all matters into consideration and, if you're truly being objective, you will come out with a better product at the end.

The reality is that while SLAPPs, as they are known, are relatively rare, when they do occur they can in fact ruin people's lives. We can't accept that, Mr. Speaker. We do not think it is appropriate for residents to fear having a voice in the growth of their communities. You want people to be able to come forward. I again go back to the Green Energy Act, a case where that legislation by the Liberal government that imposed it on communities is so strong and so powerful that people have felt they don't have a say, that they can't actually step up. Then the companies that typically are involved with these wind turbine facilities are so strong and so powerful that they, again, intentionally intimidate and try to put a lawsuit in place to fearmonger, to make that person step back and not voice a concern. Then they can pretend that all is well and good in that community. Certainly in Bruce-Grey-Owen Sound I applaud those people who, from day one of the Green Energy Act, have stood up and fought hard. People like Lorrie Gillis and a multitude of others out there continue to fight the wind turbines.

Interjection.

Mr. Bill Walker: You could do that. She's thrown me totally off here.

Interjection: That's okay. She's being sued.

Mr. Bill Walker: Yes, she's being sued.

I'll go back to that. The wind turbine companies have taken away—they've superseded the powers of the local democratically elected municipal officials, and that's inappropriate. The companies have just added on to that. I think in some cases this bill will help out those types of situations.

Moreover, these SLAPPS are by definition unfounded and stand little chance of succeeding, so they needlessly bog down Ontario's court system. Certainly, from my perspective, you want the courts to be there to hear the court cases that are relevant, that are pertinent and that are helping the most people. Sometimes these types of lawsuits that can be imposed slow down, bog down that whole court system, so that people who truly need to be getting in front of a judge and jury are not getting there and not getting what they need to happen.

As I have said earlier, I certainly, in principle, support this bill. I want to ensure that we always protect the rights of people, organizations, groups, whether indirectly or directly associated, to have the ability to stand up and have their say, to legitimately challenge something that is being done by a government of the day that may well be well intended but that they may just not have looked—and I think we've heard, again, about the unintended consequences that sometimes arise if we don't do this in a well-balanced manner, that we look for gaps that could actually be in the legislation because the certain party introducing it hasn't looked close enough, hasn't defined it well enough, hasn't truly wanted to cut out all of the gaps. They've only got one specific interest in mind and it's a big headline. But I think this is legislation that we should be getting to committee. We should be looking at it from a well-rounded perspective and ensuring there are no unintended consequences.

Stop the frivolous, vexatious type of lawsuits and not allow companies to intimidate someone who is an individual or small group, and make sure that we always protect the right of an individual to have their say.

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

Mr. John Vanthof: It's always an honour to stand in this House and it's a pleasure today to follow the member from Bruce–Gray–Owen Sound. He brought forward a lot of good points regarding this bill. I think we share the view that this bill should go forward, but we have to be cognizant of the possible misuses of any type of legislation and we have to be very careful going forward with this bill.

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He also brought forward issues that are very relevant in my riding, specifically the Green Energy Act, a bill that wasn't carefully drafted and wasn't well developed because—and again I'll use the same example—there are solar panels going up on prime agricultural land in my riding. That's obviously a problem. We've got major solar developments in my riding who got FIT contracts. They were billed as if they were going to be booms for

our small communities, and they have turned out to be busts, because while the projects are being built, the contractors aren't paid, again. I asked the Premier, who directed it to the Minister of Energy, and I have never gotten an answer why. I've got one contract, one site, \$20 million: never got paid. Another site, as we speak, \$40 million isn't getting paid. They've got FIT contracts. We're told it's part of the contract. One of the faults that's hurting these contractors is in the FIT contracts themselves. What were supposed to be booms for the local economy turned out to be busts.

Why this is relevant to this bill is because that is evidence of bills that weren't carefully thought out by this government, and it's our hope that this bill, if and when it goes forward, is carefully thought out.

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

Hon. James J. Bradley: I'm always encouraged by the unanimity that I see in the House whenever it happens, and there's unanimity at this time in the support of this bill in principle, I understand. I don't know whether there has been a change now since Patrick Brown has been travelling the province in the position of the Conservative Party. Anyway, I have found an article from Ontario Farmer by Ian Cumming that talks about the race, but it has nothing to do with this so I'm not going to mention it. So I will go on.

Here's a situation—I think the member from northern Ontario, from Timiskaming, has made a good point. It reminds me of Eleanor Lancaster in St. Catharines, who is a prominent citizen. Her husband, Bud Lancaster, was appointed to the OMB, I think by Mr. Davis or Mr. Robarts—a prominent city family. She took it upon herself—and that shows why we need SLAPP suits—to look at some of the donations which were made municipally to people in St. Catharines and the Niagara region. She found that there were illegal donations that had taken place, so she filed a complaint. Unfortunately, she only filed it with the city clerk, someone able to deal with the city ones and not the regional ones. What happened for doing a service to the community? They took her to court, the people she had forced, I guess, to give the money back. There may have been another penalty, but they did not choose to oppose that penalty. Those individuals took her to court and were going to cost her thousands upon thousands of dollars simply for doing her duty as a citizen.

I think most of St. Catharines—almost all of St. Catharines—would have rallied around her, and I know she'll be pleased to see a SLAPP suit bill before this House now that deals in a general sense with this kind of matter.

The Acting Speaker (Mr. Ted Arnott): Questions and comments? The member for Haldimand–Norfolk.

Mr. Toby Barrett: Yes, Speaker: no questions, but I do have a comment on the presentation by our member from Bruce–Grey–Owen Sound. He made mention several times over of various individuals or organizations acting frivolously, the frivolous reasons that some of this comes forward.

There's two sides to the story. There are organizations or individuals that are subject to a lawsuit from a company, and then we have the example of a company that, rightfully so, from what I understand, had a legitimate lawsuit against Greenpeace. So there are two sides to the story and we can't muzzle any of these legitimate lawsuits.

I might take the opportunity to correct my record in the House. I made mention of being named in a lawsuit for a total of \$226 billion, and I want to correct my record. It's not \$226 billion. I made an error. I went and looked it up. I'm named in a lawsuit for \$260 billion, so I apologize to the House. I didn't mean to lowball it or anything like that. I guess my wife and I and a few other people—

Interjection.

Mr. Toby Barrett: It will be another \$34 billion.

Again, when it gets into those kinds of numbers—I know, when it was delivered to the office—many of us, as MPPs, have these kinds of things walk in the front door. I know I got a subpoena a few years ago to end up in court on Christmas Eve. That kind of went over like a lead balloon in my family.

But, yes, I'm named in a lawsuit—as well as a few other elected representatives in Haldimand and Brantford—for \$260 billion.

The Acting Speaker (Mr. Ted Arnott): The member for Windsor—Tecumseh on a question and comment.

Mr. Percy Hatfield: I'd like to make a comment on the comments made by the member from Bruce—Grey—Owen Sound.

But before I do, may I take this occasion to bring birthday greetings to the member from York Centre, who turned 84—was it yesterday? The longest-serving, the oldest serving member of the Ontario Legislature, the record-setting member from York Centre: Happy birthday.

Mr. Monte Kwinter: On a point of order, Speaker: Every day sets a new record.

Mr. Percy Hatfield: Yes. The microphone wasn't on, but he said that every day he sets a new record.

Interjections.

Mr. Percy Hatfield: Getting back to the member from Bruce—Grey—Owen Sound: Every day in the House, when I'm here and they call for introduction of bills, I'm always waiting for somebody to stand up and say, "I'd like to introduce Bill Walker from Bruce—Grey—Owen Sound." I keep waiting for that, and it hasn't happened.

I really appreciate what he had to say. The one thing that troubled me in the member from Bruce—Grey—Owen Sound's commentary, though, was that it seemed to me he was sticking up for the owners of a quarry, as opposed to the landowners who would live near that quarry and might need some protection as well.

I could have misheard him; I give him that. I know, on this side of the opposition bench, New Democrats are perhaps better known for standing up for the little guy and protecting the little guy against the interests of the big corporations. So if the big quarry owner wants to

expand a quarry, chances are that the New Democrats would be with the neighbours, who might say, "We don't want that quarry in our backyard, in our front yard, on our road; we don't want the extra traffic," or whatever it may be.

But other than that, I think the member from Bruce—Grey—Owen Sound did his residents proud in standing up and saying that this legislation is good. It could be improved, but I think it is long overdue.

The Acting Speaker (Mr. Ted Arnott): That concludes our questions and comments. We return to the member for Bruce—Grey—Owen Sound.

Mr. Bill Walker: Thank you very much, certainly, to the member from Timiskaming—Cochrane and the Chair of Cabinet—most days, he actually says, "I'd like to introduce Bill Walker"; I hear him quietly over there, during introduction of bills—and the members from Haldimand—Norfolk and certainly Windsor—Tecumseh.

I too would like to extend my belated birthday greetings to the member from York Centre. May you continue to set those records on a daily basis for a long time to come.

I wasn't going to, but now that he's raised the point, I would like to clarify about the landowners versus the quarry corporation. What I was trying to say there is, I think that at times, there are vexatious things that are happening that hold up a quarry.

I'd like to remind my honourable colleague and his colleagues in the NDP that a lot of those big, mean corporations actually create a lot of the jobs that you supposedly try to always defend.

What I was trying to say is, I think there should always be the ability for a landowner—a person—to be able to say, "I have concerns. I'm able to come up and address that." But if they vexatiously bring things that continually prohibit that quarry owner from legitimately expanding within the rules, then there should be some recourse.

I certainly have cases—there are a number in my own riding and across this province—where companies have been held up, and it cost tens of millions of dollars that could be going into the economy, creating more jobs, creating more economic benefit for all of us, as opposed to someone who vexatiously can hold it up because of a technicality in poor legislation. That's what I don't want this bill to become.

I think his colleague from Timiskaming—Cochrane and I are on the same page there: We need to ensure that legislation is created to allow us to always have the best interests at heart.

Certainly, I think, at the end of the day, the Chair of Cabinet also was alluding to doing the right thing. I want to take this opportunity to say to him, to pass back to their Premier, that not allowing two of my colleagues—or holding a \$2-million lawsuit over their heads so that they don't continue to speak up is not doing the right thing. Hopefully, she will take this piece of legislation that's proposed by her government, do the right thing and dismiss that lawsuit immediately against my two colleagues in my PC caucus.

1640

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

Ms. Catherine Fife: It's a pleasure to stand today in the House to comment on Bill 52, the Protection of Public Participation Act. It's been an interesting debate, because I do think that a majority of the people in this House do agree on some basic principles that are contained within this legislation. The bill, for the most part, does reflect some of the recommendations that came forward from the 2010 panel.

It has taken a long time to get here. There are some flaws that need to be fixed, and certainly we in the NDP are committed to ensuring that hard work actually happens at the committee level.

Also, I think that it needs to be mentioned that our leader, Andrea Horwath, brought forward similar pieces of legislation in the past, in 2008 and 2012. It's actually caused me to remember the first time I came to the House to spend the day with our leader. At the time, she was mentoring me. That day, it was the presumptive legislation that was passed, all in one sitting. I'm sure the Speaker will remember that because that piece of legislation got pushed and pushed and pushed, and the government brought it forward, but then the Conservatives sort of moved it, and then they had to pass it.

At the end of that whole process—I don't think that's ever happened. I think that was the sole time that a piece of legislation was passed on the floor of the Legislature, all three motions passed, and it became law—after, of course, it got proclaimed. So that's how things sometimes happen in this place. It's a slow process. It doesn't always have to be slow, I must say, and I feel that way about this piece of legislation.

The three major issues, though, that I do want to address in a very cursory sort of way are that the bill, as I said, does incorporate some of the recommendations from the panel—a majority of them. However, it doesn't reverse the onus of proof. I think that this is a major flaw.

The government has the ability to bring a stronger piece of legislation here for us to debate. I don't think there's any question that the party initiating the suit does not have to prove that the suit is not being brought to silence public participation. So this really is the essence of what we're trying to address. For people to have the courage to speak up, speak out and take action on very controversial issues—some of those issues are environmental, and I think that those are the majority of the ones that we think about. But it's also important to understand that activities that attract SLAPPs include citizens' reporting of environmental violations, filing complaints with government agencies, contacting the media, speaking at public meetings, participating at hearings before administrative tribunals or engaging in public campaigns.

All of us in this House, if you've ever sat on a committee, and all of us have, and someone has come forward to raise a concern—for instance, the finance committee travelled all across the province and listened

to the lived experience of Ontarians. It's incredible to me. Some people just shake, they're so intimidated by this process, and I think that's our fault, really. We need to make sure that people understand that this is their House and those committees are there for them. We're there to listen to them and to bring their voices back to the Ontario Legislature.

At the finance committee in Ottawa, one woman stood out for me. She was literally shaking with fear as she told her personal story about what it was like to live on ODSP, how the only time she sees people is when she is on public transit and why that money was so important to her. I just think that it takes such courage to speak out and stand up and share your personal story. But there is risk; there is risk in doing that. I think that Bill 52 will mitigate some of that risk for some people in the province as they stand up for their communities and for the causes that they genuinely believe in.

The second flaw is that it does not specify timelines for filing of a responding affidavit by the plaintiff or mention anything about the defendant filling additional affidavits as per the panel recommendations. The timing is always a concern for people who are involved in these issues, and it doesn't reverse the onus of proof.

I also want to make mention and pose a question for the House on Bill 52: Why was the retroactive clause removed from Bill 52? If it's the right thing to do going forward, why can't you look back and say, retroactively, these cases happened and litigation was pursued, so why can't we right those wrongs as well? So that question is outstanding for us in this party, and I think that actually it demands some attention. We will push that as it gets to committee.

Everyone who has actually stood up in this House thus far has a personal story to share, if it's from the wind turbines—and up until the end point, the member from Bruce-Grey-Owen Sound had my full attention. But on the wind turbines, it's true that if there was proper public consultation beforehand, and if that consultation process was respectful of those voices in those communities, then you wouldn't have the tension. You wouldn't have the litigation, and you wouldn't have people pursuing and conflict and tension and threatening people's livelihoods and their homes. It just wouldn't happen. In general, I feel that was a completely avoidable situation. If the Green Energy Act had been put into place with some forethought and almost some integrity, then we wouldn't have had that tension. It's a real shame, actually, because it's a lost opportunity to move towards a green energy plan for this province which actually would make a huge difference.

The flaws exist, but they can be fixed; almost everything can be fixed. But there are some things that are outstanding that will affect the way that the strategic lawsuits are actually formed. I'm particularly thinking about the way that Ontario is growing and the way that land planning is actually happening in the province. It's hard for us, of course, not to think of Line 9, for instance, and the way that communities are affected by different points of legislation across this country.

In Kitchener–Waterloo, we have such an active community that's very engaged, very informed. They keep their politicians working all the time, and that's the way it's supposed to be. That's what we signed up for too, by the way. But the way that Line 9 and the group of activists who have mobilized around that pipeline going through very fragile and vulnerable land across the riding and also around the Grand River—a lot of people don't understand it. I think there are 27 watershed MPPs, so there are MPPs who have conservation areas and major bodies of water—which essentially keep the province alive, because we need water. That hasn't changed, Mr. Speaker. We need water. It doesn't matter how much money you have. If you don't have clean water, it doesn't really matter.

So we have a lot of people in our riding who have come to visit me and gone to visit the other MPPs. They have made a very compelling case for caution on Line 9 and for due diligence, quite honestly. Please remember that there has not been a comprehensive environmental assessment of this pipeline.

The reason I raise this around Bill 52 is that there's one woman who has spoken up. She has been very vigilant. Her name is Louise Lanteigne. She has been very active on conservation, on species protection, on mitigating the negative impacts of growth on our communities. I've known her for a long time. It's interesting because she has been successful. She was able to “delay the project earlier this year when she raised concerns about emergency shut-off valve placement along the line, arguing there was only one valve near the Grand River.

“On October 6, the NEB ruled that Enbridge”—who is, of course, the distributor—“did not meet the requirement for safety and said it was not persuaded Enbridge had done enough to protect the environment in the event of a pipeline rupture.”

Activists can really serve their communities very well. But as I said, there's risk in doing so. This particular woman—I'm quoting this from the Waterloo Chronicle; James Jackson has written this, and it's a matter of public record: “Some of the information is related to her intervener status on the Line 9 reversal project”—has really become an issue and a topic of conversation because she actually initiated an access to information request with the National Energy Board, requesting any and all records that mention her by name. Just this last October, she received a computer disc with more than 1,000 pages of information, including inter-office National Energy Board emails, media mentions and even her activity on Twitter.

1650

You have the National Energy Board monitoring an individual, an activist, more so than they were monitoring the pipeline. That should raise some concerns for all of us, I would think, Mr. Speaker. She has been threatened with legal action against her by developers in the past. The community has rallied, I think, on the whole.

Fear shouldn't be the dominant emotion when you decide to take a principled stand on the environment or on a just cause or on an energy issue. Fear should not be

the dominant emotion. Ironically, this is what I'm most afraid of: that fear is becoming a tool in our political arena, if you will, and fear in division, actually. So there is a very good reason to move forward with Bill 52, the Protection of Public Participation Act. It has taken some time to get here, but I think it will be welcomed by many in our communities.

There's a really interesting thing happening in the province of Ontario right now. Social media has broadened our understanding of issues. I think you have to be careful because you have to be selective of what you read and what you believe, but it has given some new energy to activists, who are just actually normal people who care deeply about something. That's a good thing, Mr. Speaker, because there's a lot going on in the province right now.

It's hard for me not to reflect on Bill C-51, actually, which is happening at the federal level, Mr. Harper's bill. In the context of how you protect the rights of citizens within the province and within the country, I think that Bill C-51 is the antithesis to Bill 52. Ironically, they're 51 and 52. Bill C-51, of course, criminalizes political activism. It gives police wide-ranging powers of arrest. It allows warrantless CSIS spying on Canadian citizens. Most importantly, it vaguely—vaguely—defines terrorism. Even the Canadian Privacy Commissioner said that in his mind, it goes too far. When you have an independent officer of the Canadian Parliament speaking out against a piece of legislation like Bill C-51, then I think that we should be paying attention to that.

There's always this delicate balance between the rights of citizens and the power and authority of government. Government in this instance, by bringing in a piece of legislation which can protect those voices, those voices that have the courage to stand up and speak and that will not be silenced into submission around public consultation, for instance—that's a good piece of legislation that I think we can make stronger.

In Waterloo, it's also really interesting—and this is where you're going to have a convergence of legislation, policy and communities speaking up. I think that this is healthy. I think it's healthy for our democracy to happen. But look at the good-places-to-grow piece of legislation, for instance, which has identified certain communities across the province and said, “This community must intensify and grow in a certain way”—grow up instead of growing out, which makes sense for all sorts of reasons that I think all of us should fully understand. Then you have the Ontario Municipal Board, for instance. It was interesting that the minister without portfolio raised the OMB in his community of St. Catharines. He also looked at the people who are on those Ontario Municipal Boards. What I've learned, as the finance critic and Treasury Board critic for the NDP, is that not only do you have to follow the money at this place, you also have to follow the people. Who has influence? Who's getting appointed to boards? Who's making decisions? Who has this past history at a company and then gets appointed to a public board? Because they bring that philosophy with them.

In Waterloo, this is a case that sets precedent for the entire province of Ontario. The Waterloo region did a very good job of doing a review of how their citizens are going to be looking at housing, for instance. They're not looking for the suburban sprawl, two-storey, three-bedroom houses anymore, because they're aging and they're looking to be down in the core, where we're building the LRT.

The Ontario Municipal Board was approached by the developers because they didn't like the region's plan. The region, which did its due diligence—as municipally elected politicians, they developed a strategy to only grow to 86 acres. The developers, of course, didn't like that. They weren't willing to adapt their business plan, although some of them did. I have to be clear: There are some very progressive developers in Waterloo region who have looked at the core and said, "You know what? We can build very innovative, creative, energy-efficient, very progressive housing options and make a lot of money." So they adapted their plans.

But there are still the developers who just want to keep building over all that beautiful farmland on an aquifer that provides water for the entire Grand River area, the Waterloo-Wellington area. The aquifer there is so important. There's just too much to risk.

So you have a region, a municipality, conforming to a piece of provincial legislation, Places to Grow, and then you have developers going to the Ontario Municipal Board saying, "We don't like the Places to Grow plan and the region of Waterloo's plan," and the OMB overruled the regional government and so completely undermined democracy in a holistic way.

Ironically, the government, of course, didn't like that that happened as well. So there, you've appealed. You have a government appealing a decision made by the Ontario Municipal Board to uphold their own piece of legislation, and you have activists caught in this crazy web. It should not have got this far, because the Ontario Municipal Board ruled in favour of the developers and said, "Take an additional 1,000 hectares on it"—it's not acres; it's hectares—which is huge, which costs the existing taxpayers money. It has environmental costs. It has planning consequences. How can that happen?

Of course you have activists who have raised their concerns about this, because, as I mentioned, there is more than just the financial cost of infrastructure that we can't afford to maintain and uphold, and you have the environmental costs of really irresponsible planning.

This piece of legislation would protect them. It would protect them against some very big players. The member from Bruce-Grey-Owen Sound criticizes us for—I mean, that's what they are. They have a lot of money. They have deep pockets. They do. They can be part of the solution, but what the government's job is, by bringing in legislation, and what our job is, as an opposition party, is to ensure that there is legislation which levels the playing field, if you will, because it needs to be levelled. The voices and the citizens of these communities who care deeply about their community—and

they don't want to see sprawling growth or irresponsible energy pipelines going through their community, because they've weighed the risk, and they feel that the risk for them is to stand up and speak out. A piece of legislation which at least protects them to actually do that is a good piece of legislation, and, as I said, we can do better.

I really want to end by just commenting on Commissioner Gord Miller, what he wrote on this. He said, "The public's right to participate in decision-making over matters of public interest is a cornerstone of our democratic system. Efforts aimed at suppressing this right should be discouraged by the Ontario Legislature and other public agencies. The" environmental commissioner "sees a need for provincial legislation that would put both sides of development disputes on equal footing. Such legislation could serve to halt SLAPP suits in their tracks."

I think that Bill 52 is a very good place to start. I think that there are some gaps in it, as I've already identified, that we can actually strengthen at committee. I hope that the government is receptive to that, because it doesn't make any sense to bring a piece of legislation which still has weak spots, because it took so long to get here. It took so long to get to March 2015 after the panel made their recommendations in 2010. Why not move this forward, address the weaknesses at committee and get it done—get it done the right way—so that citizens in this province feel empowered and supported to stand up and speak out on issues that they care deeply about?

1700

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

Mr. Monte Kwinter: I rise to support Bill 52, the anti-SLAPP Protection of Public Participation Act. Using intimidation tactics to silence one's opponent is a misuse of our court system, one of the central institutions of a fair and democratic society. By protecting citizens against strategic litigation, our government is protecting the right of Ontario residents to speak out on matters that are important to us.

If passed, this legislation would allow courts to quickly identify and deal with strategic lawsuits, minimizing the emotional and financial strain on defendants, as well as the waste of court resources. We're proposing a made-in-Ontario approach to addressing the issue of strategic lawsuits, based on consensus recommendations of an expert advisory panel and extensive stakeholder consultation.

Our proposed legislation strikes a balance that will help ensure abusive litigation is stopped but legitimate actions can continue. Anyone who has a legitimate claim of libel or slander should not be discouraged by this legislation. Protecting public debate is part of Ontario's comprehensive strategy to build Better Justice Together.

Bill 83 died when the Legislature was dissolved pending the last general election. Bill 52 was introduced in the House on December 1, 2014. If passed, this legislation will protect the right of Ontario residents to speak out on matters that are important to us.

What is different about this new legislation? The current bill includes a few minor amendments to clarify the appeal process respecting decisions to (a) dismiss lawsuits as a strategic lawsuit and (b) stay related administrative proceedings; limit the amount and time spent on cross-examinations to seven hours per side, rather than one day per party; apply the legislation only to those lawsuits begun after the introduction of the bill so as not to interfere with ongoing litigation; and change the effective date of the bill to the date of royal assent instead of proclamation.

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

Mr. Randy Pettapiece: I'm pleased to stand here and comment on the speech by the member from Kitchener–Waterloo. I'd just like to tell the member from Kitchener–Waterloo that I was in her riding last week for the university curling that is going on at the K-W Granite Club. It was quite a contest going on and a lot of enthusiasm. The K-W Granite Club certainly is doing a great job with that event.

I think we've listened to this debate all afternoon and I certainly don't want to speak to the Premier's lawsuit; all the members of this House know what's going on there. I'm certainly not going to speak about the four OPP investigations going on; all the members of the House know that this is going on. And I'm certainly not going to comment on the recordings that the OPP have over the Sudbury by-election.

I think any legislation that goes through this House has to be fair to everybody. There have been some suggestions that maybe this isn't with this bill, and maybe in committee they can get this straightened out when it gets there.

It wouldn't surprise me at all, with what's been going on in the last number of years, whether it dies again on the order paper because of the actions of the government and some of their previous dealings with this type of thing, and also that they just maybe don't want to get involved with this legislation at this point in time. So it wouldn't surprise me if this dies again on the order paper.

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

Mr. Percy Hatfield: It is indeed again an honour to stand in this House and bring forth the voices of my constituents in Windsor–Tecumseh, especially to make reference to my colleague from Kitchener–Waterloo. I have to admit that when she was speaking, I had a chill go through me because she spoke about one her constituents; I believe her name is Louise Lanteigne. This lady has not been hit with a SLAPP suit, but the National Energy Board has gathered 1,031 pages of documents which reference her name in her fight to stop or delay Line 9, the oil pipeline. If a lawsuit is launched and you've got to go out and hire a lawyer, and the first thing you have to give the lawyer is more than 1,000 pages for review, look at the added cost there. I agree with her when she says that the National Energy Board is spending more time monitoring her than they are the Line 9 pipeline. It's scary, Speaker; it really is.

Here's somebody who has intervenor status trying to delay that, and she did because she pointed out, quite rightfully so, that at the Grand River there was only one emergency shut-off valve, and that's a scary thing. That should send a chill through us all that they were going to put this pipeline through—I think it was 300,000 barrels of oil a day going through there—with one emergency shut-off valve at the Grand River in Kitchener–Waterloo. When they gather that kind of information about somebody through media reports, that this lady is standing up for her community—if that ever got to a lawsuit, the cost of that would be tremendous. We should all be very concerned about that.

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

Mr. Bas Balkissoon: I'm glad to be given the opportunity to add a few comments to the member for Kitchener–Waterloo.

In my previous two minutes, I mentioned I was involved in an issue back in 1985. In 1988, I joined municipal council, and some of my colleagues here spent a lot of years on municipal council. It's kind of interesting listening to everybody in the chamber speak on this particular bill, the Protection of Public Participation Act. If you look back in history, the creation of the OMB has led to this issue because the OMB was created as a quasi-judicial body. It wasn't meant to have lawyers, but the development industry has been so savvy over the years that they've brought lawyers into the system. Right now, the OMB is really not a judicial system that is supposed to be quasi-, supposed to be friendly; it's a court. Unfortunately, it has led to some of these letters from lawyers to residents who want to do the right thing for their community.

This bill has been a long-standing problem. Many of the people who spoke before have mentioned that this bill has been introduced more than once. In fact, this is the fourth time. Everybody's speaking positively about the bill, so I hope this time around we'll get it on to committee. We will cut off debate soon and let the committee deal with it quickly. We have an opportunity in this session of the Legislature to approve something. Let us approve it.

But I'm going to tell you the truth, Mr. Speaker. I know everybody's saying the bill's not perfect, and we'll correct it at committee. But I have my doubts that it will solve the problem 100% because the OMB with lawyers still exists. I have no confidence that this is going to solve it. This is just one tool in the arsenal of tools that we're giving communities to defend themselves, and I hope it works.

The Acting Speaker (Mr. Ted Arnott): That concludes our questions and comments. We return to the member for Kitchener–Waterloo for her response.

Ms. Catherine Fife: Thank you to the members from York Centre—who didn't reference my comments, but I'll forgive you because it's your birthday, and every day is a good day; right, Monte?—Perth–Wellington, Windsor–Tecumseh and Scarborough–Rouge River. I

must confess I didn't mean to cause chills, but I'll take it, I guess.

It's really interesting to hear the member from Scarborough–Rouge River, who referenced my comments, which I thank you for—because the Ontario Municipal Board is a serious issue. I mean, they are creating policy on the side, almost, by overruling local municipalities. I agree with you: They were never meant to lawyer up and work against the people in their communities. The people who sit on those Ontario municipal boards were supposed to level the playing field—find the balance, if it exists.

1710

That's not what happened in Waterloo region at all. The research, the evidence—any reasonable group of people would realize that Waterloo region cannot afford to grow an additional 1,000 hectares. We don't have the money to build the infrastructure. We don't have the money to maintain the infrastructure that we have right now. There's a cost, right?

It's interesting that you mentioned that, but the government had the ability to do an operational review of the Ontario Municipal Board in this last round, and you didn't do that. So if you want to fix the problem, then you actually have to conduct a thorough review of the OMBs. We would support you in that.

You'll remember Rosario Marchese, the former member. He's passionate about Ontario municipal boards, and hopefully—

Mr. Percy Hatfield: God bless.

Ms. Catherine Fife: Yes. As he would say, God bless.

I want to leave you with one quote: The surveillance state “is not intended to stop terrorism. It's intended to control the population.” Noam Chomsky said that.

I think that we have to be very careful, as we move forward in creating legislation, to find the balance but respect the citizens that we all serve.

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

Hon. Jeff Leal: Thanks very much, Mr. Speaker. I want to let you know that I'll be sharing my time with the very distinguished gentleman from Northumberland–Quinte West and the Minister of Education, my colleague Liz Sandals, the member from Guelph.

I would like to call Bill 52 the Tie Domi bill, and I'll let you know why I call it that. You've seen the TV commercials with Tie Domi taking on the big telephone companies, right? You know, the little guy is finally getting a chance to take on the big telephone companies, and Mr. Domi is right in the middle. This bill kind of represents what Mr. Domi is all about in that TV commercial. He, of course, had a very distinguished career with the Peterborough Petes. He played on a line with Mike Ricci, who had a very distinguished NHL career, and Chris Longo.

While I'm talking about the Petes, I'll just take a moment to congratulate my good friend the coach, Jody Hull, who led the Petes into the playoffs. They then

finished eighth in the eastern conference. They will be starting with the overwhelming favourites, the Oshawa Generals, in the not-too-distant future. I do know Jody really well, and he'll have them ready.

I'm getting in a little plug for my hometown hockey team. Then I can get on to Bill 52, or the Tie Domi bill.

This is a very important piece of legislation. It has been in front of this House on four occasions, but this is the opportunity. We sense we're getting co-operation from the official opposition and the third party to make this bill a reality.

Having served in municipal politics for some 18 years, between 1985 and 2003, I do know the sense of threats that can be out there, with people trying to stop democracy in action with the threat of a lawsuit.

We have talked about the Ontario Municipal Board. I'd be remiss if I didn't say that one outstanding member of the OMB right now is a former, and the longest-serving, mayor in the history of the city of Peterborough, one Sylvia Sutherland. Sylvia is the kind of person who you want on the Ontario Municipal Board: a former mayor; understands planning; understands the process. Frankly, I'm told that her deliberations have been very sound when she has been selected to do OMB hearings right across the province of Ontario.

I had the great privilege of serving with her for 12 of my 18 years on Peterborough city council. She's an example of an individual on the OMB who understands the process.

I do know that there have been some challenges with the OMB, particularly with previous appointees, who tended to be lawyers. Some of them came out of the development industry and didn't have the broad perspective that is needed when you're filling an OMB position.

In fact, the history of the OMB is very interesting. It was brought in by Leslie Frost when he was Premier of the province of Ontario in the early 1950s. He brought it in to act as a buffer, in those days, against the development industry, challenging municipal councils in terms of their deliberations. I just wanted to give a little of that history.

What we're proposing here today is a made-in-Ontario solution, this anti-SLAPP legislation. I think it will strengthen democracy in the province of Ontario and it's time, with the co-operation of everybody—we're just getting back after a constituency-week break. My friend from Sarnia–Lambton: That gentleman, I know, wants to co-operate on this bill. I've heard great eloquence from the third party this afternoon, that they want to get this bill moving forward.

With that, Mr. Speaker, I'll certainly turn it over to my good friend and colleague, the chair of our rural caucus, the wonderful member from Northumberland–Quinte West.

The Acting Speaker (Mr. Ted Arnott): The member for Northumberland–Quinte West.

Mr. Lou Rinaldi: What an introduction from the Minister of Agriculture. I hope we can publish that live somewhere.

Speaker, I'm not a lawyer or a judge, but it's not hard to see sometimes how things get derailed. I too spent some 12 years in the municipal sector and have seen some of these actions that result in intimidation. Frankly, I will refer to Mr. and Mr. Smith, who would have some difficulty even understanding what they were faced with.

My good friend from Peterborough said it's been four times. I hope four times lucky; it's supposed to be three times lucky, but we're going to give another one to benefit.

Hon. Jeff Leal: You're right: It's four times lucky.

Mr. Lou Rinaldi: That's right. We'll take a little bit longer. We want to be cautious.

I've heard this afternoon, for the time I was here, that in general there's some consensus. I'm a bit leery because we've heard those famous words before. It seems, for whatever reason—and I certainly don't want to point fingers—that some folks just want to debate for the sake of debating while Mr. and Mrs. Smith wait for us to create laws to protect them, to protect the public. This is what this piece of legislation really does.

I'm hopeful that once we reach—and we have to have adequate debate. Let's be reasonable, we shouldn't short-change anybody—and that this goes to committee, because frankly, in any committee I've sat on for the eight or nine years I've spent in this place—I tell people that's really where a lot of the work gets done, because you're able to listen to interested parties that are not allowed to come to this House to debate with us, but give us their good input; and all three parties have an opportunity to look at what this should look like at the end of the day.

I'm just going to take a minute to review what really the intent of this piece of legislation is. We live in a very fair and democratic society, although sometimes we wonder, but we do. I think we need to protect that a little bit more. We can speak out on matters that are important to us. By protecting citizens against strategic litigation, the government is standing up for those values. I think it's important we do that. Frankly, Speaker, that's what the people of Ontario want, that's what they cherish.

Using intimidation tactics to silence someone's opponents is a misuse of our court system. It's one of the central institutions of a fair and democratic society. That's the democratic piece. I think that's one of those signatures that, as Ontarians, as Canadians, we need to be proud of, and sometimes we take that too much for granted. We need to remember that.

If passed, this legislation will allow the courts to quickly identify and deal with strategic lawsuits, minimizing the emotional and financial strains for defendants as well as the waste of court resources. Now, we hear over and over again, Speaker, is this something that's going to fix all those problems that we've encountered? I would say not, but I think it creates an opportunity to make those circumstances better.

1720

I think this proposed legislation, once again, if passed, strikes somewhat of a real balance that will help to

ensure that abusive litigation is stopped but that legitimate action can continue, because we don't want to go too far to the other side. We've got to leave the opportunity for that to still happen. So I think it's important that we do this.

I think we need to look at this piece of legislation as it strikes that balance, at the end of the day, after public hearings. What we'll end up with is a made-in-Ontario approach that suits our needs as Ontarians in addressing these issues with the strategic lawsuits. It will have some opportunity to build on consensus. As I said before, it's something that—I think everybody strives to get there. At the same time, we need to protect public debate, which is part of our comprehensive strategy to build a better justice system.

Speaker, you've heard some references made to the OMB. I think the OMB, although sometimes somewhat cumbersome, does serve that purpose. Unfortunately, sometimes we use a sledgehammer to deal with an issue that, frankly, could be resolved in a strategic manner. By passing this legislation, I think it will take some of the pressures off the OMB to try to resolve some of these issues.

As we go ahead with this debate, I would really ask all the members of this House to look at the end result. I think sometimes we focus too much on trying to have a magic bullet that fixes all the problems, and that the problems will go away. But I think we need to focus: Is this the right approach to go from point A to point B? Frankly, point A is not sustainable. The leader of the NDP, some time back, introduced a piece of legislation similar to what we're debating today.

I think this will really play a role in trying to mitigate some of those issues that, frankly, even through an OMB process, will try to smooth that process.

Speaker, as I finish my remarks here, I just hope that we use some common sense to get from point A to point B, knowing that it might not fix all the problems but certainly will smooth that road to move forward.

At this time, I will turn it over to my good friend the Minister of Education to take on the debate.

The Acting Speaker (Mr. Ted Arnott): I recognize the Minister of Education.

Hon. Liz Sandals: I'm very happy to participate in the debate on Bill 52 this afternoon.

It's interesting: We've been referring to this as the anti-SLAPP legislation, but I think it's actually important to go back and look at the real title, which is the Protection of Public Participation Act.

We've heard lots of examples here this afternoon, listening to the debate: issues around development, issues around gravel pits, issues around transit or roads, issues around pipelines, issues around development in agricultural areas, and environmental issues. On all these issues, there is a real public interest in having a public debate about the pros and the cons of whatever is the issue that's under debate.

We want to ensure, to protect our democratic institutions, and quite frankly, to arrive at good, considered

conclusions to the debate, that we actually have mechanisms to involve the public and to allow the public to comment and to have the public bring forward their ideas about how various issues can be resolved.

So as it says in the name of the act, the goal of the act is to protect public participation. The problem we're addressing here is that sometimes the developer or the proponent of whatever developer slaps a lawsuit on whoever is disagreeing with them, the public participant, to try and shut them down because they're afraid of the lawsuit, they're afraid of the litigation, they're afraid that they're being charged with libel or defamation or whatever, and somebody slaps a frivolous lawsuit on.

Back in 2010, the issue started to arise as to whether this was actually a problem in Ontario and in Canada. Fortuitously, I guess, we often seem in Canada and in Ontario to lag the litigation history in the US. But it seems that unfortunately where people in the US come up with some new reason to sue each other, give it a few years and we seem to pick up the practice in Ontario. So the issue arose: Are strategic lawsuits a problem in Ontario?

At that point, back in 2010, the Ministry of the Attorney General actually convened an expert panel to look at the issue of strategic lawsuits and to recommend steps that could be taken to prevent them. After extensive consultations—public participation, if you will—the panel concluded that strategic lawsuits are indeed a problem in Ontario, potentially deterring significant numbers of people from speaking out on matters of public interest. We don't know the definite number of lawsuits, because when you table a strategic lawsuit, you don't stick a little gold sticker on it saying, "Hi, I'm a strategic lawsuit." That just simply is a characterization. But what the panel was able to determine was that while these suits are not labelled as strategic lawsuits when they're filed with the court, nevertheless they were strategic lawsuits, and it has become a problem. Hence, what we've got here today is Bill 52.

As has been noted several times, this is actually the fourth incarnation of this bill: twice as a private member's bill and now this is the second government bill version. Hopefully this time it won't die on the order paper, we won't get prorogued and there won't be an election, and we will actually get around to passing this bill.

But I think there has actually been a really interesting debate here this afternoon on some of the pros and cons when you're dealing with anti-SLAPP legislation, because the thing that you want to make sure of is that while you protect the public participant from a frivolous lawsuit by a developer or a company, you don't go too far and make a company or a developer open to litigation or lack of remedy when somebody is interfering with a legitimate business enterprise. I think it has really been interesting to hear the debate go back and forth this afternoon with people talking about the possibilities.

I think what's important here is that we can have confidence that the panel that was appointed by the Ministry of the Attorney General very much turned their

mind to the fairness issue, that we need to have a balanced approach that is fair to both the democratic participants at the community level and whoever is the proponent of the project that is under debate, and that we can be assured that the proposed law—which actually does put into law a number of the recommendations that have come from the panel; that in fact that is where we're going, and that we do have a fair and reasonable definition of what is a strategic lawsuit and when this law would click in. Quite frankly, if there's a little bit of fine-tuning that's needed, if we get this through second reading, it can go to committee, and if people still have concerns that it needs fine-tuning at the committee stage, we can do that.

1730

I would encourage everyone in this House to vote for this legislation. I'm quite encouraged by a number of the comments that I've heard this afternoon, and thank the Attorney General for bringing this legislation forward yet again.

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

Mr. Norm Miller: I'm pleased to have the opportunity to comment on the speech by the Minister of Agriculture, the member from Northumberland–Quinte West and the Minister of Education.

From the perspective as the northern critic of the Progressive Conservative Party, I did earlier raise some concerns put forward by the Ontario Forest Industries Association, particularly with regard to the definition of "public interest." They are concerned about how vague the definition is at this point, and they're concerned about how this legislation, in its current form, could negatively affect 170,000 forest jobs, primarily in northern Ontario. That's a huge concern for me.

I've also received correspondence from FONOM, the Federation of Northern Ontario Municipalities, and they have made a number of recommendations to try to improve the bill, especially in terms of clarifying the intent of the legislation and classifying who it protects. I'll quote from their letter to me:

"We believe the proposed legislation would be strengthened by specifying that the intent of the law is to protect individuals and citizens whose public participation is in good faith and factual in nature." They go on to say, "Specifically, Bill 52 would be enhanced if it specified that the legislation was intended to cover individuals and groups that are voluntary in nature, have annual operating budgets below a specified threshold, perhaps \$100,000, and do not have a legal counsel engaged either pro bono or as a cost to the individual or to the group." I think that is an excellent recommendation.

I look forward to having an opportunity to speak more fully to this bill, where I will concentrate on the Ontario Forest Industries Association's and FONOM's concerns, as well as others. I know the member from Nipissing also looks forward to having an opportunity, and I assume the member from Timmins–James Bay, a northern member, will look forward to speaking to this bill to bring some northern issues to the floor of the Legislature.

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

Mr. Paul Miller: Just to get a plug in, like the member from Peterborough likes to do, I'd just let him know that the Belleville Bulls are now moving to Hamilton. They'll become the Hamilton Bulldogs and certainly are going to be competitive next year in the OHL.

Mr. Steve Clark: A Hamilton bulldog just like you.

Mr. Paul Miller: That's right: competitive.

Speaker, in reference to the anti-SLAPP bill, over the years when I sat on council and I was on the conservation authority, we saw lots of anti-SLAPP legislation in place which caused a lot of problems in our community in reference to silencing public opinion, silencing good information that would come forward with the threat of being sued by the proponent. I also saw many occasions where our liaison committees that were appointed by the company and the Ministry of the Environment to oversee such projects—that even some of the members on the public liaison committee were threatened with lawsuits if the company didn't like what they said.

So this type of legislation is good, but like the members have all said, when it goes to committee, it certainly needs some fine-tuning. I can see some things wrong with it that I'd like to see fixed, because these corporations, with their expensive lawyers, are experts at finding loopholes in any legislation. It doesn't matter whether it comes federally, provincially or municipally.

I would like to see this thing with a fine-tooth comb through it before we actually make it law. I don't want any people coming in the back door to obstruct and ruin public opinion, because I believe the people in Ontario have a right to speak out when they believe something is wrong and something that they want to have partial input and control over in their communities.

I think this type of legislation is good. I want to see more of it, because it's been too long that we have seen people who have been silenced who have a lot to offer to our society and our community.

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

Mrs. Cristina Martins: It gives me great pleasure to rise in the House today to speak on this particular bill, on Bill 52, the Protection of Public Participation Act.

One of the greatest things about living in a fair and democratic society is that we can speak on matters that are important to us. By protecting citizens against strategic litigation, our government is standing up for the values the people of Ontario cherish.

I know that the constituents of my riding of Davenport are a very engaged, very informed group of constituents, constituents who have an opinion and want their opinion to be heard, an opinion that I am interested in hearing and encourage all that type of engagement in my constituency.

Using intimidation tactics to silence one's opponents is a misuse of our court system, one of the central institutions of a fair and democratic society. If passed,

this legislation would allow courts to quickly identify and deal with strategic lawsuits, minimizing the emotional and financial strain on defendants, as well as the waste of court resources. Our proposed legislation strikes a balance that will help ensure abusive litigation is stopped but legitimate actions can continue.

This proposed legislation is about preventing strategic lawsuits. Anyone who has a legitimate claim of libel or slander should not be discouraged by this legislation. If passed, this law would encourage healthy debate on issues of public interest by reducing the risks that citizens could be threatened with legal action when voicing legitimate viewpoints.

We're proposing a made-in-Ontario approach to address the issue of strategic lawsuits based on consensus recommendations of an expert advisory panel and extensive stakeholder consultations. Protecting public debate is part of Ontario's comprehensive strategy to build Better Justice Together.

It has been a pleasure to speak on this this afternoon.

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

Mr. Randy Pettapiece: Again, it's a pleasure to rise in the House and speak on this legislation and on the comments from the Minister of Agriculture, Food and Rural Affairs, the member for Northumberland—Quinte West and the Minister of Education.

Speaker, we have been hearing about public participation throughout this debate, and that's certainly something that I want to see encouraged and all governments actively pursue that.

There's a sense in the riding sometimes that people are afraid to voice their opinions in case they upset somebody. There's also a feeling sometimes that they're afraid to ask questions, which they shouldn't be, because there is no bad question. There's a sense in the riding that the people are afraid to do this with governments. So I would suggest that the legislation has to be properly put forward, properly done and fair to all sides.

We've seen what this government has done, and this has been previously mentioned with the Green Energy Act, where it has taken away the rights of municipalities to plan their own futures and the grief and the concern that has been brought to the municipalities over the Green Energy Act.

So when this government says that they want to have legislation, and they put it forward for debate, and they say that they want to make it fair for everybody, I think we have to be careful with that statement, because we've seen in the past, especially with the Green Energy Act, that that hasn't been the case. So we have to certainly scrutinize this bill when it's in committee.

The Acting Speaker (Mr. Ted Arnott): The Minister of Agriculture, Food and Rural Affairs to respond.

Hon. Jeff Leal: I want to thank the very distinguished honourable members from Parry Sound—Muskoka, Hamilton East—Stoney Creek, Davenport and the concluding comments made by the member from Perth—Wellington.

No doubt about it; I think there's a consensus building in this House that Bill 52 needs to move forward. I'm old enough to remember the series on TV called *Get Smart*. I remember the cone of silence. Without this legislation, far too often, we're going to see the cone of silence coming over groups in the province of Ontario. This, in many ways, is a bill to remove the cone of silence in the province of Ontario. That's why we need to move this legislation forward.

1740

Interjections.

Hon. Jeff Leal: I hear some interesting comments from the members opposite.

This is a very important piece of legislation because, in my view, this legislation will help to strengthen the democratic process in the province of Ontario. We're at our best in this House when the opposition can come forward, and the third party and the government, to effectively achieve a consensus.

I look forward to this bill getting to committee. We'll have the opportunity to accept presentations from a wide variety of groups across the province of Ontario, groups like the forestry industry from northern Ontario, to sit down and make presentations. As the member from Hamilton East–Stoney Creek said in his very eloquent two minutes, we need to do some fine tuning on this particular bill, and we will take that opportunity, Mr. Speaker. The best legislation is when all sides can build it together. On Bill 52, we're going to reach that target.

The Acting Speaker (Mr. Ted Arnott): The member for Ottawa South on a point of order.

Mr. John Fraser: I misspoke earlier today and referred to the former member from Parry Sound–Muskoka; it's actually the former member from Brampton West–Mississauga.

The Acting Speaker (Mr. Ted Arnott): Thank you very much.

Pursuant to standing order 47(c), I am now required to interrupt the proceedings and announce that there has been more than six and one-half hours of debate on the motion for second reading of this bill. This debate will therefore be deemed adjourned unless the government House leader specifies otherwise.

I recognize the government House leader.

Hon. Yasir Naqvi: We wish the debate to continue.

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

Mr. Toby Barrett: I certainly thank the government member for that motion. I've been working on a speech all weekend. There's 20 minutes on the clock—

Interjections.

Mr. Toby Barrett: I'm not kidding.

I really do appreciate the opportunity to address Bill 52, the Protection of Public Participation Act. It's also known as the anti-SLAPP lawsuit bill, as we have heard many times over this afternoon.

My concern, as with so many people in this House, is partly personal. Previously, I did correct my record that I

am not named in a lawsuit for \$226 billion; I'm named in a lawsuit for \$260 billion.

It's not on my shoulders alone. As I recall—this has been on my mind for, I guess, seven years now—there's maybe 20 of us named, several elected representatives in Haldimand and in Brant county and Brantford.

This one came in the front door of my office. It really did upset my staff at the time. At least it didn't arrive in my mailbox at the farm. My wife picks up the mail. She's the one who gets the eviction notices.

All of this relates to the Caledonia Six Nations issue. Oftentimes, she goes down to get the mail, and the mailbox is not there. It's in the ditch; sometimes the mailbox and the post are in the ditch. I have a record—

Mr. Randy Pettapiece: Talk to the road grader about that.

Mr. Toby Barrett: No, it's not the road grader. I can assure you of that. If the road grader did that, they wouldn't paint a message on the pavement out in front of the mailbox. The guy running the road grader would not put the large incendiary devices inside the mailbox either. But I'm not here to talk about how I receive my information.

The reason that I was in that lawsuit related to the Caledonia Six Nations issue, which I consider the mother of all scandals—we think of eHealth: Nobody has written a book about eHealth yet. Ornge: Nobody has written a book about Ornge. The gas plant scandal: Nobody has written a book about that. The Sudbury scandal: Maybe someone's working on a book. There are no books out on that scandal. The Caledonia Six Nations scandal: There have now been at least four books written about that issue, and I recommend that you take a look at these four books, written from all perspectives—the mother of all scandals.

Interjection.

Mr. Toby Barrett: Yes, he's looking for something to do.

More specifically to the SLAPP tactics, for me, this goes back to 2008 during public hearings. That's when I first heard the expression. We were having public hearings on the Lake Simcoe Protection Act. That bill at the time was Bill 99. We called it the Wayne Gretzky bill. That was eight years ago. We still don't have this in place as yet; it has been introduced four times.

Just going back to that Lake Simcoe confrontation, much of it focused on Big Bay Point on Lake Simcoe. You can read about the lawsuits and the bitter feud between cottagers and developers. Anyone who is interested in getting a journalist's take on what was going on there, take a look at *Toronto Life* magazine. There's an article by Paul Wilson, and it's titled "The Battle over Lake Simcoe." We're told in the article in *Toronto Life* that in that battle, at that point—now, that was eight years ago when that the article came out—there were \$255 million in lawsuits. One person who approached the witness table before our committee was subject to a \$1-million lawsuit, which was felt to be a SLAPP lawsuit. I know, from the committee, that it did have an impact on

that person. They testified anyway, but they were subject to that kind of intimidation in what was referred to at the time as the mother of all development wars.

Then we had recent mention of northern Ontario, the ongoing war in the woods. I was with the Mike Harris government a number of years ago, and we resolved much of that at that time with our approach to northern Ontario. But we do see the other side of the story. We heard from one of the members about the concerns of the Ontario Forest Industries Association with this SLAPP legislation, and the concerns of FONOM, the municipal organization. So there is the other side of the story.

In a case, Greenpeace, as I'm told, launched a series of frivolous actions or complaints against a forest company. It was Resolute Forest Products. They were harvesting trees, making paper and selling the paper to Best Buy, a retail store chain. Greenpeace asked Resolute to not harvest the forest in, I think, half of northern Ontario, or Greenpeace would pressure their customer Best Buy to not use their paper. Resolute did sign an agreement with Greenpeace stating that they would do as Greenpeace asked if Greenpeace agreed to stop their negative campaign against Best Buy.

Two weeks later, Greenpeace started up this aggressive negative campaign again, targeting the customers of Best Buy: "Don't buy these paper products." Resolute, in turn—they had the right to their day in court—filed a lawsuit against Greenpeace for breach of contract and damages. From what I understand, this is a legitimate lawsuit by a company against an environmental organization.

We know that this is going to committee. We support this legislation with some caveats, and I do hope some appropriate safeguards are put in place so we don't go too far the other way. We do have to achieve some balance to ensure that those appropriate or legitimate lawsuits can go forward. In our society, we do have the right to have our day in court.

We see the support for this Liberal bill—and I'm just trying to read between the lines—from Greenpeace. We see support from Environmental Defence, Ecojustice, CELA—that's the Canadian Environmental Law Association—the Ontario Clean Air Alliance, the Council of Canadians, the Sierra Club and the Registered Nurses' Association of Ontario. So often they're on that list, and the list goes on and on. These groups support the legislation. As with a lot of the environmental legislation I've seen over the last 11 years, they've probably had a major hand in writing this legislation, and we can only trust that they got it right and did it in an unbiased way.

1750

Going back to the Lake Simcoe example, the war at Big Bay Point: This war was described as one of the messiest and most acrimonious in recent history. It was a compelling issue for so many people, people either trying to protect what they already had on the shoreline or trying to move forward with development, and it's unfortunate when it boils down to these kinds of lawsuits.

John Tory was our leader at the time. I remember at the time that he made an announcement that the PC

government would clean up Lake Simcoe. He was joined in that announcement by Garfield Dunlop from Simcoe North, Jim Wilson from Simcoe-Grey, Julia Munro from York North and also MPP Joe Tascona. I think I can mention his name, Speaker; he's not here now, but he represented Barrie-Simcoe-Bradford.

There was heavy involvement on our side. There was heavy involvement from the federal government, partly a \$30-million initiative through John Baird, who was environment minister at the time, and MPs around the lake: Bruce Stanton; Patrick Brown—there's a name that's a little more known now than six or nine months ago; Bev Oda, another name that ended up in the media; Barry Devolin and Peter Van Loan.

The downside were these kinds of lawsuits and the intimidation going on around the lake. At that time, on committee, we realized, I certainly realized, that these kinds of lawsuits that people were being exposed to—the sole purpose was to try to shut them up, to silence them or perhaps to punish them for holding an opposing viewpoint. I think we've heard the expression here about "litigation chill."

Part of what defines a SLAPP is that it is a meritless case and is intended more to intimidate or punish the defendant, rather than to seek justice for any wrong suffered by the plaintiff. Typically, these SLAPPs are withdrawn shortly before going to trial—I've had that experience with another lawsuit, now that I think about it—but by that time they've already served their purpose: They've forced the defendant to go through an extended period of duress, and often a great cost financially, to prepare for an impending court case.

Some of the things that I heard on that standing committee with respect to Lake Simcoe—first up, the first group that testified was the Innisfil District Association. It's a ratepayers' group with about 700 members. They had a very thorough report. The Innisfil group pointed out concerns with regard to some proposed alterations to the shoreline, and they stated that the project represented a situation where the developer was going to be allowed to dig an inland lake of 30 acres next to Lake Simcoe to accommodate 1,000 boats and a megamarina. That seemed a little over the top to us. This could present a further threat to, at that time, the deteriorating condition of Lake Simcoe.

As they indicated and asked us as a committee, "The government must provide protection for its citizens from strategic lawsuits." This was eight years ago. These are the SLAPPS, strategic lawsuits against public participation. They went on to say, "Lawsuits outstanding against our members, lawyers and other critics of the Big Bay Point projects now total over \$90 million." That's just the one ratepayer' group of 700 people. I'm sure you can pass the hat, but \$90 million is a significant amount of money.

As they indicated, the Lake Simcoe Protection Act is "meaningless unless residents can speak out openly against projects that threaten the environment." That was eight years ago, Speaker, and the clock continues to tick

on this one. One of their recommendations at the time: “This government should move quickly, as Quebec has done, to guarantee that citizens be allowed to participate free from the chill of developer lawsuits.”

I do recall that the presenter paused at the beginning, looked around somewhat furtively, looked at the audience behind him and indicated that he was, at the time, subject to a million-dollar lawsuit. I found that disturbing. I felt for him.

We were having these hearings just a few days after Remembrance Day. We all understand in this House why people stepped forward on our behalf and fought on our behalf, and it was to have those kinds of freedoms to not only assemble, like on the standing committee, but to be able to speak one’s mind without any suggestion of intimidation.

I support this legislation with certain caveats. We’re eight years down the road now. Bill 52, as we know, establishes a legal procedure. So often many of us are involved in public issues, but what the proponents can do is—those are the people fighting the issue with deep pockets—they can move it out of the public realm into the legal realm, where they clearly have the advantage.

So Bill 52, if it’s enacted, allows people to prove, again before a judge, that the legal proceedings that are brought against them arise from a communication they made in good faith regarding the public interest, and if the judge is satisfied that this is the case, the legal proceedings would be dismissed as it would, in effect, be determined to be a SLAPP lawsuit. Of course, if the judge is not satisfied, the legal proceedings would continue on.

At the time—and I’m not up to date on this, but I did some work at the time eight years ago on the business of SLAPP—the province of Quebec had introduced legislation against this kind of intimidation. We asked our legislative researcher assigned at the time to the Standing Committee on General Government to provide us some information on these kinds of lawsuits. It was kind of a new thing for many of us. SLAPP was described as a term used to describe lawsuits initiated by plaintiffs, typically corporations, to stifle criticism of their actions. Such lawsuits are often filed in environmental or land disputes against members of the public or public interest organizations.

The legislative researcher made a number of points for us—again, this is back in 2008: (1) Very few of these SLAPPs end up going to trial. However—and this is understandable—critics charge that such suits are typical-

ly filed to divert the defendants’ resources and shift the venue from the political to the legal realm, where the plaintiff enjoys the advantage.

(2) Most of these SLAPPs plead multiple causes of action, such as defamation, interference with contractual relations.

This was presented to the standing committee—(3) Defendants and other critics may become intimidated and cease their political interventions as a consequence.

The issue of intimidation: Again, that’s somewhat dear to my heart. I’ve made reference to this before: As the representative of Haldimand county and Caledonia, I was formerly elected representative for much of Brant county. I represented New Credit reserve. I represented—six years.

I personally witnessed a significant amount of intimidation over the last nine years, and intimidation that in one way or another has been actually going on for well over 200 years with respect to land disputes, in this case specifically the Douglas Creek Estates subdivision down in the town of Caledonia. I made mention that you do pay the price when you speak out, and that applies to everybody in this House. I can put a dollar figure on one of my lawsuits, the \$260 billion. That would clear out my pension plan if I had one. I guess that applies to anyone else here.

It doesn’t matter whether you’re named in a million-dollar lawsuit—and I was named in one that was probably the value of my house at the time, and that was very stressful for me for about a year—or a \$260-billion lawsuit. I really had trouble getting my head around that one. But it can intimidate one. It can make you think twice about speaking freely and openly about some of the things that the people you represent are concerned about. Like many here, I represent about 110,000 people.

I’m running out of time, Speaker, but going back to Quebec, the Quebec Minister of Justice at that time introduced a bill that also had the same number: It was Bill 99 again, another Wayne Gretzky bill. I don’t have time to read the long title. I do know that there was an election in Quebec. That one fell off the order paper, and maybe someone else could update us on what they have done in the province of Quebec to perhaps provide some guidance for us in our deliberations.

Thank you very much, Speaker.

Second reading debate deemed adjourned.

The Acting Speaker (Mr. Ted Arnott): It being 6 of the clock, this House stands adjourned until tomorrow at 9 a.m.

The House adjourned at 1802.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon. / L'hon. Elizabeth Dowdeswell, OC, OOnt.

Speaker / Président: Hon. / L'hon. Dave Levac

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Tonia Grannum, Trevor Day, Anne Stokes

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Anderson, Granville (LIB)	Durham	
Armstrong, Teresa J. (NDP)	London–Fanshawe	
Arnott, Ted (PC)	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Bailey, Robert (PC)	Sarnia–Lambton	
Baker, Yvan (LIB)	Etobicoke Centre / Etobicoke-Centre	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Ballard, Chris (LIB)	Newmarket–Aurora	
Barrett, Toby (PC)	Haldimand–Norfolk	
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Campbell, Sarah (NDP)	Kenora–Rainy River	
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Citizenship, Immigration and International Trade / Ministre des Affaires civiques, de l'Immigration et du Commerce international
Chiarelli, Hon. / L'hon. Bob (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Energy / Ministre de l'Énergie
Clark, Steve (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Colle, Mike (LIB)	Eglinton–Lawrence	
Coteau, Hon. / L'hon. Michael (LIB)	Don Valley East / Don Valley-Est	Minister of Tourism, Culture and Sport / Ministre du Tourisme, de la Culture et du Sport Minister Responsible for the 2015 Pan and Parapan American Games / Ministre responsable des Jeux panaméricains et parapanaméricains de 2015
Crack, Grant (LIB)	Glengarry–Prescott–Russell	
Damerla, Hon. / L'hon. Dipika (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Associate Minister of Health and Long-Term Care (Long-Term Care and Wellness) / Ministre associée de la Santé et des Soins de longue durée (Soins de longue durée et Promotion du mieux-être) Minister Without Portfolio / Ministre sans portefeuille Minister of Transportation / Ministre des Transports
Del Duca, Hon. / L'hon. Steven (LIB)	Vaughan	
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	
Dong, Han (LIB)	Trinity–Spadina	
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Economic Development, Employment and Infrastructure / Ministre du Développement économique, de l'Emploi et de l'Infrastructure
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Fedeli, Victor (PC)	Nipissing	
Fife, Catherine (NDP)	Kitchener–Waterloo	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Hon. / L'hon. Kevin Daniel (LIB)	Oakville	Minister of Labour / Ministre du Travail
Forster, Cindy (NDP)	Welland	
Fraser, John (LIB)	Ottawa South / Ottawa-Sud	
French, Jennifer K. (NDP)	Oshawa	
Gates, Wayne (NDP)	Niagara Falls	
Gélinas, France (NDP)	Nickel Belt	
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Gretzky, Lisa (NDP)	Windsor West / Windsor-Ouest	
Hardeman, Ernie (PC)	Oxford	
Harris, Michael (PC)	Kitchener–Conestoga	
Hatfield, Percy (NDP)	Windsor–Tecumseh	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Hoggarth, Ann (LIB)	Barrie	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Hon. / L'hon. Eric (LIB)	St. Paul's	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	
Hunter, Hon. / L'hon. Mitzie (LIB)	Scarborough–Guildwood	Associate Minister of Finance (Ontario Retirement Pension Plan) / Ministre associée des Finances (Régime de retraite de la province de l'Ontario)
Jaczek, Hon. / L'hon. Helena (LIB)	Oak Ridges–Markham	Minister Without Portfolio / Ministre sans portefeuille Minister of Community and Social Services / Ministre des Services sociaux et communautaires
Jones, Sylvia (PC)	Dufferin–Caledon	
Kiwala, Sophie (LIB)	Kingston and the Islands / Kingston et les Îles	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Marie-France (LIB)	Ottawa–Orléans	
Leal, Hon. / L'hon. Jeff (LIB)	Peterborough	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Levac, Hon. / L'hon. Dave (LIB)	Brant	Speaker / Président de l'Assemblée législative
MacCharles, Hon. / L'hon. Tracy (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
MacLaren, Jack (PC)	Carleton–Mississippi Mills	
MacLeod, Lisa (PC)	Nepean–Carleton	
Malhi, Harinder (LIB)	Brampton–Springdale	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Mantha, Michael (NDP)	Algoma–Manitoulin	
Martins, Cristina (LIB)	Davenport	
Martow, Gila (PC)	Thornhill	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Deputy Premier / Vice-première ministre Minister Responsible for the Poverty Reduction Strategy / Ministre responsable de la Stratégie de réduction de la pauvreté President of the Treasury Board / Présidente du Conseil du Trésor Minister of Natural Resources and Forestry / Ministre des Richesses naturelles et des Forêts
Mauro, Hon. / L'hon. Bill (LIB)	Thunder Bay–Atikokan	
McDonell, Jim (PC)	Stormont–Dundas–South Glengarry	
McGarry, Kathryn (LIB)	Cambridge	
McMahon, Eleanor (LIB)	Burlington	
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
McNaughton, Monte (PC)	Lambton–Kent–Middlesex	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Attorney General / Procureure générale Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Milczyn, Peter Z. (LIB)	Etobicoke–Lakeshore	
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
Moridi, Hon. / L'hon. Reza (LIB)	Richmond Hill	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Munro, Julia (PC)	York–Simcoe	Deputy Opposition House Leader / Leader parlementaire adjointe de l'opposition officielle
Murray, Hon. / L'hon. Glen R. (LIB)	Toronto Centre / Toronto-Centre	Minister of the Environment and Climate Change / Ministre de l'Environnement et de l'Action en matière de changement climatique
Naidoo-Harris, Indira (LIB)	Halton	
Naqvi, Hon. / L'hon. Yasir (LIB)	Ottawa Centre / Ottawa-Centre	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Government House Leader / Leader parlementaire du gouvernement
Natyshak, Taras (NDP)	Essex	
Nicholls, Rick (PC)	Chatham-Kent–Essex	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du comité plénier de l'Assemblée législative
Orazietti, Hon. / L'hon. David (LIB)	Sault Ste. Marie	Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs
Pettapiece, Randy (PC)	Perth–Wellington	
Potts, Arthur (LIB)	Beaches–East York	
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Sandals, Hon. / L'hon. Liz (LIB)	Guelph	Minister of Education / Ministre de l'Éducation
Sattler, Peggy (NDP)	London West / London-Ouest	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Hon. / L'hon. Mario (LIB)	York West / York-Ouest	Minister Responsible for Seniors Affairs Minister Without Portfolio / Ministre sans portefeuille
Singh, Jagmeet (NDP)	Bramalea–Gore–Malton	
Smith, Todd (PC)	Prince Edward–Hastings	
Sousa, Hon. / L'hon. Charles (LIB)	Mississauga South / Mississauga-Sud	Minister of Finance / Ministre des Finances
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Harinder S. (LIB)	Mississauga–Erindale	
Taylor, Monique (NDP)	Hamilton Mountain	
Thibeault, Glenn (LIB)	Sudbury	
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Vernile, Daiene (LIB)	Kitchener Centre / Kitchener-Centre	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Leader, Official Opposition / Chef de l'opposition officielle
Wong, Soo (LIB)	Scarborough–Agincourt	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Première ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Yurek, Jeff (PC)	Elgin–Middlesex–London	
Zimmer, Hon. / L'hon. David (LIB)	Willowdale	Minister of Aboriginal Affairs / Ministre des Affaires autochtones

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

Standing Committee on Estimates / Comité permanent des budgets des dépenses

Chair / Président: Vacant
Vice-Chair / Vice-présidente: Monique Taylor
Bas Balkissoon, Chris Ballard
Grant Crack, Cheri DiNovo
Han Dong, Michael Harris
Randy Hillier, Sophie Kiwala
Monique Taylor
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

Chair / Présidente: Soo Wong
Vice-Chair / Vice-président: Peter Z. Milczyn
Laura Albanese, Yvan Baker
Victor Fedeli, Catherine Fife
Ann Hoggarth, Monte McNaughton
Peter Z. Milczyn, Daiene Vernile
Soo Wong
Committee Clerk / Greffier: Katch Koch

Standing Committee on General Government / Comité permanent des affaires gouvernementales

Chair / Président: Grant Crack
Vice-Chair / Vice-président: Joe Dickson
Mike Colle, Grant Crack
Joe Dickson, Lisa Gretzky
Ann Hoggarth, Sophie Kiwala
Eleanor McMahon, Lisa M. Thompson
Jeff Yurek
Committee Clerk / Greffière: Sylwia Przewdziecki

Standing Committee on Government Agencies / Comité permanent des organismes gouvernementaux

Chair / Président: John Fraser
Vice-Chair / Vice-présidente: Cristina Martins
Vic Dhillon, John Fraser
Wayne Gates, Marie-France Lalonde
Harinder Malhi, Cristina Martins
Jim McDonell, Randy Pettapiece
Lou Rinaldi
Committee Clerk / Greffière: Sylwia Przewdziecki

Standing Committee on Justice Policy / Comité permanent de la justice

Chair / Président: Shafiq Qadri
Vice-Chair / Vice-président: Lorenzo Berardinetti
Lorenzo Berardinetti, Bob Delaney
Jack MacLaren, Michael Mantha
Cristina Martins, Indira Naidoo-Harris
Arthur Potts, Shafiq Qadri
Todd Smith
Committee Clerk / Greffière: Tamara Pomanski

Standing Committee on the Legislative Assembly / Comité permanent de l'Assemblée législative

Chair / Président: Toby Barrett
Vice-Chair / Vice-président: Garfield Dunlop
Granville Anderson, Bas Balkissoon
Chris Ballard, Toby Barrett
Garfield Dunlop, Eleanor McMahon
Laurie Scott, Jagmeet Singh
Soo Wong
Committee Clerk / Greffier: Trevor Day

Standing Committee on Public Accounts / Comité permanent des comptes publics

Chair / Président: Ernie Hardeman
Vice-Chair / Vice-présidente: Lisa MacLeod
Han Dong, John Fraser
Ernie Hardeman, Percy Hatfield
Lisa MacLeod, Harinder Malhi
Julia Munro, Arthur Potts
Lou Rinaldi
Committee Clerk / Greffier: William Short

Standing Committee on Regulations and Private Bills / Comité permanent des règlements et des projets de loi d'intérêt privé

Chair / Présidente: Indira Naidoo-Harris
Vice-Chair / Vice-présidente: Kathryn McGarry
Robert Bailey, Lorenzo Berardinetti
Jennifer K. French, Monte Kwinter
Amrit Mangat, Kathryn McGarry
Indira Naidoo-Harris, Daiene Vernile
Bill Walker
Committee Clerk / Greffière: Valerie Quioc Lim

Standing Committee on Social Policy / Comité permanent de la politique sociale

Chair / Président: Peter Tabuns
Vice-Chair / Vice-président: Jagmeet Singh
Granville Anderson, Vic Dhillon
Christine Elliott, Marie-France Lalonde
Amrit Mangat, Gila Martow
Kathryn McGarry, Jagmeet Singh
Peter Tabuns
Committee Clerk / Greffière: Valerie Quioc Lim

**Select Committee on Sexual Violence and Harassment /
Comité spécial de la violence et du harcèlement à caractère sexuel**

Chair / Présidente: Daiene Vernile
Vice-Chair / Vice-présidente: Laurie Scott
Han Dong, Randy Hillier
Marie-France Lalonde, Harinder Malhi
Kathryn McGarry, Eleanor McMahon
Taras Natyshak, Peggy Sattler
Laurie Scott, Daiene Vernile
Committee Clerk / Greffier: William Short

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**INTRODUCTION OF BILLS /
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**Ontario Society for the Prevention of Cruelty to
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