

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

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**Official Report  
of Debates  
(Hansard)**

G-29

**Journal  
des débats  
(Hansard)**

G-29

**Standing Committee on  
General Government**

Representation Statute Law  
Amendment Act, 2017

2<sup>nd</sup> Session  
41<sup>st</sup> Parliament

Thursday 12 October 2017

**Comité permanent des  
affaires gouvernementales**

Loi de 2017 modifiant des lois  
en ce qui concerne  
la représentation électorale

2<sup>e</sup> session  
41<sup>e</sup> législature

Jeudi 12 octobre 2017

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Chair: Grant Crack  
Clerk: Sylwia Przedziecki

Président : Grant Crack  
Greffière : Sylwia Przedziecki

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Thursday 12 October 2017

Jeudi 12 octobre 2017

*The committee met at 1304 in the Thomas Cheechoo Jr. Memorial Complex, Moose Factory.*

**REPRESENTATION STATUTE LAW  
AMENDMENT ACT, 2017**

**LOI DE 2017 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LA REPRÉSENTATION ÉLECTORALE**

Consideration of the following bill:

Bill 152, An Act to amend the Representation Act, 2015 and certain other Acts / Projet de loi 152, Loi modifiant la Loi de 2015 sur la représentation électorale et d'autres lois.

**The Vice-Chair (Mr. Granville Anderson):** Welcome, everyone. Good afternoon. The Standing Committee on General Government is about to begin now. It's going to be on Bill 152, An Act to amend the Representation Act, 2015 and certain other Acts.

Presenters have 30 minutes for presentation, and whatever time is left will be shared among all three parties.

Yes?

**Mr. Gilles Bisson:** Thank you very much, Mr. Chair.

Gilles Bisson, here. I just want to welcome everybody to Moose Cree. We're here in the land of the Mushkegowuk, as you know. We're on Moose Factory Island. This is one of the nicest communities in my riding. I welcome you to the James Bay. I will let people speak for themselves, but I just wanted to welcome all of the committee members here and, also, to add that there is another individual that I ran across earlier who would like to present to the committee after we're done. When she shows up, I will have her identify herself to the Clerk of the Committee so that we can get her name and all that. She wanted to present as well.

**NISHNAWBE ASKI NATION**

**The Vice-Chair (Mr. Granville Anderson):** Our first presenter is Alvin Fiddler, Grand Chief. Chief Fiddler will have 30 minutes to present, as time permits.

If he doesn't use all 30 minutes, then it will be shared equally among all three parties.

Mr. Fiddler?

**Grand Chief Alvin Fiddler:** Yes. I'm here.

**The Vice-Chair (Mr. Granville Anderson):** You may go ahead, sir.

*Failure of sound system.*

**Mr. Gilles Bisson:** I think he just lost his connection—the wonders of technology.

**Mr. Arthur Potts:** Chair?

**The Vice-Chair (Mr. Granville Anderson):** Mr. Potts.

**Mr. Arthur Potts:** Thank you, Chair. While we're waiting to get that connection back, I would just like to say thank you, on behalf of the Liberal party, to this community for welcoming us to come here and make presentations. I think it's very important that we take northern bills to the communities that are directly affected, and we're here today to do that. Thank you to the local member for being so hospitable.

**The Vice-Chair (Mr. Granville Anderson):** Thank you, Mr. Potts.

So his connection is gone?

*Interjections.*

**Mr. Gilles Bisson:** I think the tech says we're good.

**The Vice-Chair (Mr. Granville Anderson):** Okay. Chief Fiddler, you may go ahead with your presentation.

**Grand Chief Alvin Fiddler:** Thank you. Good afternoon, everyone, the members of the committee. Thank you for the opportunity to make a presentation. I know that Mushkegowuk Grand Chief Jonathon Solomon is on his way there, and he will add to my presentation. My preference would have been that he go first and I go second, but I know that he's not there yet, so I'll start.

You probably have in front of you our submission that we—I'm not sure when we sent this; yesterday? It clearly outlines some of the concerns that we have, some of the issues that we have, with this new bill and this process. What I wanted to find out from the committee, first of all, is: What is your process? What is your mandate? Is there still an opportunity for changes to be made to the bill or to the proposed new ridings?

For example, in this proposed new riding in the north-east, once you break down the numbers, I think the First Nations community or membership is roughly 28% or 29%; it's probably 60% francophone. That's one concern that I know both Grand Chief Solomon and I share.

The other one is the name itself. They have the minority vote and yet their name is being used for this proposed new riding. I think both of us find that very disrespectful—the fact that there was no consent given.

No one asked permission from the Mushkegowuk Council for their name to be used for this proposed new riding.

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There are other issues that we have concerns with; namely, the process itself, the way it was done. I know the three commissioners worked very hard within a short period of time to try to fulfill the mandate they were given, but it just felt rushed. I know they felt really rushed, and I think as a result of that our communities, including the leadership, were not engaged in a meaningful way—and that was one of the things that we were led to believe. We had a first and only meeting with the commission back in early May, in Timmins, when they were launching their work. Maybe they didn't have the time or the resources to engage us in a meaningful way. I didn't even see the final report, for example, when it was released in August. I think I have it now. So it's just issues like that that we outlined in our submission.

I just want to go back to the question that I had in the beginning. What's the purpose of these hearings? Is it possible to make some amendments to address some of the concerns that we have?

Those are just my initial thoughts and comments. Thank you.

**The Vice-Chair (Mr. Granville Anderson):** Thank you. I'm going to turn it over to the opposition. Mr. Fedeli.

**Mr. Victor Fedeli:** Grand Chief Fiddler, thank you very much. Bear with me for one moment.

What's the procedure for this particular hearing, if you don't mind outlining it, Chair?

**The Vice-Chair (Mr. Granville Anderson):** I think it's not that prescriptive. We go around the table. We have about 25 minutes left so we're going to try to split it as equally as possible.

**Mr. Victor Fedeli:** Okay, I appreciate that.

Grand Chief Fiddler, this is Victor Fedeli. I'm the MPP from Nipissing. I'm here with my colleague. I'll let her introduce herself, and then I've got a couple of comments.

**Mrs. Julia Munro:** I'm Julia Munro, the MPP for York-Simcoe. I'm happy to join this group on this particular bill. I'm looking forward to the conversation that we can have this afternoon, and I appreciate your participation.

**Mr. Victor Fedeli:** Grand Chief, I've read your very extensive and thoughtful document, your eight-page submission, and I have a couple of questions.

On page 7, where you're talking about the concerns that you have with the process and the recommendations of the commission's final report—I'm going to ask you three questions about that, on your item numbers 1, 2 and 5.

When you talk about NAN and the Mushkegowuk Council and in fact all First Nations in the ridings—your thought would be, “meaningfully engaged before proceeding....” Can you explain the level of engagement you had or did not have so we can get a full understanding of—how you feel you may not have been meaningfully engaged, is what I'm interpreting from this.

**Grand Chief Alvin Fiddler:** First of all, thank you for the question. I'll just give the committee one example of what we're talking about here. At that first meeting we had with the commission back in early May, we were given these huge maps of the northern part of the province. We were drawing lines on the map, and they said, “We'll talk to you again to get feedback from you in terms of how these proposed new ridings should be redrawn.” And that was it. That was the only time I ever saw those maps.

**Mr. Victor Fedeli:** So you're saying that back in May you were shown the map of all of northern Ontario, including the proposed northwestern Ontario divisions as well, Grand Chief?

**Grand Chief Alvin Fiddler:** Yes, there was the existing electoral map and then there were some proposed new maps. There were just a number of huge maps on the wall.

**Mr. Victor Fedeli:** I'm just trying to make sure, because we don't have any maps here with us today: These were the ones from the commission. Is it the one that they showed—there were probably four alternative ideas: if you went in one large riding, if you did two ridings, if you did two ridings split this way—that type of thing? Was that the one, Grand Chief?

**Grand Chief Alvin Fiddler:** That's the one, yes.

**Mr. Victor Fedeli:** Okay. So you are telling the hearings that, back in May, when they said, “We'll talk again for feedback”—you have not been consulted since then?

**Grand Chief Alvin Fiddler:** No. I'm not blaming the commission. I know that they had an ambitious schedule. They had a list of communities they were trying to get to, and summer is a bad time to do business, especially in the north. There are a lot of people on summer breaks or whatever, so they had huge challenges. So to try to access the communities that were under this—I believe they had a number of communities at the beginning that they were trying to get to. I know they were busy, so maybe that's why they didn't really have time to keep us engaged through the process. That's my guess. That's what I'm guessing probably happened. With all due respect to the commission, I know they tried very hard to fulfill the mandate here—they had a very tight timeline and limited resources to do their work.

**Mr. Victor Fedeli:** So just to be clear—I asked a specific question but wasn't sure of the answer: Have you been consulted since you saw the maps in May?

**Grand Chief Alvin Fiddler:** I would say no.

**Mr. Victor Fedeli:** Okay. Thank you, Grand Chief.

My second of three questions is on the duty to consult. Can you just explain that again? I know that you're suggesting you haven't seen a copy of the final report before it went to the Legislature. Can you just tell us a little bit more about the duty to consult, if you don't mind, so we have it on the record here of these hearings?

**Grand Chief Alvin Fiddler:** That's obviously a huge issue when it comes to engagement with our communities. We always reference UNDRIP, the United Nations Declaration on the Rights of Indigenous Peoples. It

outlines some of the principles that all governments should adopt, should follow, when it comes to engagement with First Nations. There has to be meaningful engagement, free prior and informed consent—all those things that we've been talking about for a long time now. I know that some governments have adopted some of those principles, but it has to be made into law. It has to be legislated. I think that's one of the things that we talk about on consultation. We always reference UNDRIP because, to me, that should be the guiding framework for all of us.

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**Mr. Victor Fedeli:** Grand Chief, there's so much more I want to ask you, but my time is almost up. I do want to ask you about the proposed riding name of Mushkegowuk. You brought issue to that. Would you take a moment and explain the issue that you have with that, for this hearing, please?

**Grand Chief Alvin Fiddler:** Very quickly, I know there are a number of concerns around that. Just moving forward, if that's the name of this new riding, I think it's going to create a lot of confusion. The governing body for that region is the Mushkegowuk Council, and then you have a proposed riding name for that new riding. I think it would just create a lot of confusion.

Also, the fact that they were not asked for their name to be used—so again, there was no consultation or consent.

**Mr. Victor Fedeli:** In addition to the “no consent,” you're suggesting that because it is tentatively called Mushkegowuk and the area includes a far broader scope than the actual area of Mushkegowuk—is that what your issue is, Grand Chief?

**Grand Chief Alvin Fiddler:** I think it's disrespectful, first of all—the fact that when you break down the numbers of this proposed new riding, they only make up, I think, 28% of the total population. On top of that, you're taking their name and applying it to the new riding. So as a whole, it doesn't sit well for many of us.

**Mr. Victor Fedeli:** Chief, I only have one minute left, so I would ask about amendments. You're suggesting the amendments—on page 8 of your submission, “Recommendations.” You've got some recommendations in there. These three recommendations are the areas of concern in which you feel amendments should be developed. Is that what I'm determining, Grand Chief?

**Grand Chief Alvin Fiddler:** Yes.

**Mr. Victor Fedeli:** Okay. Chair, thank you very much for the time. And thank you very much, Grand Chief Fiddler, for sharing your thoughts with our committee. I know there are other members of the committee who have questions now, but I wanted to say thank you.

**Grand Chief Alvin Fiddler:** Thank you.

**The Vice-Chair (Mr. Granville Anderson):** If there is any time left at the end, Mr. Fedeli, you may use it up, since we're trying to get as much information as we can.

We now move to Mr. Bisson of the NDP.

**Mr. Gilles Bisson:** Thank you very much. Again, welcome, everybody, to the land of Mushkegowuk, to the Moose Cree First Nation. It's always good to have

members of the assembly here in order to see what the situation is so that we can better understand what some of the challenges are here.

I want to get right to the first question you had, Grand Chief. You asked a question: “What is the process of this committee?” Just to be clear, the legislation now is one day of hearings today. On Monday of next week and Wednesday of next week, there will be a chance to amend the bill at clause-by-clause. Then the bill will be brought to the House sometime before October 31 for final reading and to be passed. So there is not much time to engage with First Nations because of the process that has been established.

I have two questions to you in regard to the process: What do you recommend to us to do, given that there hasn't been proper consultation according to your submission? And what is it that you want us to do?

**Grand Chief Alvin Fiddler:** I think the proceedings today are good. The fact that we're offered the opportunity to engage with your committee is a positive step, for sure. For us to be heard through our written submission and our oral submission today is a good thing. It's something that we welcome.

But if there is anything else that we can do moving forward as this process comes to a close, if there are any other avenues that we can pursue—that's why I asked that question earlier about: What is your process? Is there another avenue for us where we can pursue some resolution to the issues that we're raising with your committee?

**Mr. Gilles Bisson:** Unfortunately, the only process available right now is by way of presentation to this committee or by speaking directly to ministers of the crown or MPPs about what you want.

Let me get to two of your recommendations. I think the initial intent of the government was quite an honourable one: to create one or two ridings in the Far North that would allow First Nations to elect their own, so that they can represent the people who they are, directly at Queen's Park. Unfortunately, what the commission came back with stopped short of that. In the northwest, we have a new riding being created where First Nations will be 60%, which is better than now, so that's a step in the right direction. But here in the northeast, you go from a riding where you have a larger representation in the current Timmins–James Bay riding than you'll have in the new Mushkegowuk riding.

I guess where I'm headed with this is that I want to propose an amendment that would change the boundaries so that in fact you did have two Far North ridings. In other words, all of the communities north of Highway 11—Hearst, Kapuskasing, Smooth Rock and Timmins—would be in one riding, and then Constance Lake and all of the communities north would be part of the newly formed two ridings. In other words, a northwest Far North riding and a northeast Far North riding. I take it that you would support that.

**Grand Chief Alvin Fiddler:** Yes. Visually, you're looking at the actual map. I think I get what you're saying there, Mr. Bisson. I think that's something that we

would definitely consider supporting. You're saying Constance Lake—and then those other communities like Moonbeam or Hearst would be in the existing Timmins riding. Is that what you're saying?

**Mr. Gilles Bisson:** Yes, that's correct. In discussions I've had with people in Kap, Hearst and Timmins, everybody is happy about getting two new ridings in northern Ontario. That's always a good thing. Nobody is going to speak against that. But people recognize that the First Nations have been sold short on the redistribution for the northeast riding. What I'm proposing is an amendment that would ensure that you would be in the majority both in the northeast and the northwest.

**Grand Chief Alvin Fiddler:** Yes. I think that's something we would support, definitely.

**Mr. Gilles Bisson:** So if that riding was created in the northeast to be a by-majority First Nations riding, which would be more or less the Mushkegowuk territory—you would be fine with the term "Mushkegowuk" as the new riding if it was amended to be that you're in the majority and it's on Mushkegowuk territory?

**Grand Chief Alvin Fiddler:** Yes. Without speaking with—I'm not sure if Grand Chief Solomon is there now—

**Mr. Gilles Bisson:** He's there.

**Grand Chief Alvin Fiddler:** That would be more acceptable if that were to happen. I'm just not sure, if that name was used for the new riding—I don't know if there are any implications with the Mushkegowuk council. I'm not sure if the name would create confusion if that were to happen. I can't really answer your question at this time, Mr. Bisson.

**Mr. Gilles Bisson:** I hear you. I'll ask the question of Grand Chief Solomon, who is here now, who will present next.

My other question is: If there's no amendment to the boundaries, what you're essentially saying is to strike the name "Mushkegowuk" from the new riding.

**Grand Chief Alvin Fiddler:** That's right.

**Mr. Gilles Bisson:** And what we call it will be what we call it, as long as we don't utilize the term "Mushkegowuk" or "NAN" or something like that.

**Grand Chief Alvin Fiddler:** Yes. It's more franco-phone, so I think something along those lines would be more acceptable or would be more appropriate.

**Mr. Gilles Bisson:** Okay. How much time do I have, Chair?

**The Vice-Chair (Mr. Granville Anderson):** You have two minutes.

**Mr. Gilles Bisson:** Wow. I've got a whole two minutes, Grand Chief.

The other point that you were making was on the duty to consult. I think what people need to understand—and I don't mean to be condescending here, but the duty to consult, as I understand it, means that there is an obligation to not only consult, according to the courts, but also to accommodate. Maybe you can speak to that a bit. I think that's what Mr. Fedeli was trying to get at. Often people think that the duty to consult only means that you

need to consult. In fact, what the courts have said is that it's not only the consulting, but there has to be action. Maybe you can speak to that.

**Grand Chief Alvin Fiddler:** That's exactly it. There has to be meaningful engagement; it has to be properly resourced by the government for that engagement to happen—so adequate resources to be given to our community—and to respectfully accept whatever the results are.

For example, if the communities do not give their consent on anything, then that's where it should stop. Unfortunately, that's still not the case. I think that's something that we've been pushing for on other fronts and in other areas and that's something we will continue to do, for sure.

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**Mr. Gilles Bisson:** Thank you, Chief. I just hope that we're able to amend this in some way so that we can do true reconciliation here with our First Nations partners in the Far North, by recognizing Treaty 9 never meant to say you abrogated your responsibility to govern yourself. And this is a good opportunity to elect two people directly to the assembly who are First Nations, who live in the Far North, who can be part of the decision-making process at Queen's Park, along with the rest of us. So let's hope we get to that day.

**Grand Chief Alvin Fiddler:** Thank you.

**The Vice-Chair (Mr. Granville Anderson):** We now move to the government side. Mr. Berardinetti.

**Mr. Lorenzo Berardinetti:** Hello, Grand Chief. My name is Lorenzo Berardinetti. I'm an MPP from Scarborough, which is part of Metropolitan Toronto. Thank you for your presentation today. I just wanted to ask you a couple of quick questions.

Were you able to provide the commission with feedback on their preliminary report? When they did their preliminary report, were you able to provide some feedback to them?

**Grand Chief Alvin Fiddler:** I don't think so, no.

**Mr. Lorenzo Berardinetti:** So maybe it's been presented to you, but you didn't have a chance to explain to them what you thought was best for the ridings.

**Grand Chief Alvin Fiddler:** You're talking about their interim report? Do you know when that report was released?

**Mr. Lorenzo Berardinetti:** Yes. When the commission did their preliminary report, were you able to comment on it? Did they ask you for your opinion?

**Grand Chief Alvin Fiddler:** Do you know when their interim report was released?

**Mr. Lorenzo Berardinetti:** Yes. The first report.

**Grand Chief Alvin Fiddler:** I don't recall seeing it. I'm not sure if they sent a copy to our office. I don't recall reading it. I know it was released July 10. I just got the release date. But I don't recall seeing it.

**Mr. Lorenzo Berardinetti:** So they never asked you for your opinion on—

**Grand Chief Alvin Fiddler:** No. I would have remembered, because that was the purpose of our initial

meeting, and I guess our only meeting, when they started their work in early May in Timmins. I just assumed that we would be involved in some way as they were progressing with their work. I don't recall ever seeing the interim report or any proposed maps, for example, so—

**Mr. Lorenzo Berardinetti:** That preliminary report was released on July 7, 2017, so a while back. That one contained the recommendations. That was a preliminary report that came out on July 7.

I know you mentioned the summer break and the fact that—

**Grand Chief Alvin Fiddler:** Yes. And I don't recall seeing the final report until, I think, much after—was the release date.

**Mr. Lorenzo Berardinetti:** Okay. As far as you're concerned, with the boundaries for this riding—Mr. Bisson spoke a few minutes ago about the boundaries. What do you think should be the boundaries for this new riding that's being created, one of the two new ridings? This was the northeast.

**Grand Chief Alvin Fiddler:** I think what Mr. Bisson proposed sounded—in my mind I'm trying to picture what he was saying. I think that would be something that we would support. I think he was saying, for example, Constance Lake would move to that proposed new riding, and the communities that are along the corridor over there, the highways, communities like Hearst and Kapuskasing, would remain in the Timmins riding. I think that's what he was saying. And I think it's something that we would for sure consider supporting.

**Mr. Lorenzo Berardinetti:** You mentioned the fact that the name of the riding was inappropriate. Would you have any idea what the name of the riding should be?

**Grand Chief Alvin Fiddler:** At this point, no. I think once the final, final line is drawn, depending on the makeup of that proposed new riding, then that would be a more appropriate time to think of a name. That would include, I think, engaging with our communities and with Mushkegowuk in coming up with the appropriate name.

**Mr. Lorenzo Berardinetti:** Okay, thank you.

This independent commission was basically free of political persuasion. The commission was set up and went out to do its work. I'm just wondering—just an open thought in my mind—is it not better for the commission to determine the boundaries free of any political influence or any of the three parties here today trying to put pressure on where the boundaries should be? I'm just wondering, do you think it's best for the commission to come forward and say, "These are the boundaries," or do you think that maybe the parties should get involved here on the government level or the opposition level to determine what the names of the new ridings would be, and their boundaries?

**Grand Chief Alvin Fiddler:** I understand your question. I respect the commission. I know the three individuals who were appointed were honourable and were committed to our communities, and I know that they were given a very tough task—limited time and limited resources to do this very important work.

I think that's where we see some of the gaps now. Looking back over the last three or four months, there was just very little or no engagement at all with our leadership. I think that's why we're now bringing forward our concerns and our issues to your committee.

**Mr. Lorenzo Berardinetti:** Okay. Thank you. I don't know if anyone else—

**The Vice-Chair (Mr. Granville Anderson):** MPP Wong, you have just over a minute.

**Ms. Soo Wong:** Good afternoon, Grand Chief. I'm Soo Wong, member of provincial Parliament for Scarborough–Agincourt. Also, like Lorenzo, I'm from the eastern part of the city of Toronto.

In one of your recommendations, sir, you've made a comment talking about a greater attempt by the government of Ontario to explain the work and recommendations of the FNEBC to all communities. Can I drill down on your recommendation in terms of the First Nation community up here understanding not just the workings of Queen's Park—but more specifically, the students and the community understanding procedurally?

I just want to ask you because that particular recommendation, I think, will be involving the Clerk and also education—because in our education, you thread it through our curriculum. Right now, the Minister of Education is reviewing the curriculum, making sure young people understand and are knowledgeable of the workings of Queen's Park.

I just wanted to check with you, Chief: Has your community ever had an opportunity to visit Queen's Park before?

**Grand Chief Alvin Fiddler:** Yes, we do go there. In fact, I think in November, next month, there's what is called Leaders in the Legislature, where First Nation leaders spend a day at Queen's Park with ministers and MPPs from all parties, with government officials. That's something that we try to do at least once a year. There are meetings that we have with other government officials and ministers right throughout the year, but that one day is set aside just for that purpose.

**Ms. Soo Wong:** Okay. I appreciate your presentation, but also your written submission. I definitely want to follow up with the Clerk's office. Thank you.

**The Vice-Chair (Mr. Granville Anderson):** Thank you, Grand Chief. The time for presentation has expired. Thank you for your presence this afternoon via teleconference.

**Grand Chief Alvin Fiddler:** Thank you for your time.

**The Vice-Chair (Mr. Granville Anderson):** You will have an opportunity to provide further written submissions, I believe, by 6 p.m. today.

**Grand Chief Alvin Fiddler:** Okay. Thank you.

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#### MUSHKEGOWUK COUNCIL

**The Vice-Chair (Mr. Granville Anderson):** We now move to Jonathon Solomon, Grand Chief of Mushkegowuk Council. Please come forward, sir. You have 30 minutes for your presentation. Any time left over will be

divided among all three parties. Please state your name and title for Hansard.

**Grand Chief Jonathon Solomon:** *Remarks in Cree.*

Good afternoon. I welcome you all to the homelands of Moose Cree. You are in Mushkegowuk Aski, Mushkegowuk land. Unfortunately, there's no translator for me so I can use my own language to speak to you, but I will speak.

I presume that Grand Chief Fiddler did our presentation that we worked on. I want to talk about the process itself.

As I said, we are in the homelands of the Moose Cree and Inuk people. The treaty was signed in 1905 at this very location. It is on this island that a Cree signed that treaty. It was significant and historical. It is so significant that it affirms that in order for a treaty to be signed, the group of people had to be recognized—that they had their own language, their own culture, their own governance. That's how a treaty was signed. We are all treaty people. It recognizes the sovereignty of the people who were already here when the commissioners came in 1905. It also reaffirms that we are the first peoples of Mushkegowuk Aski.

On this island known as Moose Factory, there's a lot of history. It goes back more than 300 years. This was the main post of the fur trade industry. If you were to tour the island, you would see historical museums of old stuff from back in the days when the pioneers came to settle among the Moose Cree people, our people.

My name is Jonathon Solomon. I am from Kashewewan First Nation, just north of here. That's where I was born and raised—all my life—and that is where I raised my children. I have 14 adorable grandchildren at this time.

We are different from any other political tribal organization in the province of Ontario, or in Canada, except for our brothers and sisters on the east side. I get elected by the people of the communities that I represent. There are seven communities in our region. We total about 15,000 to 20,000 people in those seven communities. We also have a Deputy Grand Chief, Rebecca Friday, who unfortunately cannot be here. As the Deputy Grand Chief, she is my colleague. We get elected every four years by our communities. The grassroots people choose their leader in our region.

There are a lot of questions that I have on the validity of the commissioners' report. I have glanced through it; I've read it. In the whole region—the Kenora side, the northwestern side, Timmins, the small towns along the Highway 11 corridor and in our region—91 people took part in those hearings. How can we say that is a true consultation to determine the future of the riding? When the federal government decided to change the riding years ago, they didn't even consult the First Nations people, when they changed it to the Timmins–James Bay riding. When I look at the riding that was announced according to the commissioners' report, I would say that it is all good intentions, but I think there is a missed opportunity. When you read the report we become a

minority, because according to the report 60% of those people in the riding will be francophone people and we become a minority. And when you read the preamble of why this was being commissioned, it was to have representation from the north—and that's what I call a missed opportunity. I question, like I said, the validity of this moving forward. I would ask for serious consideration that it be redrawn, to go back to the drawing board.

Governments talk about reconciliation. This is not reconciliation. This is staying the same course, and that is, "We know better. We know what's best for you." Unfortunately, during the commission's days when they were doing their work, we didn't have the opportunity to make a presentation because we were busy. We could not get our time—I was busy going from one meeting to another, from one city to another city, and we did not have that opportunity. And I didn't have the opportunity to even see a draft commissioners' report. When I received an email from the Attorney General's office to say, "Here is the final report," that's the only time I saw the commissioners' report, and that was in July.

Like I said, it's all good intentions, but when you go back to what I started off with, a treaty; the recognition of the nations of Treaty 9, like in Fort Albany, where my great-grandfather signed a treaty with the commissioners—I'm not talking about the written treaty as you may read it. I'm talking about the real treaty. Our elders called a "real treaty" what was verbally promised and agreed to, and you have a copy. We gave you a copy of that real agreement, as already agreed to.

**1350**

As I stated, to recognize the sovereignty of the communities that I represent—I'm speaking on behalf of them. I can say that because you also have a resolution in front of you from our annual general assembly which was held just a few weeks ago, just outside of Cochrane. Those are the communities that I represent that passed this resolution, calling upon the government to go back to the drawing board, to have real consultation, meaningful consultation, in this process.

I can understand also and say that the commissioners had a very tight schedule, a three-month schedule to do what they needed to do. I don't think that's fair, because this is significant—this will change history in the history books—of changes being made.

I also want to make a statement to say that I don't use the term "crown land" in northern Ontario. I use the term "treaty land," because it is treaty land.

We also are very flattered that the name Mushkegowuk is being used, but again, that was a surprise. We were not consulted nor asked if that title can be used for this riding. I also perceive it as: this is great; Mushkegowuk is being recognized as a nation. We're being recognized as peoples: Mushkegowuk and Inuk—Mushkegowuk Aski.

I heard the Grand Chief speak a little bit about real consultation. Again, I go back to the 91 people who took part in the hearings of the commission. When you look at the census, over 100,000 people in these ridings—should

we base our decision to be made on 91 people? Not even 1% took part. Two MPPs from the Ontario Legislature took part.

When you read this resolution, it says, “Therefore be it resolved that this 2017 annual assembly of the chiefs and delegates of the Mushkegowuk people urges that the presently proposed new Mushkegowuk electoral riding not proceed, and that before any electoral riding changes are made, real consultations take place in Mushkegowuk territory, and that a riding be considered and implemented which respects the Omushkego in our ancestral homelands, and ensures the likelihood of real Omushkego representation in the Ontario Legislature in the future.” That’s the direction of the assembly that we had in September in TTN.

With that, I’m hoping, if things cannot be changed for the election year next year—is it next year?

**Mr. Gilles Bisson:** Yes.

**Grand Chief Jonathon Solomon:** If things cannot change by the election year next year, I would rather see it stay as status quo until the next election so we can do the real changes, to be meaningful, so we can have representation from the north.

Maybe just for a chuckle—not to be too serious today—I made a comment in our AGA when we were talking about this when I was talking to the delegates. I said, “Great, Mushkegowuk riding.” But I jokingly said, “I hope the francophones don’t consider themselves Mushkegowuk and Inuk, Mushkegowuk people,” because they’re not. We are the Mushkegowuk and Inuk. We have our language. We have our culture. We have our identity as Cree of Mushkegowuk Aski, Mushkegowuk land.

With that, thank you for the opportunity to present to you and to hear from me of the aspiration of the people who I represent: that this not move forward until real, meaningful consultations take place in our communities, with our leaders and with our people.

Gitchi meegwetch. Thank you.

**The Vice-Chair (Mr. Granville Anderson):** Thank you, Grand Chief, for your presentation—very well said.

I’ll move to the third party: Mr. Bisson. We have about 12 minutes left, so it’s going to be about four minutes each.

**Mr. Gilles Bisson:** Thank you very much, Grand Chief. It’s always enlightening to hear what you have to say. Your understanding of the treaty is something that I think many of us need to take to heart.

I just want to be very clear, because I don’t want members to misunderstand. As the Grand Chief of Mushkegowuk Council, you’re not saying it’s okay to use the name “Mushkegowuk.” You’re flattered that they used your name—but without your permission. I just want that clarified.

**Grand Chief Jonathon Solomon:** Yes, that’s what I’m saying. It would have been great if we were approached to be asked if “Mushkegowuk” can be used, but it didn’t happen.

**Mr. Gilles Bisson:** And if this new riding is created as proposed, are you suggesting the name not be used?

**Grand Chief Jonathon Solomon:** I cannot determine that, but I think that we need to go back to the grassroots people to ask them permission. I have to go back to my communities that I represent to say, “Is it okay?” If they say it’s okay, then it’s okay.

**Mr. Gilles Bisson:** The one thing that I recognize, after many years of working on the coast and working with you and others, is that—you said at the beginning, “We are our own people. We have our own way of doing things.” That can’t be understated—because there is meaningful consultation when Mushkegowuk goes out and does something. It’s not, “Here’s what Mushkegowuk is doing, and everybody has to adjust;” you actually go to all of the communities. Maybe speak about that a little bit, about how you worked at getting consensus and permission to go forward.

1400

**Grand Chief Jonathon Solomon:** Yes. As I stated, we have our AGA, our annual general assembly. In that AGA, there are various resolutions that are given to the Grand Chief’s and the Deputy Grand Chief’s office that are mandated, delegated, authorized by the assembly to proceed; for instance, this resolution. That’s one of the mandates that I have.

We also have a council of chiefs made up of the seven chiefs in our communities, and we have our meetings on a regular basis, maybe twice every two months. That’s where I submit our reports, status updates as to where things are at with the resolutions, and also maybe new things that may come about that they give me the mandate to work on politically. We operate on consensus as a unit—unity.

I also recognize the autonomy—I respect the autonomy of the First Nations that I represent. They have their own mandates that they do politically. But there are also the regional initiatives that we work at as a region, in unison, in unity, in which they support each other. They may support one First Nation that’s fighting for something, so they support that community either by a motion or by letter.

**The Chair (Mr. Granville Anderson):** One minute left.

**Mr. Gilles Bisson:** You say in the presentation you gave that the duty to consult is not just about consulting; it’s also about obligations. Maybe you can speak to that a little bit.

**Grand Chief Jonathon Solomon:** Yes. I’ll go back to this report. The commissioners said it. On page 26 of the report, they said that these were not consultations within the meaning of section 35 of the 1982 Constitution.

You ask that question; I’ll answer it in two. One is, the commissioners said this is not consultation, so the question that I put forward to the government is, then, how can you move forward on something that’s not consultation under the Constitution?

And with respect to the question on consultation, I’ll give you an example. When a resource development company contacts my office because they’re interested in

some area—it may be Attawapiskat, Fort Albany, Kashchewan, Moose Cree—I take that call and I say, “You call the First Nation. I don’t have the authority, the mandate, to agree to anything. You have to get that authority from the chief and council of that community, not me.”

That’s how we work. I don’t have the authority to determine what happens in that territory. If a First Nation seeks political support from my office in regard to any sector, that’s my job; that’s what I do. But I don’t go over them to say, “This is going to happen in this territory. I agreed to it.” That’s not how we do things in our region.

**The Chair (Mr. Granville Anderson):** I move to the government side. Ms. Kiwala.

**Ms. Sophie Kiwala:** Thank you very much, Grand Chief Solomon, for being here today. We have met before—I don’t know if you recall—I think a couple of summers ago at Kashechewan when 24 youth came back from a canoe trip.

**Grand Chief Jonathon Solomon:** Yes, I recognize you now.

**Ms. Sophie Kiwala:** I did have a fantastic opportunity to speak with your Deputy Grand Chief, Rebecca Friday, as well. I have to say that that event left an incredible impact on me for what you did for those youth in your community. I was totally overwhelmed.

That’s a bit of a diversion on the topic of this bill, but just as a quick gesture of goodwill, I do want to give you a gift of tobacco. Normally, I would always start with paying respect to the traditional lands, but you have done such a beautiful job, so I won’t spend the time to do that.

I bring tobacco and give tobacco because I believe it’s an important gesture to set the stage for why we’re here: to express that we’re here with good intentions, that we come with goodwill. If I had a full 15 minutes or half an hour, we could talk in some more depth about that, but perhaps we will afterwards.

To review a little bit, I’m not normally on this committee. I am subbing in on this committee, so I’m just learning about what the process has been like. It is my understanding, to review some of the notes that I have, that the commission had 17 consultation sessions during the first round, nine of which were in First Nations communities and three of which were in Attawapiskat, Moose Cree and Fort Albany, which are Mushkegowuk Council members.

I also understand that members of the commission attended the spring assemblies of the Nishnawbe Aski Nation, Grand Council Treaty 3 and Chiefs of Ontario. I think that they had also tried to reach out to you—I don’t know how they had tried to reach out to you—asking for feedback. That’s something that we can take back and explore, where that breakdown in communication was. If you are telling us that you didn’t have that opportunity, it’s important to us to make sure that if something happened there that shouldn’t have, we look at that.

Personally, for me, as the parliamentary assistant to the Minister of Indigenous Relations and Reconciliation, as well as children and youth, I’ve seen some progress in

the last while. I had the opportunity to be present for the Nogdawindamin children’s aid society opening up. That’s very much an example of goodwill, I think—

**The Vice-Chair (Mr. Granville Anderson):** You’re almost out of time.

**Ms. Sophie Kiwala:** I hate this, I hate this.

**The Vice-Chair (Mr. Granville Anderson):** Sorry.

**Ms. Sophie Kiwala:** There is a question in there. I’m sorry.

Let’s talk just about the name, then. Can you talk, just for a few seconds, I guess—I’m sorry about the lack of time—about your concerns more specifically about the name? Once you knew what the name was going to be, did you ever have a chance to go forward to the commission and talk to them about that at all?

**The Vice-Chair (Mr. Granville Anderson):** A quick answer.

**Grand Chief Jonathon Solomon:** A quick answer?

**The Vice-Chair (Mr. Granville Anderson):** Yes.

**Grand Chief Jonathon Solomon:** You can’t do what you did to my ancestors when they came here with a treaty and gave them a few minutes to sign the treaty. This is 2017 here.

**Mr. Gilles Bisson:** Good for you, Jon.

**Grand Chief Jonathon Solomon:** But anyway, like I said, there was no breakdown of communication. We just couldn’t get together because I was busy, they were here and I was over here.

I agree there has been a lot of progress in the province for a while, but I think there is an opportunity here to—like I said, let’s stop, “I know what’s best for you,” because it’s happening from Ottawa too, not only in Ontario. The status quo should no longer be an option.

**1410**

Like I said, you talk about reconciliation. Reconciliation is going to take time, because what has been broken for over 150 years and then another 500 years’ contact—it’s going to take time. I don’t think we should be expected to dance when they talk about reconciliation, because it’s a trust issue. Once trust is shattered, it can never be mended. It’s like you put a glass together, but you see the cracks. That’s what building that trust back is going to look like. It’s going to be fractured. It’s going to take commitment from all parties to come to real reconciliation, not just talk about it. It’s going to take action, doings by all parties in this country we call Canada and we call Turtle Island, but, in our area, Mushkegowuk Aski.

In regard to the name, I really don’t have any problem with it, but I think it would be more common sense to me if they came and asked, “Can we use this title?” That didn’t happen.

**Ms. Sophie Kiwala:** Are you happy to see two more ridings in the area?

**Grand Chief Jonathon Solomon:** Oh, yes. I like—

**The Vice-Chair (Mr. Granville Anderson):** Time is up. Time has expired.

**Grand Chief Jonathon Solomon:** Can I respond to that?

**The Vice-Chair (Mr. Granville Anderson):** Quickly. One second.

**Grand Chief Jonathon Solomon:** You have an opportunity to be in the north, so let's be a little patient here.

I agree that the two new ridings make sense. But our problem from our area is that we become a minority. We wouldn't have the representation that we saw would come out of this, that we sought.

**Ms. Sophie Kiwala:** Maybe you need to run for us, then.

**Grand Chief Jonathon Solomon:** What's that?

**Ms. Sophie Kiwala:** Maybe you need to run for us, then.

**Grand Chief Jonathon Solomon:** Oh, I don't know.

**The Vice-Chair (Mr. Granville Anderson):** Thank you, Chief Solomon.

I move to the opposition and Mr. Fedeli. Okay, Ms. Munro. Sorry.

**Mrs. Julia Munro:** Thank you very much for being here today and being able to provide us with the insight of the presentation that you brought.

I want to just clarify a comment that you made a moment ago about how you would rather wait another four years and not proceed if you have what has been laid on the table for you.

**Grand Chief Jonathon Solomon:** Yes, I would rather see a meaningful change that would give the voice of a legislator from the north. If there is no time to make those changes, to go back to the drawing board, I would urge the government to go back and say, "Okay, we need to give it more time." Like I said, three months is just not enough, because you're talking about 54 First Nations in the NAN territory alone. Then you count the municipalities: How many is that? To give it a three-month time span is just not enough. That's not fair. You can't reach out to have a meaningful discussion, meaningful consultation, within that time span.

**Mrs. Julia Munro:** Thank you very much for making that as clear as you have. I saw heads nodding as you spoke. I appreciate that guidance, because it is important to everyone around this table. Thank you.

**Mr. Victor Fedeli:** Thank you very much, Grand Chief. It's great to see you again after our visit in Timmins a week or so ago. I really appreciate you being here and the opportunity for all of us to be here and chat about this today.

I've got a couple of different questions. First, I want to just pick up where MPP Julia left off: Three months is not enough. Do you have any idea, any scope, of time at all? I know that's pretty much an unfair question—but just to give us a general feel for what your thoughts are as to what it would actually take to do that.

**Grand Chief Jonathon Solomon:** I would say six months to a year, to have good, meaningful discussions, with not only the First Nations, you know. I'm talking about Hearst, Kapuskasing, Smooth Rock, Timmins, even Cochrane. To have a meaningful, a good idea of the

wishes of the people of the north, you have to give it that time.

**Mr. Victor Fedeli:** Without putting words in the Chief Electoral Officer's mouth, he has advised the Legislature that if we don't do this by a certain date, it won't happen for the 2018 election. That date is not six months from now; it's sooner than that.

**Mr. Gilles Bisson:** It's in a week, isn't it?

**Mr. Victor Fedeli:** Well, it's this month, to be quite blunt. This is what our advice from the Chief Electoral Officer is. I'm not suggesting that's fair or not fair; I'm just suggesting, to confirm, that you'd rather wait it out four years and, in your expression, go back to the drawing board than to do this today.

**Grand Chief Jonathon Solomon:** Yes.

**Mr. Victor Fedeli:** I understand.

One thing you had mentioned, Grand Chief, about the seven communities—and, I gather, those are the ones from Attawapiskat to the Missanabie Cree and all those in between that are on your letterhead?

**Grand Chief Jonathon Solomon:** Yes.

**Mr. Victor Fedeli:** Those are the seven communities we're referring to. Fifteen to 20,000 people—did I understand that to be correct?

**Grand Chief Jonathon Solomon:** Yes.

**Mr. Victor Fedeli:** So when I remember—and I apologize, Grand Chief, for not having the maps with me. The preliminary map, the one that we first received that had these proposals—do you remember those from the commission? It was four different scenarios: plans A, B, C and D. Certainly, according to Grand Chief Fiddler, those were the only maps that he saw. Do you recall those ones, Grand Chief?

**Grand Chief Jonathon Solomon:** Well, I'm sorry to say this, but I never saw anything.

**Mr. Victor Fedeli:** Okay. Well, we'll get to that, then. That will be a different comment.

I remember the total—again, I'm only going by memory and I would hope that somebody could correct me. I thought the total, if it was just the traditional territories as described, would be about 9,700 people—am I not correct?—in that first map?

**Mr. Gilles Bisson:** What's that; sorry?

**Mr. Victor Fedeli:** That in the first map, where it had a dividing line sort of north of Kap and Hearst and Timmins, it would be 9,700 people? I remember being surprised at that, how low I thought that was.

**Grand Chief Jonathon Solomon:** If you actually look at the federal band list, Kash and Albany alone are over 4,000 people. Kash and Albany are just one band under the Albany band.

**Mr. Victor Fedeli:** Yes.

**Grand Chief Jonathon Solomon:** On the island you are on, there are over 4,000 people here.

**Mr. Victor Fedeli:** Yes.

**Grand Chief Jonathon Solomon:** Then you go to Attawapiskat: again, over 4,000 people on the register.

**Mr. Victor Fedeli:** We're already at 12,000.

**Grand Chief Jonathon Solomon:** Yes. So you consider the other communities and that 12,000 to 15,000 to 20,000 people is the number that's being used on the health—how many people are in the region—and also looking at the official federal band list from each community.

**Mr. Victor Fedeli:** Grand Chief, it's interesting that you say that. I'm going to go back now and look at the commission and report at that earlier, that preliminary map, because I recall seeing that number and thinking how low it was. Perhaps, and I'm only suggesting "perhaps," they don't have the same number that you're dealing with from the federal registry, and that may well be part of the issue here. Between now and when we go to amendments on Monday, I pledge to look that up, Grand Chief.

**Grand Chief Jonathon Solomon:** And for your information, 60% of our population are under the age of 25 in our communities.

1420

**Mr. Victor Fedeli:** Also interesting.

I think I'm going to be out of time. I didn't get an opportunity to talk to you about the fact that not only, in your opinion, were there no consultations but you yourself had not seen those maps. I find that quite surprising and, I may add, a bit disappointing.

**The Vice-Chair (Mr. Granville Anderson):** Thank you, Grand Chief. Thank you for your presentation and for being here this afternoon.

**Grand Chief Jonathon Solomon:** Meegwetch.

**The Vice-Chair (Mr. Granville Anderson):** You have until 6 p.m. today to provide further submissions, if you desire to do so.

**Grand Chief Jonathon Solomon:** You've got my submission.

**The Vice-Chair (Mr. Granville Anderson):** Okay, thank you very much.

**Grand Chief Jonathon Solomon:** Thank you.

#### MOOSE CREE FIRST NATION

**The Vice-Chair (Mr. Granville Anderson):** We'll now move to the third presenter: Chief Faries of Moose Cree First Nation. Good afternoon. Thank you, Chief Faries, for being here this afternoon. You have up to 30 minutes. If you don't use all 30 minutes, any time left over will be divided among all three parties. You may begin your presentation now by stating your name and your position.

**Chief Patricia Faries:** My name is Patricia Faries. I'm the chief of Moose Cree First Nation. Welcome to Moose Factory. You're in my community, you're on my traditional territory.

I just wanted to say that I got notice of this late last week. I want to give you the background of how I got to be presenting here today. I had a chance to take a look at the legislation and put something together for you. I think it's a very important piece of legislation. I have some

comments that I'd like to put on the record, but I'll leave the submission.

I was born and raised in this community. I'm a lawyer. I come from the private sector. I'm a criminal lawyer—that's where I started back in 1998. I came home with a law degree many years ago and opened up a practice. So I come from the private sector, but I've been elected chief twice: in 2005 and then there was a re-election in 2006, and then I just recently got in last August, so it's been over a year and I'll be here doing this job until 2020. It's very interesting work, and these kinds of things that come from the province, I think, are important. I wish I had had a lot more notice, and so forth.

I come from a very strong Cree family. I was given very strong values as a Cree woman. I'm a grandmother. Our parents taught us how to work—education and so forth.

Straightforward—I'm just going to tell you what I think about the legislation that you're talking about today and what the proposal is and how it's going to impact Moose Cree people. It indicates here that there's going to be a division of the two northern electoral districts of Kenora–Rainy River and Timmins–James Bay into four electoral districts. The districts are to be Kenora–Rainy River, Kiiwetinoong, Timmins and Mushkegowuk.

Here, we are mostly concerned, obviously, with the creation of the Mushkegowuk riding. The bill divides the original northeast riding of Timmins–James Bay into two parts: the city of Timmins and Mushkegowuk. Although this territory includes First Nation communities, it also includes Hearst, Kapuskasing, Cochrane, which is that northern corridor of the Trans-Canada Highway 11. I believe towns like Moonbeam are in there, and Fauquier—I drive on there to go to Kapuskasing court and Hearst court, so I know what towns are on there, and they're largely francophone.

While the francophone makeup would make up 60% of this new riding, for First Nations people, what you're proposing, in my calculation—the numbers might not be perfect, but I believe, for us, we would make up about 27% of the Mushkegowuk riding.

Unfortunately, this does not correspond with the actual borders of the Mushkegowuk people. The primary purpose, from what I understand, in creating a Mushkegowuk riding is to increase the representation of First Nations people. This bill, as presented, will certainly fail. It would not accomplish that goal.

The objective, from what I could gather, is to ensure that there is Mushkegowuk representation in the Ontario Legislature. This is vitally important to us. However, half measures do not suffice. We need to take the proper steps to ensure that the next Legislature of Ontario will include at least one member of the Mushkegowuk people. As emphasized by seven First Nations communities at the Mushkegowuk Council—we had an assembly in Taykwa Tagamou a couple of weeks ago. Certainly there, it was clear that the communities of the Mushkegowuk territory would encourage that real consultations with the Mushkegowuk people take place prior to creating such a

Mushkegowuk riding, because no one but us is more familiar with our territory.

Using the boundary of the Mushkegowuk communities that corresponds with the actual borders of the people would probably ensure the real likelihood of Omushkego representation in the Ontario Legislature. We know where our people live, as community members, as chiefs of our communities. We also know that there are historical territories, and so does the Ontario government. The proposed riding of Mushkegowuk misguidedly goes far beyond these, so many of the non-Mushkegowuk people will be included in our Mushkegowuk riding. In the riding that was designed to give us an opportunity to have meaningful participation in Ontario's government, we will actually be a minority.

The boundary of the Mushkegowuk riding needs to move north—that's what I'm suggesting—a few miles north of Highway 11 to leave out the larger communities along that Highway 11 corridor that are not actually part of the Mushkegowuk territory. Those larger communities, we suggest with respect, could actually stay with the city of Timmins in that riding.

Also, there are historical precedents for ridings with small populations. For example, the Canadian Constitution guarantees four seats in the House of Commons to the province of Prince Edward Island. Moreover, Canada has always realized that to provide true equality to people, you don't always need to treat them exactly the same way. There are special circumstances that call for special measures. Thus, taking into account the injustices and social inequalities that have plagued Mushkegowuk people for far too long, Bill 152 needs to be amended in order to benefit them and provide them with a real opportunity to be represented in the Ontario Legislature. This is a very valuable goal for Ontario.

Going on to the potential impact of this bill on the Mushkegowuk people, as you know, currently, I would have to say that our odds of seeing any Mushkegowuk person being elected under the proposed legislation into the Legislature—the odds of that happening are very, very low. We know this from what has happened in the past. In the 2011 provincial election, a Mushkegowuk person ran for the Liberal Party in the Timmins riding. He received a relatively small number of votes, and there was nothing to suggest that a Mushkegowuk candidate running in the new Mushkegowuk riding would do well enough to become elected. We need a shot at being in the Legislature. This is what we are asking for today on behalf of Moose Cree and the Mushkegowuk people.

**1430**

Certainly, if you think that there are challenges in places like Hearst, Kapuskasing and Cochrane, you can imagine the kinds of challenges that we face as Mushkegowuk people in the First Nation communities. These communities in the Far North are overridden with poverty. In some cases we live in Third World conditions. Some of the challenges faced by our Mushkegowuk people in their communities include:

- a lack of infrastructure;

- food insecurity;
- limited health care and social services;
- economic instability or lack of financial resources;
- high rates of unemployment;
- high suicide rates;
- a lack of housing;
- high alcohol and drug abuse issues;
- a poor standard of education;
- limited access to justice;
- the highest rates of diabetes in the province;
- an overrepresentation in the criminal justice system;

and

- an overrepresentation in the child welfare system.

For these reasons, it is crucial and critical to allow Mushkegowuk people to be able to speak and advocate for themselves on these issues that are unique to them and their First Nation communities. Allowing a group other than the Mushkegowuk people to represent the majority of the Mushkegowuk riding would be a disservice to the First Nations people. No group of individuals other than the Mushkegowuk people would be able to appropriately advocate for our unique needs. Furthermore, no group of individuals other than the Mushkegowuk people would be able to better inform and sensitize Ontarians in understanding the unique challenges that they face on a daily basis, and what measures must be taken in order to reduce the socio-economic disparities that exist between First Nation communities and the rest of Ontario.

If Bill 152 is passed without appropriate amendments, it would likely make a great press release, because the average person down south would not realize that First Nations people are being further disadvantaged. A southern Ontarian would see the Mushkegowuk riding and likely assume that the provincial government is finally working towards giving First Nations people a voice. This is unfortunate and illustrates that the government is good at making announcements that sound good on the surface. It also illustrates the significance of giving First Nations people a voice in the Legislature.

MPP Bisson mentioned that in the meetings that were attempted in the Far North during the summer, the Mushkegowuk people—as I heard the Grand Chief speaking, he also indicated they too were unable to attend those meetings. If this comes up, you could say that during that time we, as Mushkegowuk people, were very busy. It's a very busy time of the year during the summer months; there's a lot of transitory activity going on. People are moving around and doing construction, building, and also gathering food during that time. The provincial government failed to appropriately accommodate the Mushkegowuk people.

Also, another concern when I was preparing for this presentation was nobody ever really—and I'm a chief of the board of chiefs, also, out of the seven chiefs at the Mushkegowuk level. I don't ever recall anybody coming from the Ontario government asking for permission to use our name as a new riding. I don't ever recall that dis-

cussion happening. To use this name, in my opinion, would be very misleading to the public in general.

I have to talk about what's important for me as I do my negotiations on behalf of my people: the movement of Ontario and the theme that Kathleen Wynne talks about so often, that Ontario and its indigenous people have embarked on a journey of reconciliation. I find that very important for me as a chief when I speak on the various files that I have at my office, very complex files, balancing what's going on in the community and what's going on in the mainstream, if you will. I think about what that journey means. I think that as people we welcome that—finally, we welcome that. I just have to reiterate what she says: “I hope to demonstrate our government's commitment to changing the future by building relationships based on trust, respect and indigenous peoples' inherent right to self-government.” We, as a chief and council, were very encouraged—are still very encouraged—by the words of Premier Wynne. However, the provincial government must accept and recognize that that does not just mean apologies for past wrongs, nor does it mean just money today. It means real commitment from the government of Ontario to work with us as full partners, to permit us full participation in the Ontario government, and to give our people the same privileges and benefits that everyone else in Ontario takes for granted. In order for this to happen, my people need to be a part of the structure and the institutions of Ontario.

Bill 152 would hinder the Mushkegowuk people from having a voice that we rightly deserve in our own territory. How can the provincial government create a riding called Mushkegowuk but not allow Mushkegowuk people to represent the majority of that riding? That's the question I'd ask this panel. Unfortunately, to me, this is not a step towards the reconciliation that Premier Wynne had promised Ontarians. Rather, in fact, it's a step backwards—backwards. That's what I'm telling you: It's backwards.

Passing this bill without the appropriate amendment being made would perpetuate colonialism—colonialism. In 2017 I'm sitting here in my territory—an educated, bicultural woman, strong in my traditions, with a strong education, and I'm sitting here having to say this. I mean, this is not what I should be talking to you about today, that we're going backwards and that the word “colonialism” has to come out of my mouth to you all today. I don't think that we are going in the right direction. I can't be any more clear than that.

For me, that's what I have to say, that it would be in that direction, that it would perpetuate colonialism and oppression towards indigenous people—further oppression. These are words that I studied back in law school, in university, and still I'm sitting here today in 2017, Chairperson, telling you this. You've come here to my territory and I'm not going to beat around the bush; this is my truth.

I've been taught honesty, respect, trust. Those are the things that I've been taught by my family—by my

mothers, aunties, gookums that raised me. I'm coming here to tell you that this is a step in the wrong direction. This is not going to help my people. For this reason, I urge all of you to reconsider Bill 152. The revised amendment would establish a way for Ontario and Mushkegowuk people to jointly endorse the bill and to make democracy and reconciliation a reality rather than an abstract idea.

Thank you very much for this opportunity to appear before you today. I hope that when you go back to Toronto, you will think about my remarks. I'm hoping that you would take my remarks into consideration. I'd be happy to be answering any questions. I like the 30 minutes because I have a plane to catch later, so I like structure and time.

**The Vice-Chair (Mr. Granville Anderson):** Thank you for that, Chief. Good thing you didn't have more time to prepare, eh?

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**Chief Patricia Faries:** I know. I know.

**The Vice-Chair (Mr. Granville Anderson):** You did quite well.

I'll move to the government side. I see we have about 12 minutes, so it's going to be roughly four minutes per.

Mr. Berardinetti, you may begin now.

**Mr. Lorenzo Berardinetti:** Thank you, Chief Faries, for your presentation. You were mentioning law school. I went to law school as well, back in 1988. I went to the University of Windsor and I had a good time there. Then I got into politics, and I can't practise law here. It's too busy at this level.

**Mr. Gilles Bisson:** Because you're having a good time.

**Mr. Lorenzo Berardinetti:** Yes. It's busy here at the province, very busy.

Just to understand what you said—it was very clear, your presentation—you didn't get a chance to present in front of the commissioners or to articulate your views or the views of your community to the commissioners, because the summertime is a busy time. Is that what you're saying?

**Chief Patricia Faries:** Yes.

**Mr. Lorenzo Berardinetti:** Because from what I understand, the commissioners travelled quite a bit and consulted quite a bit. But I guess what I'm hearing from you now is that they didn't really consult with you or with your community?

**Chief Patricia Faries:** No, actually, this is my first opportunity to come and sit and take a look at the legislation that's being proposed. This is my first opportunity to make comments around it. It really is alarming to use our name, Mushkegowuk, and have it become part of Ontario's structure, democracy, and not really mean anything to us. I find that disrespectful.

We need to talk, to be able to communicate better. I love what's trying to be done, but it's not going to happen with the proposed boundary. We're not going to be present at the Ontario Legislature. It's not going to work, in my mind. I have to be honest with you. I'm not here to gloss over anything. I speak the truth, and I'm not

going to try to hide anything and be nice. It's not going to work.

Thank you for the opportunity to come and tell you that.

**Mr. Lorenzo Berardinetti:** Okay, thank you. I think my colleague had a question.

**The Vice-Chair (Mr. Granville Anderson):** Mr. Potts.

**Mr. Arthur Potts:** Listening to you, ideally, we would want to have in our political system a representative from your community who was running for the NDP, a representative from the community running for the Liberals and one running for the Conservatives, and maybe the Green Party and others. That would be the guarantee.

The fear, in the riding description we have now, is that there would be maybe a French Canadian running for one of the parties, a member of your community running for one of the parties, and the French are going to vote for the French and then you'll be outnumbered every time. That's the political reality, and so we need to look at a way to fix that.

**Chief Patricia Faries:** Yes. That's why I'm suggesting the boundary change, to move it up, right?

**Mr. Arthur Potts:** I was quite moved by your presentation. Thank you very much.

**Chief Patricia Faries:** Yes. Thank you.

**The Vice-Chair (Mr. Granville Anderson):** Ms. Kiwala.

**Ms. Sophie Kiwala:** How are you doing, Chief Faries?

**Chief Patricia Faries:** Very well.

**Ms. Sophie Kiwala:** It's nice to see you again.

I took too much time in the last round with Grand Chief Solomon, so I apologize for that. I'll try to be quick.

I agree with you that it's good to hear the journey together. It's important that we do take the journey together. I'm pleased at quite a number of the advances that have been made, like the Nogdawindamin CAS, connecting Pikangikum to the provincial grid, and making children at the centre of child and family services. I think all of those things are very, very important.

I'm glad that three quarters of the commission was indigenous. I'm glad that the commissioners' report suggests that the current riding of Timmins–James Bay is 17% indigenous and 27% Mushkegowuk. But I'm wondering, just going to the boundary lines, if you can describe specifically what you would want the boundary to be for the riding of Mushkegowuk, and why.

**Chief Patricia Faries:** I tried to find a proper map online. When we looked for it, the map that we were able to find was not very clear, but I have a copy of one here.

What I would do is make the boundary north of the Highway 11 corridor so that it really does include Mushkegowuk people. If the riding is going to be made up of Mushkegowuk people, the boundary has to be moved north so that it's our people who would be the majority of it.

I just heard pieces of the Grand Chief's presentation. I always say we're about 10,000 to 15,000, because young people move around so much now. That's what I would

say in response to that: The boundary would have to be moved north of the Highway 11 corridor.

**Ms. Sophie Kiwala:** Okay. Thank you.

**The Vice-Chair (Mr. Granville Anderson):** The time is expired. We now move to the official opposition. Ms. Munro.

**Mrs. Julia Munro:** Thank you very much. I just wanted to come back to a question that was raised and ask you for your response. I think you were here when Grand Chief Solomon talked about getting it right and the importance of being able, if necessary, to wait another cycle, to wait four years, to make it right. I just wondered if you shared that same concern.

**Chief Patricia Faries:** You know what? I thought about that. It just feels like we're rushing. It always feels like things are coming at the eleventh hour and we're here at the eleventh hour trying to get some information back from the communities. I think that I would support that approach—that we wait, do it right and move the boundary and that we have an opportunity to discuss how this would work for the Mushkegowuk people.

I think that, when we're talking about changing the structure of our electoral system, it needs to be done right. If the spirit and the intention is to include the interests of the Mushkegowuk people and the concerns that we all live with, which are very different from everybody in the Legislature—then let's do it right and have a Mushkegowuk MPP at Queen's Park. I would love that.

But the way you're proposing the legislation—the way it's proposed, that's not going to happen. Then we'll be fixing it, or our kids will have to fix it. I don't like that. I think that we are intelligent people. We know what the history was—since 1905, since the treaty signing and all of that. We know, as a people, what we've come through. Finally Ontario is using words like “reconciliation” and “building relationships and partnerships.” All of that is beginning.

I think it's critical and crucial that we have a place in the Legislature to say that and to talk about that: What do we have to offer now? As First Nations people from Mushkegowuk, we have so much to offer the province. We're beautiful, strong people. We just need to communicate. I think the Legislature would be the perfect place for that to be out in the open, so that Ontarians, my grandchildren and your grandchildren, will be able to live in harmony—and that we help each other, that we take care of each other.

That's what I think this is about. To me, reconciliation—I want to make sure that my grandchild, my beautiful little Anastasia, 20 months old—I'm a new grandmother. She's perfect. For me, that's what I want to leave her. That's the legacy that I think about. When I'm sitting here, as a chief, speaking to you, that's what I think about: that we set the world up so that, when we're gone—“These are the steps that I took for you, Ana, and there were people in Ontario that understood this; that's why that seat is there. Maybe there will be more seats after.” You know what I mean?

So we need to get it right. If we do this half-heartedly, that the riding is called Mushkegowuk and includes predominantly francophone people, our interests are not going to be there. You're not going to hear from us. It's even going to be to the point of, "Why even bother participating in Ontario's democracy? It's not even going to matter." That's the attitude. I know that's what's going to happen.

So, yes, I would say: Let's do it right. Let's not rush into it. We need to do it right. If you can't change the border now or by whenever, by the end of this month, I would have to say: Let's wait.

**Mrs. Julia Munro:** Thank you very much.

*Interjection.*

**The Vice-Chair (Mr. Granville Anderson):** I'm sorry, but time is up.

**Mr. Victor Fedeli:** No, I've still got about one minute and 10 seconds.

**The Vice-Chair (Mr. Granville Anderson):** Okay.

**Mr. Victor Fedeli:** Thank you. In my remaining minute, I do want to ask: Were you consulted? Do you feel you were consulted at all?

**Chief Patricia Faries:** No.

**Mr. Victor Fedeli:** I want to ask you, because we spoke about maps: Have you seen any maps? When this first came about, when the first discussion came around, had you ever seen any of the maps?

**Chief Patricia Faries:** No.

**Mr. Victor Fedeli:** So, your understanding of the fact that it includes Hearst and Kap and the others comes from only understanding this hearing now, but you had not been aware of that?

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**Chief Patricia Faries:** Yes. We had to research—our own work. We had to do it ourselves to inform ourselves, consult ourselves. Is that even an idea? But that's what we had to do.

**Mr. Victor Fedeli:** Going back to Mrs. Munro's question, if she's saying the same as Grand Chief Solomon's comment, that he would rather wait if we can't get it done, how long do you think, in your opinion, a consultation of this nature should take, going forward?

**Chief Patricia Faries:** I could only speak for my community. I have a large community. We're probably close to 5,000 people, and I'm probably the largest Mushkegowuk community. We're all over the southern tip of James Bay, all over the Moose River delta, using our homelands.

**Mr. Victor Fedeli:** So what's an estimate in time?

**Chief Patricia Faries:** For me, I would have to say at least a year, because I have to take it to the council, and then we have community meetings to let the people know that change is going to come, the changes that are coming. Not only that; this would be one of the files that I have to speak to my council on, this would be one of the files that I have to speak to my people on, and this costs money, to speak to my people on various things.

So I would have to say, if you're asking for a time frame, at least a year. Give me a year to go through the

steps of what people ought to understand if we were to move forward in that direction.

**Mr. Victor Fedeli:** Thank you, Chief. My time is now up.

**The Vice-Chair (Mr. Granville Anderson):** We now move to Mr. Bisson.

**Mr. Gilles Bisson:** Chief, that was a powerful presentation with regard to what you had to say.

Just two or three parts to what you said: The first part is, you referenced at the beginning how the Constitution in creating Canada recognized that PEI had a pretty unique situation with a small population, and they were guaranteed representation in the House of Commons.

It's also the case in some of the provinces. Some members may know: In Newfoundland, the average riding is about 14,000 people. There are two ridings in Labrador that are less than 3,000 people each. The reason that was done is exactly what you're talking about, which is, who better to go to the assembly in Newfoundland, or in our case in Toronto, to represent your people on the issues that matter to you than somebody that comes from the community?

I want to relate one very quick story from this afternoon, because I had lunch with Patricia and we met with some other people who wanted to talk to me. We talked to one woman who lost a 13-year-old daughter. Nobody ever wants to go through that, but her insights into the whys and what needs to be done to prevent are very different than I would reference them, because I am not Mushkegowuk. I have not lived in Moose Factory or the James Bay all my life. I don't understand the issues here in the way that that woman could or that you can. I try real hard to represent well, and I've got a lot of friends here, but I really feel strongly the best people to represent the Mushkegowuk people are those who live here, who are able to be at Queen's Park.

To the point you made that colonialism is alive and well—I love to say that because I agree with you—I don't think the Chief is stretching it here when she says this is a bit of colonialism, the way we're doing it. First of all, on the process—and we heard it from Grand Chief Solomon, we hear it from you and we heard it from Grand Chief Alvin Fiddler. The issue is that when we signed treaty, the idea was for us together to share. Who better to share in the decision-making than one of your own at Queen's Park?

I hear you and, to come to the question, I take it you favour a riding that would essentially put you in the majority—the long and the short of the story—and that the boundaries should be somewhere north of Highway 11?

**Chief Patricia Faries:** Yes.

**Mr. Gilles Bisson:** If that's not achievable, then what? Keep in mind, this committee has two days of clause-by-clause to make amendments next week. Once the amendments are done, it will be referred to the House and this will all be done in October.

If we're not able to amend this to respect the people of the Mushkegowuk and the people of the Far North, then what?

**Chief Patricia Faries:** Don't do it. I don't know.

I just have to say again that it just feels like this is the eleventh hour and that you're coming with a very important aspect of the relationship that we're trying to develop as Mushkegowuk people with Ontario. I would have to say that this has to be taken a lot more seriously by the committee, by the province. If we're going to be included in your Legislature, then let's do that. Let's do it in the right way, not in any misguided or any kind of representation of a Mushkegowuk riding and it not be the majority. We have to be the majority of a Mushkegowuk riding. It just makes common sense. That's what I'm here to say.

**Mr. Gilles Bisson:** Do I still have time, Chair?

**The Vice-Chair (Mr. Granville Anderson):** Yes, another minute.

**Mr. Gilles Bisson:** The committee is here today because this is our constituency week. This is the only week the committee can travel during the session that we're sitting in the fall.

I know the answer to this question, but where are most people today, this week? Where are they?

**Chief Patricia Faries:** I'm actually surprised the Grand Chief is here because we're all getting our food; we're all hunting. This is our moose season. The Grand Chief had to come here just for this, to come out of his territory to sit with you all today. Our life is very different up here. We would not schedule these kinds of things during this time, but I happened to be here and I was here. That's what we're doing.

Our schedule is pretty much around our harvesting time. Right now, mostly everybody has gone to their camps and their territories to get their moose for the winter so we can feed our families and kids and all of that over the winter.

**Mr. Gilles Bisson:** Can I ask the Grand Chief if he got his moose?

**Grand Chief Jonathon Solomon:** Yes.

**Mr. Gilles Bisson:** Yay.

**Chief Patricia Faries:** He got his moose, and he's giving me some. I'll get some moose meat today.

**Mr. Gilles Bisson:** Thank you very much.

**Chief Patricia Faries:** Thank you for your comments.

**The Vice-Chair (Mr. Granville Anderson):** Thank you, Chief, for taking the time out from your moose hunting to be here with us this afternoon. We appreciate that very much.

**Chief Patricia Faries:** Very well. Thank you.

#### NONE OF THE ABOVE PARTY

**The Vice-Chair (Mr. Granville Anderson):** We have a fourth party on the line. He's on the line, I think: Mr. Greg Vezina.

**Mr. Greg Vezina:** Yes, I'm here.

**The Vice-Chair (Mr. Granville Anderson):** You have 30 minutes for your presentation. Any time that's left over will be divided among the three parties. You may begin, sir.

**Mr. Greg Vezina:** Thank you very much, Mr. Chairman. Good afternoon, Mr. Chairman and members of the committee—and a personal shout-out to Vic and Arthur, whom I know personally.

Je préfère parler anglais. Mon français n'est pas bon.

The last time I appeared before the committee was July 11, 2016, to speak to Bill 201. At that time, I attached a PDF of the book I co-wrote with John Devereil called *Democracy, Eh?* We're doing that again. The book can be downloaded free by anybody at the None of the Above Party website at [www.nota.ca](http://www.nota.ca).

I've appended my July 2016 submission to this, along with links to a transcript and a video recording. I started that presentation talking about Ontario voters who wish to officially decline their ballot having to do so publicly by declaring out loud that they decline their ballot to the returning officer. They have to give up their fundamental right to a secret ballot.

This matter has not been resolved. There are four provinces in Canada that allow declining a ballot. None have it on the ballot, but Alberta allows people to write it across the ballot and cast a secret ballot.

I really think that this committee should look at this, especially because the Supreme Court in India and other countries have used the UNICCPR, which Canada has ratified, to force a negative option on the ballot there. I really don't want to have to go to the Supreme Court on this one, but hey.

I also spoke about a top-10 list of suggestions for changes to Bill 201, and I must congratulate the government and the committee for dealing with many of the items, although they did it in an opposite way, in some cases, to what I suggested, or implemented them in an unfair or unconstitutional way, in my opinion. But there was movement, and I want to applaud the government and the committee.

I'll start today's remarks by quoting part of a Toronto Sun editorial page article I wrote on Saturday, September 23, called "Democracy, Eh?", which had the subheading, "Not When Small Political Parties Are Routinely Shut Out of Meaningful Participation in Elections.

"We are losing our most basic, fundamental, democratic rights in our polling-based, follow-the-leader, horse-race, media-manipulated politics.

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"Many decades ago in Canada, political party names were not even on ballots.

"The party membership approved the campaign policies their leaders and candidates ran on," policies that "were implemented by those who won power.

"Elected MPs and MPPs represented their constituents, were listened to by their leaders and were allowed to vote with their consciences.

"Today, party members have been reduced to little more than cheerleaders and campaign backdrops.

"The leader's office—in or out of government—manipulates local candidate nominations, party executive elections, party policy and constitution conventions," and they dismiss or don't even allow appeals.

In the face of all this, newly appointed Ontario Court of Appeal Justice Ian Nordheimer made a groundbreaking ruling in a recent Ontario Superior Court case involving judicial review of the federal NDP's refusal to approve a leadership candidate. While ruling against the candidate's bid to insert himself into the race, Justice Nordheimer also found that "the decisions that political parties, especially the major political parties, make in terms of the candidates they put forward, the policies they adopt, and the leaders that they choose, do have a very serious effect on the rights and interests of the entire voting public.... The voting public, therefore, has a very direct and significant interest in ensuring that the activities of political parties are carried out in a proper, open, and transparent manner."

To continue quoting my article, "While corporate and union campaign contributions of cash and goods and services that promote or oppose a candidate are now being made illegal in some jurisdictions, the loopholes in election and broadcasting laws and regulations regarding 'bona fide' partisan political news coverage have not been closed.

"The lack of enforcement of existing 'equitable' time rules in our broadcasting and election laws by government agencies and election officials, has allowed US social media corporations to affect our elections in harmful ways"—far more harmful than the Russians ever could.

"Social and new media companies also follow our mainstream media's egregious restrictions on election debates, by working with the major parties, private organizations and special interest groups to exclude ... candidates from any but the major political parties.

"(Sun Media is one of the few media companies that regularly publishes articles and editorials written about and by smaller parties.)" They've published more than two dozen that I've written.

"South of the border, the U.S. Federal Court recently ordered the" Federal Communications Commission, the FCC, "to properly deal with long-standing complaints about excluding small party candidates from presidential debates" because they were "effectively giving an enormous financial advantage to the Republican and Democratic presidential nominees.

"The University of Pennsylvania Law School's, The Regulatory Review, reported that a recent FCC complaint included evidence that getting a 15% showing in national" presidential polls "is virtually impossible" without the financial support of a major political party.

"In other words, a third-party presidential candidate would have to raise an unheard of amount of over \$250 million, simply to participate in a presidential debate.

"To achieve a 5% threshold in Canada in order to be included in leadership debates, polls and mainstream media coverage, a smaller or new political party would have to spend many times the total legal campaign limit.

"The commercial value of what are, in effect, corporate contributions by the mainstream media to the political campaigns of the major political parties, through political

news coverage of their leaders and campaigns during elections, are worth" many, many "millions of dollars in every election.

"With little coverage by the media, and exclusion from major televised debates, how can smaller and new political parties ever get to the 2%-5% threshold of votes cast to even qualify for subsidies?" It's like having a horse race, and the win, show and place horses are in the winners' circle drinking champagne before you even open the gates for the other candidates, the other parties.

"The new NDP BC government has introduced similar legislation to that in Ontario and Ottawa that effectively tilt political campaign subsidies in favour of the large and established political parties." But the Green Party wanted to make sure that the number of members needed for official party status was lowered to two. They had three members and they wanted to qualify.

"It is past time that all voters and candidates, including those of smaller and new political parties, should be empowered to participate in free and fair elections on a level playing field, respected by the major parties, pollsters, media and election officials."

The decade-old federal court ruling that denied smaller parties and independent candidates getting a percentage of the vote any subsidies under federal election laws has been eclipsed by subsequent rulings in Canada, the US and internationally increasing public subsidies, the elimination of corporate and union contributions and vastly reduced contribution limits and third-party spending limits. Interestingly, the party, candidate and constituency association returns' auditors' fees are paid for everyone—every candidate, every riding association—regardless of what percentage of the vote they get.

I recommend six amendments in six areas:

(1) We should put the option to decline the ballot on the ballot itself.

(2) We should guarantee all candidates have fair access to the use of public property for campaign events such as debates. The Supreme Court has already ruled political parties and candidates, especially minor ones, have the right to use and access public property, including airports, and even that has been expanded to other places where there are large gatherings of people. The court noted that the mainstream media and pollsters almost always ignore them, and otherwise they would have virtually no opportunity to solicit votes for public support.

(3) Loosen the ban on leaders and candidates attending fundraisers, as it's very unfair to smaller parties and independent candidates. I'm travelling to Brantford with a candidate for an event on Saturday. The time to ask for money is at a fundraiser. I can't ask for any money. It's unconstitutional. I understand restrictions and pay-to-play and all the rest, but you're just choking the little guys out of the game.

(4) Ensure the news media, social media, news aggregators, unions and special interests do not unfairly support or suppress parties and candidates in their activities. We need a minimum level or standard of bal-

ance of truth and fairness in order to be exempt from prohibitions against corporate contributions. We need to enhance, clarify and enforce the Election Act and Election Finances Act rules related to broadcasting, print and new media political coverage, because the truth is that there is almost as much biased, fake and false news on mainstream media as there is on social media or new media.

(5) We should give all parties, candidates and their registered constituency associations a minimum annual subsidy to cover their basic operating costs, based on the number of candidates they run in the elections and the number of constituency associations they operate—not based on some percentage of the vote from a previous election which only applies to and favours the major parties.

(6) We need citizens' referenda and/or recall laws so that citizens believe they can hold those they elect accountable and, more importantly, they can have a direct say on important emerging public policy decisions and issues, and they'll be forced to be accountable for those decisions themselves.

These changes are absolutely necessary to ensure that voters and all rival candidates and parties, including smaller and new parties and independent candidates, have a fair and reasonable opportunity to exercise their charter rights, including the charter section 3 right to run for office and for voters to cast an informed vote; for section 15 equality rights to obtain subsidies; for section 2 rights to freedom of association; and, most importantly, for the basic human and political rights contained in several United Nations conventions that Canada has signed and ratified, including the international convention on political rights.

There is an especially important reason that the Ontario Liberal government should make these changes now, before the potential impact of the next election can result in unintended consequences of epic proportions that could end up with the Liberal Party, its candidates and CAs losing the vast majority of the \$5 million in annual subsidies they get under existing legislation and a very real risk that a future government would be inclined to immediately eliminate them entirely to try to bankrupt the party, as has happened elsewhere in Canada.

Take note that the new PC government in Manitoba cancelled the per vote subsidies and even the \$50,000 annual subsidy to parties to cover operating expenses. Once Mr. Harper had a majority government in 2011, he was free to rig campaign laws to both advantage his party and cripple the Liberals, because they had finally been reduced to third party status. Prime Minister Trudeau's resurrection of the federal party has not been duplicated elsewhere in Canada. The Manitoba Liberal Party has not governed for generations and has been reduced from a handful of seats over the last 50 years to just one now, as it was with Saskatchewan's Liberals, who rose from the 1990s opposition comeback after not being government since Ross Thatcher's defeat in 1971. It was followed up by 1978, when they were completely wiped out.

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Nor has the Liberal party in Alberta been saved from a long slide over the last century, from government to official opposition to third party, to now having a single seat as well. Even in Quebec, the natural governing party and sitting government is now being eclipsed by two parties that didn't even exist a decade ago.

Careful attention should be paid to two recent studies: one from Samara that shows voters' trust in politicians is at a record low, with 53% believing their elected MP and their party will never do the right thing; and the second from Pew Research, which finds that the middle ground between right- and left-wing political parties has evaporated, from over one third of supporters willing to consider the other to between just 2% and 5%. It's bad enough that our electoral system favours the largest parties, but using that to virtually suppress all others is simply wrong.

What the Liberal government should do is take a bold step to hold power by sharing it. There are two ways to do it. One is through electoral reform such as proportional representation—but previous referenda didn't succeed—and that would mean sharing power with other parties. The other is to share power with voters and electors and introduce some of the tools of direct democracy, like referenda and recall laws, so people can again trust those they elect because they will have to keep their promises and commitments and they will not be able to go too far without real consequences. Since most people in Ontario and much of Canada are Liberal-leaning, their objection to a particular federal or provincial party's version of it won't end up with expulsion from the Legislature or the political culture of that party.

The government should consider real democracy and make elections fair and the result more meaningful. By doing so, they'll give voters alternatives to voting for the PCs and NDP and allow their vote to be split amongst multiple parties. This could be really effective in splitting the PC vote as they've already got real competition from new parties created by divisions within it like the Trillium Party, which already has one seat, the new Alliance Party and the Ontario Libertarian Party, which usually runs in more than half of the ridings. So now you've split that vote four ways.

With the added option of giving people "decline ballot" on the ballot instead, people have a safe place to cast their protest vote. That will lessen the possibility of anybody winning a huge majority, and some of the 50% of people who don't vote may come out and vote and actually reward the government for this kind of courage.

While the PCs and NDP, along with the mainstream media, want a three-horse race, that's not what's in the public interest, and nor, frankly, is it what should be in the interest, the selfish self-interest, of the Ontario Liberal government, because real democracy is in both their interests.

I thank the members of the committee for allowing me to make this presentation. I welcome your questions and comments, Mr. Chairman.

**The Vice-Chair (Mr. Granville Anderson):** Thank you, Mr. Vezina, and we will now move to the official opposition. Mr. Fedeli.

**Mr. Victor Fedeli:** Thank you very much. I just want to begin with a personal note. Greg and I grew up together in North Bay, and although he hasn't lived there in years, he's still a northerner at heart. Greg, I saw Uncle Colin and Noreen. I had dinner with them last Friday. I just wanted to let you know I also saw Randy and Steve, and they're both well. And I've got to tell you that Ricky is doing really, really well. Everybody is so proud of him and his business at home.

**Mr. Greg Vezina:** Well, that's great. Thanks, Vic. It was great to be able to help Rick start that business.

**Mr. Victor Fedeli:** Yes, he's doing a remarkable job, Greg, and everybody is really tickled pink. He's giving back to the community so much. It's really nice to see that.

**Mr. Greg Vezina:** Our family has done that in North Bay for 100 years, as you know.

**Mr. Victor Fedeli:** I know.

**Mr. Greg Vezina:** Thanks, Vic. I really appreciate the work you do in your riding. As you know, I have a lot of criticism for politicians, but it's not about you guys. It's about the process and the system. I've known people like you in politics from the very beginning, when I was a teenager, and most of them, by the time they've been an incumbent five, six, seven times, they just lose their touch. I do appreciate the fact that you were only mayor for two terms, and you got out when the getting was good. Depending on what happens in the next election, you might want to consider that again.

**Mr. Victor Fedeli:** Well, you know, I believe in term limits. When I was mayor, I announced two terms and out, long before two terms were anywhere near up. It was my first day.

Look, we're here to talk about Bill 152. Where do you think the discussion—I know that Bill 152 covers both the creation of the two ridings in the north, but it also covers the financial side of it, and those are the areas that are being changed. Where your debate comes in, Greg—are you bringing this to the table here because of those changes in the fundraising aspect?

**Mr. Greg Vezina:** Yes, because, to be honest, Vic, they weren't fixed properly in the first place. You know I've been around this game as long as you have, and I was frankly amazed. I proposed "none of the above," and then I proposed 10 other things. Then I mentioned one other thing, and that was, if you lower the contribution limits, this is really harmful for candidates, especially in the north, who have to travel, because they will go over their personal spending limits.

What did the government do? It raised that limit to \$5,000 while lowering the contribution limit to \$1,200, although you could triple it to \$3,600 by giving to the riding association through a campaign. I was pleased that they listened to that, but on other things, they just simply didn't.

I said, "How do you tell someone that they need 2% of the vote to get a campaign subsidy?" And then not a

single newspaper except Sun Media, or any broadcaster in the province of Ontario, told voters that there were 20 parties during the election. In the case of a complaint to the election commission and the CRTC, they didn't even mention their name a single time. The CRTC ignored it, and so did Elections Ontario.

Even in the United States, where you can make multi-million dollar contributions, the US courts have said, "Wait a minute. You can't give somebody \$2 billion worth of coverage and nothing to the little guy." There are all-party debates in Iran. They're in England. They're in Germany. They're in every country in the free world except Canada. So yes, the answer is that I'm upset about process and I'm upset about the consequences of campaign finance, and some of these were not dealt with.

I will say, on the other hand, with respect to the issue specifically of how we let minorities be represented in our Legislature—this would be done very quickly; it's way off the plus/minus-25% factor. I think you could accomplish more by giving people their direct democracy: referenda, recall and control by block funding of how their money is spent and what the priorities are in their community, rather than having those decisions made at Queen's Park by a government, even if they had 13 members.

So my argument is twofold: First, I want campaign finance to be fair. I want this bill to be fixed so that I don't have to go to court. Vic, you know that I went to court, and Mike Harris cancelled the Commission on Election Finances, because we proved it was biased.

I've spent, as you know, 40 years fighting for democracy in Ontario, since I was a kid, and I'm tired. I would like to see Canada, instead of swimming to the level of everybody else down the sewer, rise to the top. I get that we have a first past the post system. I get that small parties aren't allowed to get elected. But let them speak during a campaign, and give them 50 grand a year, so that at least these hard-working local people in communities, who believe in some of these ideas, are not broke from the cost of doing this.

**Mr. Victor Fedeli:** Greg, my time, sadly, is up.

**Mr. Greg Vezina:** Sorry, Vic.

**Mr. Victor Fedeli:** No, no, don't be sorry. But I just wanted to say that I really appreciate you speaking up today. I'm always pleased to chat with you.

**Mr. Greg Vezina:** Thank you, Vic.

**The Vice-Chair (Mr. Granville Anderson):** Mr. Vezina, we now move to—

*Interjection.*

**The Vice-Chair (Mr. Granville Anderson):** —to the government side. Mr. Bisson has no comment.

Mr. Potts?

**Mr. Arthur Potts:** Thank you, Chair.

Thank you, Greg, for the earlier shout-out with Vic. I appreciate it. Greg and I go fairly far back too, on technology discussions, one of his other passions.

I'm glad to hear you talk about this passion about politics, something that you and I do completely agree

with. I like to call this notion of the declined ballot the “official abstention.”

**Mr. Greg Vezina:** Yes.

**Mr. Arthur Potts:** It’s something I’ve been advocating for and believing in for many, many years.

There’s a bit of an irony here with the name of your party. If you were running in an election and you had that official abstention, you would effectively have two votes on the ballot, one for your party name and one for the checkoff of “no vote.”

**Mr. Greg Vezina:** First, we would change the party name from None of the Above. We’ve said that before and I’ll say that again, on the record.

**Mr. Arthur Potts:** Fair enough.

**Mr. Greg Vezina:** Secondly, if the government introduced some of these things, I don’t think there would be much need for a None of the Above. I’ve got other things I can do with my life.

**Mr. Arthur Potts:** Fair enough. The only other thing I want to say, Greg, picking up where Vic was, is that there is not a lot of space in the legislation to address most of the issues you’re raising here. In fact, on the bans on fundraising, we’re actually going in the other direction, because we’re changing a loophole on nominated candidates—

**Mr. Greg Vezina:** Yes, I got that.

**Mr. Arthur Potts:** So this is a longer discussion. It should have been more part of the last discussion with the view that it will come up in the future. But thanks for your presentation. We have to go to another presentation.  
1520

**Mr. Greg Vezina:** Can I make one quick suggestion? Maybe you consider making the ban “except for the first 100 bucks.” Because you can’t buy someone—it’s not cash-for-access for 100 bucks. Allow contributions for up to \$100 at fundraising events for leaders and candidates. Come on.

**Mr. Arthur Potts:** Well, I’ll take a look and see if that amendment would be in order. We’ll talk about it.

**Mr. Greg Vezina:** Thank you very much, Arthur.

**Mr. Arthur Potts:** No worries. Cheers.

**The Vice-Chair (Mr. Granville Anderson):** Thank you, Mr. Vezina, for your presentation this afternoon.

**Mr. Greg Vezina:** Thank you for having me.

#### KEEWAYTINOK NATIVE LEGAL SERVICES

**The Vice-Chair (Mr. Granville Anderson):** We have one final presentation this afternoon, and that’s Ranchi Punjabi. You’re a law student.

**Ms. Ruchi Punjabi:** Actually, it’s Ruchi Punjabi.

**The Vice-Chair (Mr. Granville Anderson):** Ruchi?

**Ms. Ruchi Punjabi:** Yes.

**The Vice-Chair (Mr. Granville Anderson):** Okay, Ruchi. Sorry; my mistake. I apologize.

**Ms. Ruchi Punjabi:** No problem.

**The Vice-Chair (Mr. Granville Anderson):** Can you state your name?

**Ms. Ruchi Punjabi:** My name is Ruchi Punjabi.

**The Vice-Chair (Mr. Granville Anderson):** Thank you for being here. It’s so refreshing to see a young person present. It’s always wonderful.

**Ms. Ruchi Punjabi:** Thanks for having me.

**The Vice-Chair (Mr. Granville Anderson):** You will have 15 minutes. You can use all 15. If you use less than 15, then the remaining time will be shared among all three parties. You may go ahead. Thank you.

**Ms. Ruchi Punjabi:** Good afternoon, members of the committee, political leaders and honoured guests. My name is Ruchi Punjabi, and I am the articling student at Keewaytinok Native Legal Services.

I was born and raised in Toronto and then went to law school in Windsor with the ambition of helping disempowered and marginalized individuals who encounter barriers to accessing justice. During law school, in my aboriginal law class, I was able to learn that this is an issue particularly affecting indigenous peoples, who have been socially and economically deprived for a very long time. However, living and working in Moosonee since July of this year has allowed me to recognize that simply hearing about this information versus actually witnessing it first-hand are two very different things.

Since July, I have witnessed many of the hardships that the First Nations/Mushkegowuk people living in Moosonee and Moose Factory have to deal with on an ongoing basis. With such high rates of unemployment and so many individuals on social welfare, many families struggle to keep a roof over their heads and simultaneously provide food for their children. There is hardly any food security, and I’m almost certain that the average diet for individuals living in these communities does not meet Health Canada’s food guide recommendations. This is not by choice, and that must be emphasized. I have seen a bag of grapes over here cost about \$20, while it would likely cost about \$2 to \$3 in Toronto. Diabetes is extremely prevalent in Moosonee and Moose Factory because the people here simply cannot afford to eat healthy.

Limited health care is another huge issue. In Toronto, I’d be able to see a doctor within just a few hours or less. Over here, on the other hand, I’ve had to wait four weeks at a time to see a doctor. One of my co-workers at Keewaytinok who is suffering from kidney disease and is not able to get a kidney transplant has only a few years left to live, and she is forced to travel hundreds of kilometres away from Moosonee to Kingston every two weeks for specialized dialysis.

In addition to all of this, there is a 16-year-old girl who is First Nations who visits our clinic every so often just to ask if we have any food or water to give her. She has been in about five different foster homes, and there was also a time when she was kidnapped in Pickering. Unfortunately, these kinds of stories are quite common in Moosonee and Moose Factory, and they’re definitely not unheard of.

These are just a few of the issues that First Nations/Mushkegowuk peoples in these communities

have to deal with. There are many more. People who are not from here do not and cannot understand these issues unless they have actually and truly experienced these hardships. These issues are unique to the true Mushkegowuk area and need to be addressed by First Nations/Mushkegowuk peoples.

For this reason, I want to repeat what Chief Faries had said earlier: I think using the boundary of the Mushkegowuk communities that corresponds with the actual borders of the Mushkegowuk people is necessary and crucial in order to ensure the real likelihood of First Nations representation in the Ontario Legislature. If the government is serious about achieving reconciliation with its indigenous peoples, like it says it is, Bill 152 needs to redefine the territory of the proposed Mushkegowuk riding before it is passed. Actions speak louder than words. Thank you.

**The Vice-Chair (Mr. Granville Anderson):** Okay. We now have about 11 minutes left. We start with Mr. Bisson of the third party.

**Mr. Gilles Bisson:** It's called the NDP.

First of all, thank you for presenting. I think what you've been able to do here in your presentation is to give a really different look at this whole thing. Most of us who don't live on the James Bay have really no idea. If you can speak to the importance of why it is that if you had somebody who came from the Mushkegowuk territory, who is Mushkegowuk, what that would do as far as a difference, both in the Legislature culturally and what it would do here on the bay?

**Ms. Ruchi Punjabi:** I think having that voice from an actual Mushkegowuk First Nations person would allow these unique issues to be appropriately addressed. I think a person who is non-First Nations would not be able to appropriately address those issues. I think they could really shed light on those issues and inform the non-First Nations people of what actually happens in their territory.

**Mr. Gilles Bisson:** Have you been here long?

**Ms. Ruchi Punjabi:** I've been here since July, and I'm going to be here until next June.

**Mr. Gilles Bisson:** Okay, so you've been here for four or five months.

We have a perceived view of issues and people and culture based on where we come from. Having lived in Windsor and Toronto, how surprised were you that it's actually different than what was presented to you in Windsor and Toronto and other places?

**Ms. Ruchi Punjabi:** It was definitely hard to take in. Like I said earlier, hearing about these things versus actually seeing them first-hand is completely different. It completely broke my heart, each of the stories that I shared with all of you. It's been really hard to process, but it's almost gotten to a point where, like I said, these things are the norm over here, unfortunately. It's almost gotten to the point where I've just gotten used to hearing these things.

At the same time, that doesn't mean that nothing should be done. That's why I said that I think it's extremely important for specifically a First Nations

Mushkegowuk person who has lived these experiences to be a part of that in the Legislature.

**Mr. Gilles Bisson:** Thank you.

**The Vice-Chair (Mr. Granville Anderson):** We will now move to Ms. Wong.

**Ms. Soo Wong:** Thank you for your presentation, Ms. Punjabi. I am particularly interested in your comments earlier, your concerns raised about insecurity and your advocacy work for this particular community, and I would say probably for all vulnerable people in Ontario.

As a former nurse, I absolutely hear the concerns. I'm not sure if you're familiar that Minister Jaczek's ministry, the Ministry of Community and Social Services, is leading the way with the basic income project right now, as we speak, in four communities, and one of them is an indigenous community. We are anticipating that this three-year project will provide a success story, but hopefully it will be province-wide. So we will be giving basic income to every vulnerable people.

I just want to encourage you to keep fighting the good fight, being a student, but keep doing what you're doing. But more importantly, I think, as a former nurse—I was here before, years ago, when I was in nursing training. I'm hoping that when you become a full-fledged lawyer that passion doesn't stop and you don't forget the people that you helped, starting your law career.

The other piece I do want to ask you, besides sharing this experience—because you've been just here to share with us, championing for the voice of the voiceless, right? Besides this boundary issue, because much of this bill is about boundary redistribution, this other piece of the legislation, Bill 152, deals with the whole issue of financing and fundraising. Did you get an opportunity to review that section of the legislation?

**Ms. Ruchi Punjabi:** I'm not going to lie; I'm more familiar with the territory aspect of it.

**Ms. Soo Wong:** Okay. I just wanted to make sure you understood that this piece of legislation is not exclusively about the boundary. There are pieces here dealing with Elections Ontario.

**Ms. Ruchi Punjabi:** Right.

**Ms. Soo Wong:** Okay, thank you.

**Ms. Ruchi Punjabi:** But from what I know, that is the primary issue in Moosonee and Moose Factory. That's what they're concerned about.

**Ms. Soo Wong:** Okay, that's excellent. But being articling students, let's look at everything, right?

**Ms. Ruchi Punjabi:** Yes, for sure. Thanks for your advice.

**Ms. Soo Wong:** Thank you for your presentation.

**The Vice-Chair (Mr. Granville Anderson):** Thank you. We will now move to Ms. Munro.

**Mrs. Julia Munro:** Yes. Thank you for agreeing to join us this afternoon and giving us a different sense and putting a different lens on what people have said today.

Given that you got plopped down and you're here, the kinds of observations that you made I think are ones that people have struggled with. When we talk about poverty, it's not new. People in other circumstances and around

the world and in different times and places in history have all struggled with communities where people seem to fall by the wayside.

When you look at this community—and this community is unique in many ways, as you have come to appreciate—are there markers that you say to yourself, “If I had the opportunity, this is what I would want to concentrate on”? Can you think of things that you have seen yourself here that would generate that kind of concern on your part? I’m just wondering, because we all want to get there; it’s how to get there.

**Ms. Ruchi Punjabi:** Yes. I truly believe that the underlying issue in these communities is lack of representation in the government as well as lack of a road. I feel like that would solve so many issues, like food insecurity and even just the limited health care services. There are not really any specialists in Moosonee or Moose Factory. People have to travel all the way to Timmins, Ottawa or Toronto to see specialists. I think having a road would definitely improve a lot of things, but it’s just a matter of that actually being considered by the government.

**Mrs. Julia Munro:** I think you certainly identified two very fundamental issues, so thank you. I would just add, as others have, that it’s a great opportunity for us to have your take on this as well.

**Ms. Ruchi Punjabi:** Thank you.

**The Vice-Chair (Mr. Granville Anderson):** Thank you, Ms. Punjabi. I couldn’t have thought of a better way to have ended this afternoon’s proceedings. Thank you for being here and for your input.

**Ms. Ruchi Punjabi:** Thank you. I’m honoured.

**The Vice-Chair (Mr. Granville Anderson):** Before we go, we have until 6 p.m. today to file written submissions. Amendments are due by noon tomorrow, which is Friday the 13th, 2017.

**Mr. Gilles Bisson:** I thought we had a soft deadline on amendments.

**The Vice-Chair (Mr. Granville Anderson):** Yes. The committee is authorized—late amendments will be considered as well.

**Mr. Gilles Bisson:** So just for the record, to be clear here, we just finished hearings now. Trying to draft an amendment by 12 o’clock tomorrow is a pretty rushed thing. In my understanding, from the agreement we had as House leaders, the compromise was that we have a soft deadline, and amendments can be filed up until the time—

**The Vice-Chair (Mr. Granville Anderson):** Yes, that’s correct.

Okay, the committee will meet on Monday and Wednesday at our usual time for clause-by-clause.

**Mr. Gilles Bisson:** Again, just before we leave, I just want to thank members of the committee for coming here. It’s not often that we get legislative committees up on the James Bay, so I’m thankful that that happened. I hope you will leave here understanding the frustration that I felt around this whole issue. This is really a game-changer for First Nations. This is a chance for them to have people in the Legislature—who can be in cabinet, could be at committee, could be in the Legislature. I hope you heard what people had to say and that it has some effect on the outcome.

**The Vice-Chair (Mr. Granville Anderson):** Your taxi pick-up will be at 4:30 p.m. this afternoon, which is in about an hour or so from now.

Again, thank you all for being here. Thanks to the committee members and thanks to the audience and everyone that attended this afternoon’s sitting.

This committee is now adjourned.

*The committee adjourned at 1534.*





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