

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

JP-31

**Journal
des débats
(Hansard)**

JP-31

**Standing Committee on
Justice Policy**

Safer Ontario Act, 2018

2nd Session
41st Parliament

Tuesday 6 March 2018

**Comité permanent
de la justice**

Loi de 2018
pour plus de sécurité en Ontario

2^e session
41^e législature

Mardi 6 mars 2018

Chair: Shafiq Qadri
Clerk: Christopher Tyrell

Président : Shafiq Qadri
Greffier : Christopher Tyrell

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7400.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7400.

Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



ISSN 1710-9442

Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

CONTENTS

Tuesday 6 March 2018

Safer Ontario Act, 2018, Bill 175, Mme Lalonde / Loi de 2018 pour plus de sécurité en Ontario, projet de loi 175, Mme Lalonde.....	JP-733
--	--------

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

**COMITÉ PERMANENT
DE LA JUSTICE**

Tuesday 6 March 2018

Mardi 6 mars 2018

The committee met at 0901 in committee room 1.

SAFER ONTARIO ACT, 2018
LOI DE 2018
POUR PLUS DE SÉCURITÉ EN ONTARIO

Consideration of the following bill:

Bill 175, An Act to implement measures with respect to policing, coroners and forensic laboratories and to enact, amend or repeal certain other statutes and revoke a regulation / *Projet de loi 175, Loi mettant en oeuvre des mesures concernant les services policiers, les coroners et les laboratoires médico-légaux et édictant, modifiant ou abrogeant certaines autres lois et abrogeant un règlement.*

The Chair (Mr. Shafiq Qadri): Thank you, colleagues. We're here, as you know, for clause-by-clause consideration on Bill 175, An Act to implement measures with respect to policing, coroners and forensic laboratories and to enact, amend or repeal certain other statutes and revoke a regulation.

We have approximately 282 motions before us. There will be, as you know, apparently, time allocation. That will alter things later in the day, potentially. We need to pass this on to the House, as always, with the democratic process. We'll stand down sections 1, 2, 3, and title etc. and now move to schedule 1: government motion 1, to be presented by the très honorable Soo Wong, Madame.

Ms. Soo Wong: Thank you very much, Mr. Chair. I move that paragraphs 1 and 8 of section 1 of schedule 1 to the bill be amended by striking out "First Nation territories" wherever it appears and substituting in each case "First Nation reserves".

The Chair (Mr. Shafiq Qadri): Everyone on the same page? We know where we are? Yes? Okay. Any further comments before we take the vote? Going once? All right, if none, those in favour of government motion 1? Those opposed? Government motion 1 carries.

Shall schedule 1, section 1, as amended, carry? Carried.

We now proceed to PC motion 2. Mr. Yakabuski.

Mr. John Yakabuski: I move that the definition of "authorized policing provider" in subsection 2(1) of schedule 1 to the bill be struck out and the following substituted:

"'authorized policing provider' means a police service board or the commissioner; ('prestataire de services policiers autorisé')".

The Chair (Mr. Shafiq Qadri): All right. To be clear, we're in PC motion 2, subsection 2(1), on the definition of "authorized policing provider" (Police Services Act, 2017). PC motion number 2. Are there any further comments? Ms. Wong.

Ms. Soo Wong: Mr. Chair, we will be opposing this particular amendment. The amendment would narrow the definition of "authorized policing provider" to not include any other non-police entity. This would eliminate the ability of a police services board or the commissioner to enter into an agreement with a prescribed entity for policing functions.

The Chair (Mr. Shafiq Qadri): Further comments, rebuttals, replies? Ms. Scott.

Ms. Laurie Scott: We brought forward this amendment because we feel that there should always be a public provider. This was brought forward by the police associations—the OPPA, the PAO, the TPA. We want the motion to remove a prescribed entity which would allow police officers to be replaced. So we want it—and the police officers themselves.

The Chair (Mr. Shafiq Qadri): Further comments before we proceed to the vote on PC motion 2? Seeing none, I'll proceed to the vote. Those in favour of PC motion 2? Those opposed? PC motion 2 falls.

We'll now proceed to the next motion: government motion 3, subsection 2(1), "civilian position" (Police Services Act, 2017). Government motion 3: Ms. Wong.

Ms. Soo Wong: Thank you, Mr. Chair. I move that subsection 2(1) of schedule 1 to the bill be amended by adding the following definition:

"'civilian position' means,

"(a) in the case of the Ontario Provincial Police, a position normally performed by a member of the civilian employees' bargaining unit referred to in paragraph 2 of subsection 2(1) of the Ontario Provincial Police Collective Bargaining Act, 2006, or

"(b) in the case of any other police service, a position normally performed by a member of the police service who is not a police officer; ('poste civil')".

The Chair (Mr. Shafiq Qadri): Thank you, Ms. Wong. Any comments on government motion 3? Seeing none, we proceed to the vote. Those in favour of government motion 3? Those opposed? Government motion 3 carries.

Government motion 4: Ms. Wong.

Ms. Soo Wong: I move that the definition of “First Nation territory” in subsection 2(1) of schedule 1 to the bill be struck out and the following substituted:

“‘First Nation reserve’ means a reserve as defined in the Indian Act (Canada); (‘réserve de Première Nation’).”

The Chair (Mr. Shafiq Qaadri): Further comments on government motion 4? Seeing none, we’ll proceed to the vote. Those in favour of government motion 4? Those opposed? Government motion 4 carries.

Government motion 5: Ms. Wong.

Ms. Soo Wong: I move that subsection 2(1) of schedule 1 to the bill be amended by adding the following definition:

“‘for-profit entity’ means a corporation incorporated under the Business Corporations Act or the Canada Business Corporations Act or any other prescribed entity; (‘entité à but lucratif’).”

The Chair (Mr. Shafiq Qaadri): Could you just read that last entire paragraph again, starting from “for-profit”?

Ms. Soo Wong: Okay.

“‘for-profit entity’ means a corporation incorporated under the Business Corporations Act or the Canada Business Corporations Act or any other prescribed entity; (‘entité à but lucratif’).”

The Chair (Mr. Shafiq Qaadri): Thank you. Comments on government motion 5? Mr. Natyshak and then Mr. Yakabuski.

Mr. Taras Natyshak: You know, this amendment is really at the crux of the entirety of the government’s initiatives on this bill. “For-profit entity”, “but lucratif”—“a lucrative goal,” in French, is the literal translation. I just want to put on the record that the Liberal government has transitioned our front-line police officers and the utilization and necessity of them into a lucrative, money-making, for-profit enterprise for corporations to start to penetrate.

This undoubtedly will jeopardize the safety of our communities. We’ve seen this happen in other jurisdictions. I can’t believe that it’s happening in Ontario. It boggles my mind. It makes me fearful for my community. It hurts my heart and it’s a sad day that this government can’t find any other recourse to manage our policing services, to provide efficiencies and to look for efficiencies and to invest in where policing services have seen an increase—in mental health and addiction, in poverty. Those have been lost on this government, yet they are willing to off-shore, outsource and sell out our front-line public service workers and public safety workers.

It’s a sad day in Ontario and it is a shame. If the government could feel shame, I would imagine that they would have a different course of action. But today, I am proud as a New Democrat to vote against government motion 5, which highlights their initiative on privatizing police services in the province. The fact that we have a stack of amendments at the last hour, that we received in the afternoon yesterday—over 280 amendments—shows that this bill was rushed, shows that they have scurried to

try to plug some of the holes, but I doubt that it will have any tangible effect on making our public any safer.

This will be your legacy. You will wear this. When we see crime rates increase in our province, it will be because of this decision.

0910

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski.

Mr. John Yakabuski: I might need the staff on this. We’re defining a for-profit entity. Can I ask: Are we dealing with the issues of non-profit entities?

The Chair (Mr. Shafiq Qaadri): Ms. Wong?

Ms. Soo Wong: This definition is actually a technical amendment to the definition.

Mr. John Yakabuski: Right, and what did it change? What was the definition? I’m looking for it; I can’t find it. I’m sorry.

Ms. Soo Wong: It’s moving the definition of the term from section 14 to section 2.

Mr. John Yakabuski: It’s only adding. So there was no definition of a “for-profit entity”?

Ms. Soo Wong: It was in section 14 before, Mr. Yakabuski.

Mr. John Yakabuski: Okay. It doesn’t say that it was in section 14. Thank you. I appreciate that.

The Chair (Mr. Shafiq Qaadri): Ms. Wong?

Ms. Soo Wong: I just want to go back to the comments made by the third party. This is a technical amendment. It will limit the definition of “for-profit policing,” making sure that core policing services will always be done by the police. To argue that the government’s making all these motions at the last minute—everybody in this committee and the House knows the amendments were to be submitted by noon yesterday, and we submitted them on time, Mr. Chair. I want that to be on the record.

The Chair (Mr. Shafiq Qaadri): Mr. Natyshak.

Mr. Taras Natyshak: I appreciate the comments from my colleague. It seems like a veiled attempt to cover their butts, so to speak. It’s reprehensible, because they time-allocated a bill that is massive in its scope, that is massive in its ramifications for our communities, and I don’t believe they fully appreciated the effects that it will have. For my colleague to attempt to muffle some of our concerns with a technical amendment doesn’t cut it.

It’s a sad day in this House, and I don’t know how we reverse this. This is the beginning of the degradation of our public services in the province. If they are going to go after our front-line policing and public safety workers, then everything is on the table, and I fear for the health and safety and the welfare of our communities.

The Chair (Mr. Shafiq Qaadri): Ms. Wong.

Ms. Soo Wong: I beg to differ. We heard from 42 witnesses at the last two public hearings, and I would say that the majority of the witnesses who came before this committee have asked us to move forward with this bill, Bill 175. More importantly, the witnesses all encouraged this committee to pass this bill with no further delay.

Obviously, the member from the third party didn’t hear from witnesses like John Sewell, Julian Falconer

and the SIU. I pointedly asked these witnesses, “Do you want to see this bill delayed?” Consistently, I heard from the community—they told us: no delay. They told us to move forward. The Chiefs of Ontario told us that.

I don’t know if I was in the same committee as you, Mr. Natyshak. The fact of the matter here is that the government has listened. A number of these amendments are reflective of those witnesses’ comments.

The Chair (Mr. Shafiq Qaadri): Any further comments before we proceed to the vote on government motion 5? Mr. Natyshak.

Mr. Taras Natyshak: What’s wonderful about this House is that every word that we say is logged in perpetuity with Hansard. I would tell the member that I’m glad she just spoke her truth on behalf of her government. because those words I am certain will return to haunt her when she sees increased crime rates in her community. We’ll look back on those words, and we can point to this moment in time—

Interjection.

The Chair (Mr. Shafiq Qaadri): Sorry.

Mr. Taras Natyshak: —when this government opened the doors to privatization and a degradation of our policing services in our communities.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Natyshak.

I will just respectfully remind all colleagues to observe parliamentary procedure, decorum, language, vocabulary, demeanour etc. as your choice, as the case may be.

Government motion 5: Those in favour? Those opposed? Government motion 5 carries.

Government motion 6: Ms. Wong.

Ms. Soo Wong: I move that the definition of “police association” in subsection 2(1) of schedule 1 to the bill be struck out and the following substituted:

“‘police association’ means,

“(a) the Ontario Provincial Police Association, or

“(b) an association, other than a trade union, whose members are employees of a police service board who are members of the police service maintained by the police service board; (‘association de policiers’)”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 6? Seeing none, we’ll proceed to the vote. Those in favour of motion 6? Those opposed? Motion 6 carries.

Government motion 7, subsection 2(1), “prescribed policing provider” (Police Services Act, 2017): Ms. Wong.

Ms. Soo Wong: I move that the definition of “prescribed policing provider” in subsection 2(1) of schedule 1 to the bill be struck out and the following substituted:

“‘prescribed policing provider’ means a public sector body that is an institution within the meaning of the Freedom of Information and Protection of Privacy Act or the Municipal Freedom of Information and Protection of Privacy Act and that is prescribed to provide a policing function in an area in accordance with section 12; (‘prestataire de services policiers prescrit’)”.

The Chair (Mr. Shafiq Qaadri): Any other further comments on government motion 7? We’ll proceed, then, to the vote. Those in favour of government motion 7? Those opposed? Government motion 7 carries.

Government motion 8: Ms. Wong.

Ms. Soo Wong: I move that subsection 2(1) of schedule 1 to the bill be amended by adding the following definition:

“‘public sector body’ means,

“(a) a ministry, commission, board or other administrative unit of the government of Ontario, including any agency thereof,

“(b) a municipality,

“(c) a local board as defined in subsection 1(2) of the Municipal Act, 2001 or subsection 3(1) of the City of Toronto Act, 2006,

“(d) a municipally controlled corporation as defined in section 223.1 of the Municipal Act, 2001, and

“(e) a city-controlled corporation as defined in section 156 of the City of Toronto Act, 2006; (‘organisme du secteur public’)”.

The Chair (Mr. Shafiq Qaadri): I need you to read (c) again.

Ms. Soo Wong: “(c) a local board as defined in subsection 1(1) of the Municipal Act, 2001 or subsection 3(1) of the City of Toronto Act, 2006,”

The Chair (Mr. Shafiq Qaadri): Thank you. Government motion 8: comments? If not, we’ll proceed to the vote. Those in favour of government motion 8? Those opposed? Government motion 8 carries.

Government motion 9: Ms. Wong.

Ms. Soo Wong: I move that subsection 2(1) of schedule 1 to the bill be amended by adding the following definition:

“‘specialized policing function’ means a policing function that requires specialized training or equipment in order to be provided; (‘fonction policière spécialisée’)”.

The Chair (Mr. Shafiq Qaadri): Government motion 9: comments? Seeing none, we’ll proceed to the vote. Those in favour of government motion 9? Those opposed? Government motion 9 carries.

Government motion 10: Ms. Wong.

Ms. Soo Wong: I move that the definition of “workplace misconduct” in subsection 2(1) of schedule 1 to the bill be amended by striking out “or contrary to commonly accepted workplace standards” at the end.

Mr. Shafiq Qaadri: Comments on government motion 10? Ms. Scott.

Ms. Laurie Scott: I just want a little bit of clarification. This definition of “workplace misconduct,” it’s still “contrary to commonly accepted workplace standards.”

0920

Can you expand on that a little bit, what the “commonly accepted workplace standards” would really be highlighting? Is it in comparison to something, or is it—I’ll give you a minute.

The Chair (Mr. Shafiq Qaadri): Ms. Wong.

Ms. Soo Wong: Through you, Mr. Chair: The amendment changes the definition of “workplace misconduct” to be “conduct that is not in accordance with the terms and conditions of the officer’s or the constable’s employment” rather than also including a reference to common workplace standards.

The definition has been changed—so the workplace misconduct—

Interjection.

Ms. Soo Wong: We’re deleting the “workplace misconduct” piece. We’re deleting that.

Mrs. Liz Sandals: Just deleting that clause?

Ms. Soo Wong: That clause.

Ms. Laurie Scott: Instead of substituting—

Interjections.

The Chair (Mr. Shafiq Qadri): Any further comments or queries on government motion 10? Mrs. Sandals.

Mrs. Liz Sandals: I was just going to say, I think what it does is it makes sure that it focuses on the terms and conditions of the police officer’s or special constable’s employment, as opposed to some generic workplace standard. It actually focuses on what the police do.

The Chair (Mr. Shafiq Qadri): Thank you, Mrs. Sandals.

Mr. John Yakabuski: We understand. Thank you very much.

The Chair (Mr. Shafiq Qadri): We’ll proceed, then, to the vote. Those in favour of government motion 10? Those opposed? Government motion 10 carries.

PC motion 11: Ms. Scott.

Ms. Laurie Scott: I move that clauses (b) and (c) of the definition of “municipality” in subsection 2(3) of schedule 1 to the bill be struck out and the following substituted:

“(b) a lower-tier municipality in a county or in the county of Oxford or the district municipality of Muskoka,

“(c) a regional municipality, other than the county of Oxford or the district municipality of Muskoka, or”

This was brought up by the mayor of the district municipality of Muskoka. In the same way, they want the treatment the county of Oxford has. For example, a lower-tier municipality can enter into an agreement with the OPP for policing services.

The mayor discussed the disproportionate amount of dollars that the district has to pay for lower-tier municipalities, so I brought that forward.

The Chair (Mr. Shafiq Qadri): Any further comments on PC motion 11? Ms. Wong.

Ms. Soo Wong: We will be opposing this particular motion. If this motion does not pass, motion 12 will be out of order.

Mr. John Yakabuski: Well, the Chair can move on that—

Ms. Soo Wong: Okay, but I want to explain why we would be opposing it.

Mr. John Yakabuski: That’s okay. You can do that.

Ms. Soo Wong: This will have an impact on the definition of “municipality,” which has consequential

impact on the municipal police services board delivery structure. It also enables a lower-tier municipality to opt out of policing in the upper-tier municipality they are part of.

I know the member is aware that this is a very sensitive issue at the township, in this case about how the bill is being shared. I know that we urged the upper-tier council to work hard to make this arrangement.

The other thing is, we cannot opt out piecemeal of a democratic arrangement even when it is being challenged. It is also very clear that there’s concern about the lowering of costs for the lower tier. It will have an impact on the definition of “municipality” used elsewhere in the proposed act, including with respect to community safety and well-being planning.

The Chair (Mr. Shafiq Qadri): Further comments on PC motion 11? If not, we’ll proceed, then, to the vote. Those in favour of PC motion 11? Those opposed? PC motion 11 falls.

PC motion 12.

Mr. John Yakabuski: We recognize—

The Chair (Mr. Shafiq Qadri): Sorry; Mr. Yakabuski, Ms. Scott—you need to move it first, then I—

Mr. John Yakabuski: I move that section 2 of schedule 1 to the bill be amended by adding the following subsection:

“District Municipality of Muskoka agreement

“(4.1) Despite subsection (3), the councils of the district municipality of Muskoka and of all the lower-tier municipalities within the district municipality of Muskoka may agree to have the district municipality of Muskoka and not its lower-tier municipalities be considered a municipality for the purpose of every provision of this act and the regulations other than sections 25 and 55, but, having made such an agreement, the councils cannot subsequently revoke it.”

The Chair (Mr. Shafiq Qadri): The motion is technically not out of order; it is in order. But without the previous motion, it seems to be somewhat orphaned, in any case.

Mr. John Yakabuski: Well, we can just move to the vote.

The Chair (Mr. Shafiq Qadri): Fine. Those in favour of PC motion 12? Those opposed? PC motion 12 falls.

Shall schedule 1, section 2, as amended, carry? Carried.

We’ll deal with the next two sections en bloc: schedule 1, section 3, and schedule 1, section 4, for which we have received no amendments to date. Shall they both carry? Carried.

We now proceed to schedule 1, section 5, subsection 5(1) (Police Services Act, 2017), government motion 13. Mr. Potts.

Mr. Arthur Potts: I move that subsection 5(1) of schedule 1 to the bill be amended by striking out “subsection 4(1)” and substituting “subsection 4(1) or (2)”.

The Chair (Mr. Shafiq Qadri): Comments on government motion 13? If none, we’ll proceed to the vote.

Those in favour of government motion 13? Those opposed? Government motion 13 carries.

Shall schedule 1, section 5, as amended, carry? Carried.

For the next section, we've received no amendments to date. Shall schedule 1, section 6, carry? Carried.

We'll now proceed to schedule 1, section 7, subsection 7(2) (Police Services Act, 2017), government motion 14. Mr. Potts.

Mr. Arthur Potts: I move that the French version of subsection 7(2) of schedule 1 to the bill be amended by striking out "d'un examen" and substituting "un examen".

Le Président (M. Shafiq Qadri): Merci beaucoup, monsieur Potts. Des commentaires ou questions?

Mr. John Yakabuski: None.

The Chair (Mr. Shafiq Qadri): None? We'll proceed, then, to the vote. Those in favour of government motion 14? Those opposed? Government motion 14 carries.

Shall schedule 1, section 7, as amended, carry? Carried.

We'll now proceed to the next section: schedule 1, section 8, subsection 8(1) (Police Services Act, 2017), government motion 15. Mr. Potts.

Mr. Arthur Potts: I move that subsection 8(1) of schedule 1 to the bill be struck out and the following substituted:

"Offence

“(1) No person shall,

“(a) wilfully use or disclose personal information in contravention of subsection 5(7); or

“(b) wilfully fail to comply with an order made by the Information and Privacy Commissioner under paragraph 1 or 3 of subsection 7(5).”

The Chair (Mr. Shafiq Qadri): Comments to government motion 15? If there are none, we'll proceed to the vote. Those in favour of government motion 15? Those opposed? Government motion 15 carries.

Government motion 16: Mr. Potts.

Mr. Arthur Potts: I move that subsection 8(2) of schedule 1 to the bill be struck out and the following substituted:

"Penalty

“(2) A person who contravenes subsection (1) is guilty of an offence and on conviction is liable,

“(a) in the case of a first offence, to a fine of not more than \$25,000; or

“(b) in the case of a second or subsequent offence, to a fine of not more than \$50,000.”

The Chair (Mr. Shafiq Qadri): Thank you. Mr. Yakabuski.

Mr. John Yakabuski: The government found reason to table 280-some amendments to their bill, but in the short time that they've given us to actually examine them—it's very hard when we're doing this in this environment as well. What is the change? It says, "be struck out and the following substituted." Is there a change in the wording, or is there a change in the fines?

What is the change? I don't have time to find it every time.

The Chair (Mr. Shafiq Qadri): Mr. Potts.

Mr. Arthur Potts: It increases the fine to those new levels that are consistent with a level of fines that we realized were in other acts in the province of that similar nature.

Interjection.

Mr. Arthur Potts: Oh, I'm sorry. It reduces it to levels that are consistent with other bills.

Mr. John Yakabuski: Well, there's a big difference between increasing and reducing. That's why we bring these people along. Thank you very much.

The Chair (Mr. Shafiq Qadri): Any further comments on government motion 16? Seeing none, we'll proceed to the vote. Those in favour of government motion 16? Those opposed? Government motion 16 carries.

0930

We'll proceed now. Shall schedule 1, section 8, as amended, carry? Carried.

I've not received any amendments for the next section. Therefore, shall schedule 1, section 9, carry? Carried.

We'll proceed now to schedule 1, subsection 10(5) (Police Services Act, 2017), government motion 17. Mr. Potts.

Mr. Arthur Potts: I move that subsection 10(5) of schedule 1 to the bill be amended by striking out "First Nation territory" and substituting "First Nation reserve".

The Chair (Mr. Shafiq Qadri): Comments on government motion 17? Mr. Yakabuski.

Mr. John Yakabuski: Chair, I don't know every rule in this place, but it seems that we're likely to see this similar amendment many times, where we're striking out "First Nation territory" and substituting "First Nation reserve." I don't think any one of us has any problem with that amendment, but we've got 76,000 amendments—I'm exaggerating. Is there not some provision that we can have an amendment that anywhere in the bill that it refers to First Nation territory, we can substitute First Nation reserve?

Interjections.

Mr. John Yakabuski: No? I really appreciate the folks on the other side, but I'd like—

The Chair (Mr. Shafiq Qadri): No.

Mr. John Yakabuski: Thank you. In the interest of time—I know that now I'm wasting it; I understand, and I apologize.

The Chair (Mr. Shafiq Qadri): Any further comments? We'll proceed, then, to the vote on government motion 17. Those in favour? Those opposed? Government motion 17 carries.

Government motion 18: Mr. Potts.

Mr. Arthur Potts: I move that subsection 10(7) of schedule 1 to the bill be struck out and the following substituted:

"Transition

“(7) Despite subsections (2) and (5), the commissioner shall continue to have policing responsibility for a First

Nation reserve that would otherwise be within a municipal board's area of policing responsibility if,

“(a) the commissioner provided policing to the First Nation under the Police Services Act immediately before the day this section came into force; and

“(b) no agreement has been made under section 27 to assign policing responsibility for the reserve to a municipal board.”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 18?

Mr. John Yakabuski: Basically it's the same reason for the amendment: It just changes the territory to a reserve. We're going to do that an awful lot of times today, but okay.

The Chair (Mr. Shafiq Qaadri): We'll proceed to the vote, then, on government motion 18. Those in favour? Those opposed? Government motion 18 carries.

Shall schedule 1, section 10, as amended, carry? Carried.

We'll now proceed to the next motion: schedule 1, subsection 11(1) (Police Services Act, 2017), government motion 19. Mr. Potts.

Mr. Arthur Potts: I move that subsection 11(1) of schedule 1 to the bill be amended by striking out “provided in accordance with the standards set out in the regulations and” in the portion before paragraph 1 and substituting “provided in accordance with the standards set out in the regulations, including the standards with respect to the avoidance of conflicts of interest, and”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 19? We'll proceed, then, to the vote. Those in favour of government motion 19? Those opposed? Government motion 19 carries.

NDP motion 19.1: Mr. Natyshak.

Mr. Taras Natyshak: I move that subsection 11(2) of schedule 1 to the bill be amended by striking out “or First Nation”.

The Chair (Mr. Shafiq Qaadri): Comments on NDP motion 19.1? If not, we'll proceed, then, to the vote. Those in favour of NDP motion—

Mr. Taras Natyshak: Recorded vote, please.

The Chair (Mr. Shafiq Qaadri): Recorded vote.

Ayes

Natyshak.

Nays

Colle, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qaadri): NDP motion 19.1 falls.

Government motion 20: Mr. Potts.

Mr. Arthur Potts: I move that subsection 11(2) of schedule 1 to the bill be amended by adding “other than prescribed bylaws” at the end.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Potts. Comments, government motion 20? We'll proceed,

then, to the vote. Those in favour of government motion 20? Those opposed? Government motion 20 carries.

Shall schedule 1, section 11, as amended, carry? Carried.

The Chair (Mr. Shafiq Qaadri): We'll proceed, then, to the next section, schedule 1, section 12(0.1), government motion 21. Mr. Potts.

Mr. Arthur Potts: I move that section 12 of schedule 1 to the bill be amended by adding the following subsection:

“Prescribed policing provider

“(0.1) The regulations may provide that a prescribed policing provider shall provide policing functions in an area that,

“(a) are not among the primary duties of a constable at common law; or

“(b) are specialized policing functions.”

The Chair (Mr. Shafiq Qaadri): Thank you. Comments, government motion 21? Seeing none, we'll proceed to the vote. Those in favour of government motion 21? Those opposed? Government motion 21 carries.

Shall schedule 1, section 12, as amended, carry? Carried.

We'll proceed now to schedule 1, subsections 13(1) and (2), Police Services Act, government motion 22. Mr. Potts.

Mr. Arthur Potts: I move that subsections 13(1) and (2) of schedule 1 to the bill be amended by striking out “or persons acting under the direction of those members” wherever it appears and substituting in each case “or persons who are assisting those members while acting under their direction”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 22?

Mr. Arthur Potts: In anticipation of Mr. Yakabuski's comments, this all happens within the same subsection. So you can do it.

Mr. John Yakabuski: I see it here.

Mr. Arthur Potts: Okay.

The Chair (Mr. Shafiq Qaadri): Thank you. If there are no further comments, we'll proceed to the vote. Those in favour of government motion 22? Those opposed? Government motion 22 carries.

Shall schedule 1, section 13, as amended, carry? Carried.

We'll proceed now to schedule 1, subsection 14(1) of the Police Services Act, 2017, PC motion 23. Mr. Yakabuski.

Mr. John Yakabuski: I move that subsection 14(1) of schedule 1 to the bill be amended by striking out “Subject to subsections (2) and (3)” at the beginning and substituting “Subject to subsection (2)” and by striking out “the commissioner or a prescribed entity” and substituting “or the commissioner”.

The Chair (Mr. Shafiq Qaadri): Thank you. Comments on PC motion 23? Mr. Yakabuski and then Ms. Wong. Go ahead.

Mr. John Yakabuski: This amendment would prevent a police services board from contracting to have a prescribed entity provide the policing function in an area. This is a concern we have with regard to the growing efforts to privatize policing services. We've spoken against that during the hearings. We've spoken against that in the Legislature. We believe that this amendment would prevent some of that erosion of the technical quality and the police standards that the people in Ontario have come to expect. Some 80% of them do not want to see an increase in privatization, and we support that.

The Chair (Mr. Shafiq Qadri): Thank you, Mr. Yakabuski. Ms. Wong.

Ms. Soo Wong: The government side will not be supporting this particular motion. The amendment would change how policing is going to be delivered today. The government amendments we moved today represent our hard work to ensure core policing is clearly protected against a future government seeking to privatize, but there are legitimate roles for the private sector to, on occasion, support policing, like with specialized forensic testing.

It is also reasonable for police to co-operate with the broader social health sector like the LHINs, contracting with the local LHINs on elder abuse calls, or with mental health agencies to respond to those calls, or a rape crisis centre that might provide crucial victim support and a rape kit.

Finally, it is important for everyone to know that this bill ensures that any time a contract is signed by a police service for support, it will be independently reviewed to ensure that it is in line with public safety.

The Chair (Mr. Shafiq Qadri): Thank you, Ms. Wong. Further comments on PC motion 23? Mr. Yakabuski.

Mr. John Yakabuski: I appreciate the comments from the government, but we see this whole exercise as a slippery slope, where the door opens by a crack, and the next thing you know we have a significant expansion of the privatization of policing in this province. We're very concerned that this government's intention is to begin in a small way but we would eventually see core police services being done by private entities and for-profit agencies and non-sworn officers.

0940

The police have certainly indicated that there are functions that they are more than comfortable with, but they were not greeted with any kind of commitment from the government that they would listen to the police associations with regard to the functions that would be allowable in any changes.

We left the door wide open, and it's a door that the government needs to close to ensure that core police functions are only provided for by sworn, uniformed—I don't want to say "uniformed," because we could have undercover, to be clear, but sworn officers of the police services.

The Chair (Mr. Shafiq Qadri): Ms. Wong.

Ms. Soo Wong: The government's every intention is to ensure the core function. That's not what the bill is

talking about, Mr. Yakabuski. The bill is very clear that the core function of policing will be done by police officers. That's what the bill is about.

Mr. John Yakabuski: We're talking about your intent.

Ms. Soo Wong: That's not what the bill is about.

Mr. John Yakabuski: We can read between the lines.

The Chair (Mr. Shafiq Qadri): Thank you. Further comments on PC motion 23?

We will proceed to the vote, then. Those in favour of PC motion 23?

Ms. Laurie Scott: Recorded vote.

The Chair (Mr. Shafiq Qadri): Recorded vote.

Ayes

Natyshak, Scott, Yakabuski.

Nays

Colle, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qadri): PC motion 23 falls.

Government motion 24: Ms. Wong or Mr. Potts.

Ms. Soo Wong: Mr. Potts.

Mr. Arthur Potts: Oh, I'm not actually—

Mrs. Liz Sandals: That's okay. Do you want me to do it?

The Chair (Mr. Shafiq Qadri): Ms. Sandals.

Mrs. Liz Sandals: Let's try something new.

I move that subsection 14(1) of schedule 1 to the bill be struck out and the following substituted:

"Provision by authorized policing providers

"(1) Subject to subsections (1.1), (2) and (3), if the regulations provide that a policing function does not have to be provided by members of a police service or persons who are assisting those members while acting under their direction, a police service board, or the commissioner, may, in accordance with the regulations, enter into a written agreement with another police service board, the commissioner or a prescribed entity to have them provide the policing function in an area for which the board or the commissioner has policing responsibility.

"Inspector general's approval

"(1.1) An agreement under subsection (1) with a prescribed entity may be made only if the inspector general approves the agreement after determining that,

"(a) the agreement would not be contrary to the interests of public safety; and

"(b) the policing provided will meet the standards for adequate and effective policing."

The Chair (Mr. Shafiq Qadri): Further comments on government motion 24? Ms. Scott.

Ms. Laurie Scott: This is blatantly opening the door to more privatization, which my colleague mentioned earlier. The public is overwhelmingly against the expansion of privatization of policing functions, because they have a significant impact, negatively, on public safety. We had the United Kingdom's model and example used

in the deputations. They went to a similar model, and their crime has skyrocketed.

The government isn't listening to what all the police services—the Ontario Provincial Police Association, the Police Association of Ontario and the Toronto Police Association—have warned them about. When you have the public saying that privatization of police functions is a detriment to the safety of their society, it's not providing a safer model.

The government here, as we have been trying to highlight, will not even define the core functions of policing yet open the door to privatization. We say, if you won't define the core functions of policing then you're leaving it very vague. They won't do that to regulations. So we echo what the police services have said, that this is leading to more privatization and putting our public more at risk by bringing this section of the bill in.

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski then Mr. Natyshak.

Mr. John Yakabuski: Thank you, Chair. Maybe these people can help me. Can somebody define for me who the inspector general is? Because now the only real change here is we can go ahead and do this privatization as long as the inspector general approves the agreement would not be contrary to the interests of public safety, and the policing provided will meet the standards for adequate and effective policing. Nobody has defined that and we don't define the core functions. Again, define to me what's "not contrary to the interests of public safety." Many people would have different definitions of that. But just who is the inspector general?

The Chair (Mr. Shafiq Qaadri): If there are colleagues, ministry folks or random associates who wish to testify, please come forward. Please be seated, introduce yourselves in either official language, and answer the question.

Interjection.

Mr. John Yakabuski: Are you pointing at me? I'll consider it.

Mr. John Malichen-Snyder: John Malichen-Snyder, with the Ministry of Community Safety and Correctional Services.

Mr. John Yakabuski: You have to speak louder, sir.

Mr. John Malichen-Snyder: Sorry. The inspector general is established under section 79 of schedule 1 of the bill.

Mr. John Yakabuski: So we have to get to section 79? Okay.

Mr. John Malichen-Snyder: Right. That's part VI—

Mr. John Yakabuski: If you give me a moment, I'll get there, I think. But keep going.

Mr. John Malichen-Snyder: Right, so in section 79, you'll see that the inspector general is appointed by the Lieutenant Governor in Council.

Mr. John Yakabuski: So the cabinet.

Mr. John Malichen-Snyder: Right.

Mr. John Yakabuski: It's a cabinet appointment. Thank you very much. That's all I needed to know: It's government-controlled. It's just a fancy way of saying—

Interjection.

Mr. John Yakabuski: Oh, you're sticking around. Sorry. I'm good. Thank you very much. I appreciate that.

The Chair (Mr. Shafiq Qaadri): I need you to introduce yourself one more time please—a little louder.

Mr. John Malichen-Snyder: Sure. John Malichen-Snyder. I'm counsel with the Ministry of Community Safety and Correctional Services.

The Chair (Mr. Shafiq Qaadri): Thank you. Mr. Natyshak?

Mr. Taras Natyshak: Give me your last name again, please.

Mr. John Malichen-Snyder: Malichen-Snyder.

Mr. Taras Natyshak: Malichen-Snyder. I'm going to try to write that as I hear it. Mr. Malichen-Snyder, thank you very much.

"(1.1) An agreement under the subsection (1) with a prescribed entity," blah blah blah and then "(a) the agreement would not be contrary to the interests of public safety" as determined by the inspector general?

Mr. John Malichen-Snyder: Correct.

Mr. Taras Natyshak: Is there a matrix that the inspector general will be using, or some sort of algorithm, to determine what is contrary to public safety, or is it just a hunch or a gut feeling?

Mr. John Malichen-Snyder: The term "contrary to public safety"—or indeed "public safety"—is not defined in the act. The next clause, I believe, refers to—

Mr. Taras Natyshak: "The policing provided will meet the standards for adequate and effective policing," which is a given. We would hope that they would be adequate and effective. But my contention is that the agreement would not be contrary to the interests of public safety—the interests of the public as it relates to their safety. Am I parsing those out?

Mr. John Malichen-Snyder: I think that's a reasonable interpretation, yes.

Mr. Taras Natyshak: And this, again, doesn't involve some sort of matrix, an equation, an algorithm, some precedents or something like that? Or is it a hunch or a gut feeling? Or is it trust and hope?

Mr. John Malichen-Snyder: Hopefully, the inspector general will be someone with expertise in that kind of determination.

Mr. Taras Natyshak: Competency? Yes.

Okay. I thank you very much. I appreciate that.

Interjection.

Mr. Taras Natyshak: Sorry, Mr. Yakabuski. I'm just not done quite yet.

You're good to go, though.

Interjection.

Mr. Taras Natyshak: Okay, you're not good to go for him.

Chair, with this amendment, we've seen this before. This is privatization. But here, what they're doing is they're broadening the market share for those private entities. I've seen this in our procurement policies as it relates to P3s, public-private partnerships, and their increased use through Infrastructure Ontario.

What they do—and this is under 15 years of Liberal government—is they've realized that these P3s are not lucrative enough on their own and they need to expand them, so therefore they bundle these projects. Whether it's 10 schools as opposed to building one school—one local construction company could build one school. Now you've bundled your projects together so that the contract involves 10 schools, or 10 bridges or 50 miles of roads, and it brings in a whole massive corporate entity that is the only one available and able to bid on these.

0950

If your intention was to at least bring in some local providers of private services, you've essentially eliminated their ability. For anyone with a small security firm who was hoping to get a piece of the action here, you've wiped out their ability. This is what that provision does. I see it in practice. This language here would confuse anyone to read it, but that's what it means, that's what it says, and that's what the effect will be when the Liberals pass this motion.

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski and then Ms. Sandals.

Mr. John Yakabuski: I won't embarrass myself nor insult you; I'll just call you John, if that's all right. But thank you again for staying.

I had a chance to read this section, or subsection—whatever—number 79. It's interesting: government appointment; reports to the minister. Where have we seen this play before? Basically, this is going to be answerable to the minister, answerable to the cabinet. They'll make sure they appoint this person. You can rest assured it will be someone who has already agreed with everything this government is doing in this bill, has no objections to any of the changes, sees policing through the same lens as the government has. That's how they're going to get the appointment.

And then they slide in this little amendment that is supposed to placate and satisfy the concern about privatization of policing, that the inspector general is going to have to approve this. It's just unbelievable. First we time-allocate everything we're doing here, then they bring in 77,000 amendments—again, I'm exaggerating—and give us no time to even consider them properly.

I realize this is not a question on the actual thing, but I didn't want to have him getting up and down, in case I did actually get to one. But it is just unbelievable.

Do you know what I appreciate from you? Directing me to the actual section so that I could understand just who this inspector general, this Liberal appointment, is going to be. I thank you for helping us with that definition. It tells us all we need to know about where this government is going with respect to the privatization of core police services. Thank you.

The Chair (Mr. Shafiq Qaadri): Ms. Sandals.

Mrs. Liz Sandals: Thank you. You know, MPP Yakabuski has just denigrated every judge in the province of Ontario, because they are appointed by the Lieutenant Governor in Council. You have just assumed that everybody in Ontario who is appointed by—

Mr. John Yakabuski: No judge is answerable to the minister.

Mrs. Liz Sandals: At any rate—

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski.

Mr. John Yakabuski: Don't try to denigrate me and attack my motives. No judge is answerable to a minister.

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski, please.

Mr. John Yakabuski: You should be ashamed for raising that.

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski.

Mr. John Yakabuski: A judge is—

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski.

Mr. John Yakabuski: I am taking that as an absolute personal insult.

Mr. Mike Colle: Respect the chairman.

Mr. John Yakabuski: You're saying that I'm denigrating judges in this province? Shame on you.

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski, please. You're welcome to reply, but in turn.

Ms. Sandals?

Mrs. Liz Sandals: I was actually going to ask Mr. Malichen-Snyder if perhaps—because we seem to have been hung up on who appoints the inspector general, I think it might actually be helpful to ask what is the function of the inspector general, because this is, I think, a new position that has been set up, and I think it would shed some light on this to understand the position. If you could sort of briefly tell us what the function of this person is.

Mr. John Malichen-Snyder: Sure. The duties of the inspector general are set out in section 79(2). Primarily, the inspector general is monitoring police services. Right now in the act, the minister has responsibility to monitor and inspect police services. The inspector general will assume those functions, as well as additional functions dealing with complaints about conflicts of interest or breaches of the code of conduct by police service board members, complaints about police services that may not be meeting the standards for adequate and effective policing, and complaints about the policies of police services. And the inspector general has reporting functions. The inspector general also deals with disclosures of wrongdoing by members of police services. It's a whistle-blowing provision. The inspector general receives those disclosures from members of police services.

Mrs. Liz Sandals: So would it be fair to say, then, that the inspector general has a role in terms of oversight of police service boards, whereas some of the other organizations have received complaints about individual members of the police service? Is that sort of a high-level takeaway?

Mr. John Malichen-Snyder: Yes, that would be fair. The inspector general is providing oversight to the organizations, whereas the others are providing oversight to the individuals.

Mrs. Liz Sandals: So in this case, where we're talking about a decision of the police service board, if

there was concern that it had overstepped what is reasonable in terms of bringing in, I don't know, mental health workers to do ride-alongs or whatever, there would actually be a venue for complaints about the decision-making of the police service board, and that's the inspector general.

Mr. John Malichen-Snyder: Yes. The inspector general could deal with complaints of that sort.

Mrs. Liz Sandals: You also mentioned that the inspector general is the person to whom the public or whoever would complain if a police service fails to meet standards for adequate and effective policing. I think you started to say that those would be defined.

Mr. John Malichen-Snyder: Right. So these standards for adequate and effective policing would be set out in the regulations.

Mrs. Liz Sandals: So in fact, this is not just some group of words. There actually is, in this case, a written standard against which the inspector general would be working.

Mr. John Malichen-Snyder: Yes, there is.

Mrs. Liz Sandals: Okay. If I can turn it over to—

The Chair (Mr. Shafiq Qaadri): Ms. Wong?

Interjection.

Mrs. Liz Sandals: Okay.

The Chair (Mr. Shafiq Qaadri): Mr. Natyshak.

Mr. Taras Natyshak: I'm just wondering if anyone knows what the salary range of the inspector general is and what the budget allocation is for this new role and for that office? Any idea? Does the government side have any idea how much we would pay an inspector general?

Mrs. Liz Sandals: Can I comment on that?

The Chair (Mr. Shafiq Qaadri): Ms. Sandals.

Mrs. Liz Sandals: The usual process would be that once the role has been legislated, it would actually go to the Treasury Board. At the Treasury Board, there would be a submission from the Ministry of the Attorney General to Treasury Board with respect to the salary. But that would normally come after the position exists in legislation.

Mr. Taras Natyshak: As well as the budget for the operation of the office?

Mrs. Liz Sandals: Yes.

Mr. Taras Natyshak: Very good.

The Chair (Mr. Shafiq Qaadri): Ms. Wong.

Ms. Soo Wong: Just to remind the members, I recall that a couple of the witnesses supported the creation of the inspector general, from Professor Roach from the University of Toronto and former SIU director Ian Scott, who spoke about this position.

To the staff who gave us the additional information, it's very helpful for the committee's deliberation today. Thank you.

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Wong.

Just a moment. Go ahead.

Interjection.

The Chair (Mr. Shafiq Qaadri): Colleagues, we'll proceed with government motion 24, if there are no

further comments. Those in favour of government motion 24? Those opposed? Government motion 24 carries.

Now for highly abstruse procedural reasons, which will involve this impending closure motion that may or may not pass, we need to deal with [*inaudible*] motions in order to enable other motions, which will therefore be orphaned if they're not dealt with or something to that effect.

In any case, we now need to deal with government motion 30. I would invite one of my colleagues to please present government motion 30. Ms. Sandals.

1000

Mrs. Liz Sandals: I move that section 14 of schedule 1 to the bill be amended by adding the following subsection:

“Prescribed entity records

“(9) If an entity that is not an institution within the meaning of the Freedom of Information and Protection of Privacy Act or the Municipal Freedom of Information and Protection of Privacy Act is prescribed for the purposes of this section, the entity's records relating to the provision of policing functions pursuant to an agreement made under subsection (1) are, for the purposes of the Freedom of Information and Protection of Privacy Act or the Municipal Freedom of Information and Protection of Privacy Act, as applicable, deemed to be in the custody and control of,

“(a) the police service board, in the case of an agreement with a police service board; or

“(b) the ministry, in the case of an agreement with the commissioner.”

The Chair (Mr. Shafiq Qaadri): Just before we proceed to the commentary or questions, just to explain: Later on today, at approximately 4:30, as you know, there will be a time allocation motion which, if accepted, will deem all motions to have been moved. At that moment—

Interjection.

The Chair (Mr. Shafiq Qaadri): Correct. And all those will therefore have to be dealt with in exact order; there's no jumping around. If that happens, many motions will be essentially orphaned and nonsensical, which is why we have to enable some of these things with a random order.

Mrs. Liz Sandals: Oh, okay, because we already did the companion to this, so this is—

The Chair (Mr. Shafiq Qaadri): Again, that's my half-caffinated take on it. Mr. Natyshak.

Mr. Taras Natyshak: Chair, maybe if Chris could grab a seat, just a quick question: Had we not had an impending time allocation motion, would the order or the restructure of the order of these motions be necessary?

The Chair (Mr. Shafiq Qaadri): No.

Mr. Taras Natyshak: So we could have gone along in due process as we normally, historically have in this place?

The Clerk of the Committee (Mr. Christopher Tyrell): Chair, can I—

The Chair (Mr. Shafiq Qaadri): Please.

The Clerk of the Committee (Mr. Christopher Tyrell): There are several amendments that have been filed by multiple parties which are contingent on a later amendment passing in order for them to be in order. What we're seeking to do here is to deal with all of those first. Once those have been sorted out, whether carried or not, we will go back to where we just were, which was motion 25, and just proceed through the bill in a linear fashion.

The Chair (Mr. Shafiq Qaadri): There are four motions, by the way.

The Clerk of the Committee (Mr. Christopher Tyrell): Yes, four jump around, just to get a better idea of whether these things are in order.

Mr. John Yakabuski: Four different areas where we have to jump?

The Clerk of the Committee (Mr. Christopher Tyrell): Yes. Three of them are in schedule 1 and one is in schedule 2. Eventually, once those four motions have been dealt with, it will allow us to know whether other motions are in order; and we will return to where we just left off and proceed forward.

Mr. John Yakabuski: Well, we're already constrained on time, so we might as well keep doing whatever we're—

The Chair (Mr. Shafiq Qaadri): Ms. Sandals has already presented government motion 30. Are there any further comments on government motion 30? No. We'll proceed, then, to the vote. Those in favour of government motion 30? Those opposed? Government motion 30 carries.

Interjection.

The Chair (Mr. Shafiq Qaadri): I need unanimous consent to stand down schedule 1, sections 14 to 123, which will then enable us to go to 107. Do I have unanimous consent for that? Agreed.

We'll now proceed to government motion 107. That's schedule 1, subsection 124(9), (Police Services Act). Government motion 107, by the way, is on page 29. Ms. Sandals.

Mrs. Liz Sandals: I move that section 124 of schedule 1 to the bill be amended by adding the following subsection:

“Prescribed entity records

“(9) If a special constable employer is not an institution within the meaning of the Freedom of Information and Protection of Privacy Act or the Municipal Freedom of Information and Protection of Privacy Act, or is not subject to comparable legislation in another jurisdiction, then,

“(a) the special constable employer's records relating to the activities and oversight of the special constables it employs are, for the purposes of the Freedom of Information and Protection of Privacy Act, deemed to be in the custody and control of the ministry; and

“(b) the minister shall impose terms and conditions on the special constable employer's authorization to address,

“(i) access to the records of the special constable employer for the purpose of discharging the obligations of the ministry in relation to clause (a), and

“(ii) the protection of personal information in the custody or control of the special constable employer that is related to the activities and oversight of the special constables it employs.”

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Sandals, for presenting government motion 107. Are there any comments? If not, we'll proceed to the vote. Those in favour of government motion 107? Those opposed? Government motion 107 carries.

We will now return to schedule 1, section 14, to deal with motion—

Interjection.

The Chair (Mr. Shafiq Qaadri): We need unanimous consent to stand down schedule 1, sections 14 to 21. Do I have that?

Interjections: Yes.

The Chair (Mr. Shafiq Qaadri): I will now deal with PC amendment 35. Ms. Scott.

Ms. Laurie Scott: I move that section 22 of schedule 1 to the bill be amended by adding the following subsection:

“Same, police services provided by OPP

“(10) If, immediately before the day subsection (1) comes into force, the Ontario Provincial Police was providing police services in a municipality under an agreement that the municipal council had entered into under subsection 10(1) of the Police Services Act, as it read immediately before that day, the agreement continues to exist until the parties enter into an agreement to terminate it.”

This was brought up by the town of Caledon. It basically ensures that an agreement under which the OPP provided police services before the bill is enacted and comes into force continues until the parties to the agreement terminate it. I believe it was about Peel region, and they didn't have a seat at the table.

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Scott, for presenting PC motion 35. Ms. Wong.

Ms. Soo Wong: The government will not be supporting this proposed amendment. The bill provides that the OPP must provide services to every municipality that does not have a police board that maintains a police service, and requires every municipality that receives OPP policing to pay for it in accordance with the regulations.

Existing contracts under section 10 of the current Police Services Act would continue with this amendment, which could create duplicate charging requirements for the OPP. This bill does propose to change the default to be one board per OPP detachment. This will mean better, more efficient governance. However, the government's model allows for local flexibility to determine how best to achieve this.

We know there are areas of the province where we have to ensure voices are heard clearly at the table and we will work with the municipalities through the regulation development phase.

The Chair (Mr. Shafiq Qaadri): Any comments on PC motion 35? If not, we'll proceed to the vote. Those in

favour of PC motion 35? Those opposed? PC motion 35 falls.

I need unanimous consent to stand down schedule 1 and schedule 2, sections 1 to 76. Do I have that?

Interjection: Yes.

The Chair (Mr. Shafiq Qaadri): We'll now deal with government motion 206. Ms. Wong.

Ms. Soo Wong: I move that section 77 of schedule 2 to the bill be amended by adding the following subsection:

“Same, hearing

“(5) In the case of an investigation commenced as a result of a complaint made under this part, if the complaints director refers the matter under section 79 to the tribunal for a hearing, subsection (3) does not apply with respect to the complainant until the later of,

“(a) the making of the determination referred to in subsection (4); and

“(b) the final disposition of the hearing and appeal, if any, in the matter.”

1010

The Chair (Mr. Shafiq Qaadri): Comments on government motion 206?

Mr. John Yakabuski: Chair, it's hard to find the appropriate sections in the bill fast enough to even make a comment. But given that they haven't and they are running this show, I guess I'll just leave it at that.

The Chair (Mr. Shafiq Qaadri): Any further comments on government motion 206? Seeing none, I'll proceed to the vote. Those in favour of government motion 206? Those opposed? Government motion 206 carries.

We'll now return to our regularly scheduled programming: government motion 25, subsection 14(2), (Police Services Act). Mr. Potts.

Mr. Arthur Potts: I move that subsection 14(2) of schedule 1 to the bill be amended by striking out “or persons acting under the direction of those members” at the end and substituting “or persons who are assisting those members while acting under their direction”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 25? Seeing none, I'll proceed to the vote. Those in favour of government motion 25? Those opposed? Government motion 25 carries.

PC motion 26: Mr. Yakabuski.

Mr. John Yakabuski: I move that subsections 14(3) to (8) of schedule 1 to the bill be struck out.

The Chair (Mr. Shafiq Qaadri): Comments on PC motion 26? Ms. Scott.

Ms. Laurie Scott: I think this further puts forward the argument about the privatization that this government is trying to do. We have said here that it leaves the public very concerned, with the privatization of police functions, that their public safety is not secured. We've seen that, again, with 80% of the public against privatization. It also creates—the accountability. The more that privatization occurs—we have seen the government yet to answer how these private outsourcings are going to be monitored. Are they going to be monitored to see that

they're doing their task, that they're protecting the public, in whatever capacity that they've been hired on? There's no accountability. These functions—this outsourcing, this privatization—could be performed by untrained or unaccountable and certainly underpaid employees of for-profit corporations that had the dubious distinction, maybe, of being the lowest bidder for a municipal contract, for example.

Again, this is putting public safety and security at risk. In this bill, we do not have from this government any core definition of what core policing functions are. So we moved this motion to try to block further privatization to groups or organizations that are unable to perform the public safety that we hold our police services up to.

The Chair (Mr. Shafiq Qaadri): Any further debate on motion 26? Ms. Wong.

Ms. Soo Wong: The government will not be supporting this motion. Subsections 14(3) to (8) tighten what is currently available in O.Reg. 3/99 under the existing Police Services Act. Many police services rely on the current provision in the O.Reg. 3/99 to supplement their in-house expertise by retaining investigative supports that would otherwise be unavailable.

This amendment would eliminate all ability for police services to bring in necessary expertise and supports to provide services such as forensic identification and canine tracking—not the K9 units, but search support. This places further limits on policing than exist in the current PSA.

The Chair (Mr. Shafiq Qaadri): Thank you, colleagues. We are officially at the end of our morning session. Therefore, I think we will recess till we reconvene. Just to be clear, we are back in this room at 3:45 p.m. today. If the time allocation motion passes, then it will be 3:30. Agreeable? Committee is in recess.

The committee recessed from 1015 to 1531.

The Chair (Mr. Shafiq Qaadri): Thank you, colleagues. Committee is now back in session: justice policy, Bill 175, resuming clause-by-clause consideration.

We've received four more amendments from this morning. They are entitled 90.1, 95.1, 102.0.1 and 273.0.1, for your edification. They have been distributed and we will deal with them in sequence when we get to them.

We now resume debate on PC motion 26 and/or the vote, whichever comes first. Are there any further comments on PC motion 26?

Mr. John Yakabuski: It was already read into the record?

The Chair (Mr. Shafiq Qaadri): Yes.

We'll proceed, then, to the vote. Those in favour of PC motion 26? Those opposed? PC motion 26 falls.

We will now be doing one of our jump-arounds, for which I need permission or agreement.

Mr. John Yakabuski: Yes.

The Chair (Mr. Shafiq Qaadri): Thank you. We'll go, then, to government motion 127. The explanation, as my able Clerk is reminding me to remind you, is approxi-

mately the same as happened earlier, meaning execute one amendment so that others are not orphaned and left stranded.

Government motion 127, subsection 146(5.1) (Police Services Act, 2017): Mr. Potts.

Mr. Arthur Potts: I move that section 146 of schedule 1 to the bill be amended by adding the following subsection:

“Same

“5.1 If the tribunal determines that the chief of police has shown, on the balance of probabilities, that the police officer has engaged in conduct that constitutes professional misconduct, workplace misconduct or unsatisfactory work performance but that demotion or termination of the officer’s employment is not an appropriate response, the tribunal may make an order to impose a disciplinary measure set out in subsection 144(1).”

The Chair (Mr. Shafiq Qadri): Any further comments on government motion 127? Mr. Yakabuski.

Mr. John Yakabuski: We’re not dealing with 126 until we deal with 127: Is that it? Well, we are concerned about continuing to lower the burden of proof at lower levels, at the balance of probabilities rather than clear and convincing evidence, which is the current standard that has been upheld by the Supreme Court. We continue to argue this. We continue to get no reasonable response from the government as to why they are lowering the requirement for the burden of proof to a balance of probabilities.

Careers are on the line, lives are on the line, with respect to reputations and their ability to succeed and be promoted within a police service. We believe that the whole thing is wrong, and this still leaves that problem. Even though you’re amending it somewhat, it still leaves that problem. The motion as it stands simply doesn’t go far enough to protect our police officers when they’ve been accused of a wrongful act or under the—

Ms. Laurie Scott: Polices Services Act.

Mr. John Yakabuski: Police Services Act, whether it’s professional misconduct or otherwise.

The Chair (Mr. Shafiq Qadri): Further comments on government motion 127? Ms. Sandals.

Mrs. Liz Sandals: Yes, just to note that, in fact, the balance of probabilities is the standard one that we’d normally find in the Labour Relations Act or in labour-related legislation. So, in fact, this actually makes it consistent with other Ontario labour relation legislation. I’m getting nods from lawyers who know more than I.

What this really does, this particular amendment, I believe is clarify the range of options, including penalties that are not demotion or dismissal. It leaves the tribunal out to impose other penalties.

The Chair (Mr. Shafiq Qadri): Mr. Yakabuski and then Mr. Natyshak.

Mr. John Yakabuski: Well, it still is something that’s on one’s record, whether it’s a release to dismissal or not, but the point being, as Ms. Sandals has said, in other labour relations. How many careers mirror that of the police officer in being subjected to the possibility of having complaints registered against you? This is—

Mrs. Liz Sandals: Teachers, doctors, nurses—the list goes on.

Mr. John Yakabuski: Teachers and nurses: I understand and respect the work they do, but none of them have the powers of arrest. None of them deal with the public in the sense and the way that a police officer does, and is subject to the reprisals. We said yesterday in the Legislature: 97% of complaints against police officers are considered by independent tribunals to be vexatious and without validity, yet we still subject them to them. So when you’re forcing them to be dealt with at a lower level of burden of proof, such as a balance of probabilities, you can’t just meld them in with every other career. This is a very, very unique—

Ms. Laurie Scott: Profession.

Mr. John Yakabuski: Profession; thank you very much. We have a far greater infrastructure surrounding the complaints process involving police officers than any other professionals. You can’t say that they’re the same as everybody else and should be treated the same as everybody else when they are subject—their job is to intervene on our behalf with the public, even if those other people in the public are doing something wrong. I just don’t see how the balance of probabilities is fair to them as police officers.

The Chair (Mr. Shafiq Qadri): Mr. Natyshak?

Mr. Taras Natyshak: My comments were going to pretty much mirror those of Mr. Yakabuski in the sense that is a different type of profession. We’re asking them to expose themselves to different elements that have intent that other workplaces wouldn’t be exposed to.

It’s not as if the government doesn’t understand this. We are not telling you something that you don’t already know. You have willingly watered down the protections afforded to officers when they come into contact with unscrupulous people. It jeopardizes their careers.

I’ll tell you: One of my fellow hockey dads, just this past weekend—who is a career officer and has 10 years left before he’s eligible for retirement. Upon learning about this provision, the balance of probability, and knowing his history and the frivolous claims that have been levied upon him in the past—someone accused him of stealing \$20 from them as he was arresting this person. That went through the process, but now this is a whole other layer of scrutiny that will affect that officer’s ability to do his or her job. They are questioning whether they want to continue in this career. That’s the position you’re putting our front-line police officers and public safety officers in. I hope we’ve effectively sounded the alarm for this government.

The Chair (Mr. Shafiq Qadri): Ms. Scott?

Ms. Laurie Scott: Just as a point of clarification—maybe we can ask legal counsel for the government—we don’t believe that the police are covered or protected by the Labour Relations Act. Can that be clarified?

1540

Mrs. Liz Sandals: That isn’t what I said.

Ms. Laurie Scott: So are they? No?

The Chair (Mr. Shafiq Qadri): Ms. Sandals.

Mrs. Liz Sandals: Yes, I—if you want—

Mr. John Yakabuski: Could we get a clarification from legal? John?

Mr. John Malichen-Snyder: John Malichen-Snyder, Ministry of Community Safety and Correctional Services, legal services branch.

With respect to the question of whether the Labour Relations Act applies to members of a police service: It does not. The labour relations regime for members of the police service who are employed by a police service board is set out in the Police Services Act, and for members of the OPP it's the OPP Collective Bargaining Act, with respect to that particular question.

The Chair (Mr. Shafiq Qaadri): Thank you. Mr. Natyshak, then Mr. Yakabuski.

Mr. Taras Natyshak: That was John's question. I have a question.

The Chair (Mr. Shafiq Qaadri): Please ask it.

Mr. Taras Natyshak: Thank you very much, Chair. Does the Occupational Health and Safety Act apply to police services officers?

Mr. John Malichen-Snyder: I believe so. I would have to confirm, but I believe so.

Mr. Taras Natyshak: Okay. I'd love for you to confirm and maybe report back to us whether it does or not.

Mr. John Malichen-Snyder: All right.

Mr. Taras Natyshak: Thanks.

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski?

Mr. John Yakabuski: Thank you again, John.

I'm not saying it's what Ms. Sandals said, but it's interesting that she used it for the basis of comparison that every other career under the Labour Relations Act uses the balance of probabilities. But then when my colleague Ms. Scott confirmed that police officers are not covered under the Labour Relations Act, it kind of puts a hole into your argument. You want them to be treated the same as if they're covered like everybody else under the Labour Relations Act—but they're not.

So it actually proves exactly what we were saying: that they're unique—so unique that, in fact, they're not covered under the Labour Relations Act. So why would you want to put them into that bundle and treat them as if they were when it comes to the burden of proof for allegations levelled against them, treating them under the balance of probabilities, as opposed to what it has been?

It once used to be “beyond reasonable doubt,” and then it was lowered to “clear and convincing evidence.” That was upheld by the Supreme Court of Canada. And now you want to lower it to the balance of probabilities. I suppose you're going to do whatever you want to do, because you have five over there, and we've got three over here, but it hardly seems right, just or fair.

The Chair (Mr. Shafiq Qaadri): Ms. Sandals?

Mrs. Liz Sandals: If we could just go back again to what I actually did say: Is it true that other categories of employment or professions, regardless of whether they're covered by the Labour Relations Act or various other acts, that the burden of proof is the balance of prob-

abilities—that that's the standard that is used in other labour-relations-related legislation?

Mr. John Malichen-Snyder: That is correct. In fact, it is correct that that was the standard applied in the police services context for many years, until a recent decision of the Ontario Court of Appeal when the Ontario Court of Appeal decided that reference to clear and convincing evidence in the Police Services Act did not refer to the quality of the evidence, but established a separate standard of proof that was different from the balance of probabilities. Until that decision, the approach of the police discipline tribunals and the Ontario Civilian Police Commission had been that the standard is balance of probabilities.

The Chair (Mr. Shafiq Qaadri): Thank you. Further comments on 127?

Mr. John Yakabuski: That's not our information.

The Chair (Mr. Shafiq Qaadri): All right. We'll proceed, then, to the vote. Those in favour of government motion 127? Those opposed? Government motion 127 carries.

We will now return, once again, to our regularly scheduled programming: government motion 27.

Ms. Laurie Scott: Motion 27?

The Chair (Mr. Shafiq Qaadri): Motion 27, just 27. Mr. Potts.

Mr. Arthur Potts: I move that subsection 14(3) of schedule 1 to the bill be struck out and the following substituted:

“Restriction

“(3) An agreement under subsection (1) shall not be made with a prescribed entity who is a for-profit entity unless the entity is to provide one of the following policing functions:

“1. Crime prevention.

“2. Investigative support related to law enforcement, including supports in the areas of,

“i. crime scene analysis,

“ii. forensic identification,

“iii. canine tracking,

“iv. technical collision investigation and reconstruction,

“v. breath analysis,

“vi. physical surveillance,

“vii. electronic interception,

“viii. video and photographic surveillance, and

“ix. polygraph and behavioural science.

“3. Explosives disposal in areas where explosive disposal technicians would not otherwise be reasonably available to provide this policing function.

“4. Assistance to victims of crime.”

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Potts. For future readers, they were the Roman numerals. You can feel free to identify them as such.

Mr. Natyshak.

Mr. Taras Natyshak: A question to members of the government: Are there any provisions that would prohibit foreign entities from providing any of these services from other jurisdictions, from other nation-states—Russia?

You look at me as if that's not a possibility, but I've seen some pretty weird things come through this House from this government. Is there an answer to that? Can you assure us that these vital components will be provided by at least a Canadian provider?

The Chair (Mr. Shafiq Qaadri): Staff? Wise ones? Please come forward.

Mr. John Malichen-Snyder: These are services that could be provided by a prescribed entity. Under section 14(3), a prescribed entity has to be prescribed by the Lieutenant Governor in Council. But I don't think there is anything in the act that specifies the jurisdiction the prescribed entity has to be from.

Mr. Taras Natyshak: Okay. Thank you very much.

The Chair (Mr. Shafiq Qaadri): Colleagues, any further questions on government motion 27? If not, we'll proceed to the vote. Those in favour of government motion 27? Those opposed? Government motion 27 carries.

Government motion 28: Mr. Potts.

Mr. Arthur Potts: I move that subsection 14(4) of schedule 1 to the bill be struck out.

The Chair (Mr. Shafiq Qaadri): Comments? We'll proceed, then, to the vote. Those in favour of government motion 28? Those opposed? Government motion 28 carries.

Government motion 29: Mr. Potts.

Mr. Arthur Potts: I move that section 14 of schedule 1 to the bill be amended by adding the following subsection:

"Same

"(6.1) If an agreement under subsection (1) is with a prescribed entity that is not an institution within the meaning of the Freedom of Information and Protection of Privacy Act or the Municipal Freedom of Information and Protection of Privacy Act, it must also address,

"(a) access to the records of the entity for the purpose of discharging the obligations of the police service board or ministry in relation to subsection (9); and

"(b) the protection of personal information in the custody or control of the entity that is related to the provision of policing functions under the agreement."

The Chair (Mr. Shafiq Qaadri): Comments on government motion 29? If not, we'll proceed to the vote. Those in favour of government motion 29? Those opposed? Government motion 29 carries.

We've already dispensed and passed government motion 30.

We'll now proceed to government motion 31. Mr. Potts.

Mr. Arthur Potts: I move that section 14 of schedule 1 to the bill be amended by adding the following subsection:

"Non-application

"(10) Subsections (6.1) and (9) do not apply to an entity if subsection 124(9) applies to the entity."

The Chair (Mr. Shafiq Qaadri): Comments on government motion 31? If not, we'll proceed to the vote. Those in favour of government motion 31? Those opposed? Government motion 31 carries.

Shall schedule 1, section 14, as amended, carry? Carried.

We have not received any amendments to date for section 15. Shall schedule 1, section 15, carry? Carried.

We'll proceed now to the next section. Government motion 32, subsection 16(2) of the Police Services Act, 2017: Mr. Potts.

1550

Mr. Arthur Potts: I move that subsection 16(2) of schedule 1 to the bill be amended by striking out "for the provision of adequate and effective policing" and substituting "with respect to the cost of providing adequate and effective policing".

The Chair (Mr. Shafiq Qaadri): Comments on government motion 32? Seeing none, we'll proceed to the vote. Those in favour of government motion 32? Those opposed? Government motion 32 carries.

Shall schedule 1, section 16, as amended, carry? Carried.

I'll consider, with your permission, the next five sections en bloc, as we have not received any amendments to date, which means sections 17 to 21 of schedule 1, inclusive. Shall they carry? Carried.

We now proceed to schedule 1, subsection 22(1) of the Police Services Act, 2017, PC motion 33. Mr. Yakabuski.

Mr. John Yakabuski: I don't have it—oh, yes, I've got it.

Ms. Laurie Scott: I move that subsection 22(1) of schedule 1 to the bill be amended by striking out "Subject to subsection (2)" at the beginning and substituting "Subject to subsections (2) and 10".

I believe that this was dealt with in our previous morning session, and I'm sure that the Clerk has a ruling shortly.

The Chair (Mr. Shafiq Qaadri): Ms. Scott, with extreme regret, I rule that particular motion out of order, as it is making reference to a non-existent subsection.

Ms. Laurie Scott: Yes, which you took out this morning.

The Chair (Mr. Shafiq Qaadri): Yes, so that is dispensed with.

Government motion 34: Ms. Sandals.

Mrs. Liz Sandals: I move that section 22 of schedule 1 to the bill be amended by adding the following subsection:

"Same, non-contiguous areas

"(5.1) If the arrangement to provide policing under subsection (1) or (2) involves the delivery of policing by one police service board to two or more areas that are not contiguous, the minister shall ensure that the effect, if any, of the areas not being contiguous is considered while making the determination described in clause (5)(a)."

The Chair (Mr. Shafiq Qaadri): Comments on government motion 34? Mr. Yakabuski.

Mr. John Yakabuski: Because we only received these amendments yesterday, late in the day, and are debating and dealing with them today, I've had no opportunity to confirm whether this amendment satisfies the

concerns of rural municipalities that would currently have their own police services board, which would be brought into one police services board covering an entire OPP detachment. Is that what this amendment is supposed to address?

Mrs. Liz Sandals: My understanding is that it's to ensure that in the case where boards which are non-contiguous want to be consolidated, you would need consideration of the minister to ensure that that actually makes sense. The intent of the—

Mr. John Yakabuski: Nothing here makes sense.

Mrs. Liz Sandals: The intent of the clause is that we not end up with one consolidation having a patchwork-quilt geography. Is that a fair capsuling in non-legal terminology?

Mr. John Malichen-Snyder: Yes. The minister right now in the bill is required to ensure that adequate and effective police services are provided or would be provided under an arrangement proposed by the municipality before approving that arrangement. This is to ensure that among the things considered by the minister, although it's already implied, is the effect, if any, of the areas being policed not being contiguous.

There are already some situations where municipal policing is provided to municipalities that are not contiguous; that's done with the approval of the Ontario Civilian Police Commission. Under the bill, the approval would come from the minister. This is just to ensure that the minister turns his or her attention to this particular issue.

The Chair (Mr. Shafiq Qadri): Mr. Yakabuski, any further comments on government motion 34?

Mr. John Yakabuski: No.

The Chair (Mr. Shafiq Qadri): If not, we'll proceed to the vote. Those in favour of government motion 34? Those opposed? Government motion 34 carries.

We've already dealt with PC motion 35. Therefore, shall schedule 1, section 22, as amended, carry? Carried.

With your permission, I will consider the next four sections en bloc, not having received any amendments to date. Shall schedule 1, sections 23 to 26, inclusive, carry? Carried.

We proceed now to schedule 1, subsection 27(1) of the Police Services Act, 2017, government motion 36. Mr. Potts.

Mr. Arthur Potts: I move that subsection 27(1) of schedule 1 to the bill be amended by striking out "First Nation territory" and substituting "First Nation reserve".

The Chair (Mr. Shafiq Qadri): Comments? We'll proceed, then, to the vote on government motion 36. Those in favour? Those opposed? Government motion 36 carries.

Government motion 37: Mr. Potts.

Mr. Arthur Potts: I move that clause 27(3)(a) of schedule 1 to the bill be amended by striking out "First Nation territory" and substituting "First Nation reserve".

The Chair (Mr. Shafiq Qadri): Further comments on government motion 37? We'll proceed to the vote.

Those in favour? Those opposed? Government motion 37 carries.

Shall schedule 1, section 27, as amended, carry? Carried.

We'll consider the next two sections en bloc. Shall schedule 1, sections 28 and 29, carry? Carried.

We'll proceed now to schedule 1, subsection 30(2) of the Police Services Act, 2017, government motion 38. Mr. Potts.

Mr. Arthur Potts: I move that subsection 30(2) of schedule 1 to the bill be amended by striking out "severance pay for the employees of the board and for".

The Chair (Mr. Shafiq Qadri): Comments? If none, we'll proceed to the vote. Those in favour of government motion 38? Those opposed? Government motion 38 carries.

Shall schedule 1, section 30, as amended, carry? Carried.

The next section has no amendments to date. Shall schedule 1, section 31, carry? Carried.

We now proceed to the next section, which is schedule 1, subsection 32(1) of the Police Services Act, 2017. Government motion 39: Mr. Potts.

Mr. Arthur Potts: I move that subsection 32(1) of schedule 1 to the bill be amended by striking out "First Nation territory" and substituting "First Nation reserve".

The Chair (Mr. Shafiq Qadri): We'll proceed, then, to the vote. Those in favour of government motion 39? Those opposed? Government motion 39 carries.

Government motion 40: Mr. Potts.

Mr. Arthur Potts: I move that clause 32(10)(a) of schedule 1 to the bill be amended by striking out "First Nation territories" and substituting "First Nation reserves".

The Chair (Mr. Shafiq Qadri): Those in favour of government motion 40? Those opposed? Government motion 40 carries.

Interjection.

The Chair (Mr. Shafiq Qadri): Any debate? Any questions? Any commentary? Any edification? No.

Therefore, government motion 41: Mr. Potts.

Mr. Arthur Potts: I move that paragraph 3 of subsection 32(11) of schedule 1 to the bill be amended by striking out "by the minister".

The Chair (Mr. Shafiq Qadri): To be clear, that's subsection 32(11), paragraph 3 of the Police Services Act, 2017, government motion 41, which has just been entered into the record.

Are there any comments or debate? Seeing none, we'll proceed to the vote. Those in favour of government motion 41? Those opposed? Government motion 41 carries.

Subsection 32(12) of the Police Services Act, 2017, government motion 42. Mr. Potts.

Mr. Arthur Potts: I move that subsection 32(12) of schedule 1 to the bill be struck out and the following substituted:

"Limitation on revocation

“(12) In addition to the requirements set out in subsection (11), the minister shall not revoke a regulation made under subsection (7) unless he or she is satisfied that,

“(a) the police service board and the members of the police service have made an agreement dealing with severance pay; or

“(b) the issue of severance pay has been referred to arbitration.

“Arbitration

“(12.1) If the issue of severance pay cannot be referred to arbitration under part X, the board or the members of the police service may apply to the chair of the arbitration commission to appoint an arbitrator.”

The Chair (Mr. Shafiq Qaadri): Any further comments on government motion 42? Seeing none, we’ll proceed to the vote. Those in favour of government motion 42? Those opposed? Government motion 42 carries.

Government motion 43: Ms. Sandals.

Mrs. Liz Sandals: I move that subsection 32(13) of schedule 1 to the bill be struck out and the following substituted:

“Extension to other First Nation reserve

“(13) In addition to the requirements set out in subsection (11), the minister shall not amend a regulation made under subsection (7) to increase a First Nation board’s area of policing responsibility to include the First Nation reserve of another First Nation unless the amendment is consistent with a request from all of the First Nations whose reserves will be included in the increased area.”

The Chair (Mr. Shafiq Qaadri): Just to be clear, that’s subsection 32(13) of the Police Services Act, 2017, government motion 43, as just read by Ms. Sandals.

Any further comments? If not, we’ll proceed to the vote. Those in favour of government motion 43? Those opposed? Government motion 43 carries.

1600

Next motion: subsection 32(18) of the Police Services Act, 2017, government motion 44. Ms. Sandals.

Mrs. Liz Sandals: I move that section 32 of schedule 1 to the bill be amended by adding the following subsection:

“No contracting out of arbitration

“(18) For greater certainty, an agreement under subsection (16) cannot override the arbitration process set out in section 51.”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 44? None? We’ll proceed to the vote. Those in favour of government motion 44? Those opposed? Government motion 44 carries.

Shall schedule 1, section 32, as amended, carry? Carried.

Considering the next two sections, with your permission, en bloc: Shall schedule 1, sections 33 and 34, carry? Carried.

We’ll proceed now to schedule 1, section 35(2) of the Police Services Act, government motion 45. Ms. Wong and/or Mr. Potts.

Mr. Arthur Potts: Oh, Ms. Wong, go ahead.

Ms. Soo Wong: All right. We’ve got lots of volunteers.

I move that subsection 35(2) of schedule 1 to the bill be struck out and the following substituted:

“Required training

“(2) A member of a police service board shall, within the prescribed period,

“(a) complete prescribed training with respect to the role of a police service board;

“(b) complete the prescribed training with respect to human rights and systemic racism;

“(c) complete the prescribed training that promotes recognition of and respect for,

“(i) the diverse, multiracial and multicultural character of Ontario society, and

“(ii) the rights and cultures of First Nation, Inuit and Métis peoples; and

“(d) complete any other prescribed training.”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 45? Seeing none, we’ll proceed to the vote. Those in favour of government motion 45? Those opposed? Government motion 45 carries.

Shall schedule 1, section 35, as amended, carry? Carried.

We’ve not received any for the next section. Shall schedule 1, section 36, carry? Carried.

We’ll proceed to schedule 1, clause 37(1)(d.1) of the Police Services Act, government motion 46. Ms. Wong.

Ms. Soo Wong: I move that subsection 37(1) of schedule 1 to the bill be amended by adding the following clause:

“(d.1) prepare and adopt a diversity plan to ensure that the members of the police service reflect the diversity of the area for which the board has policing responsibility;”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 46? Seeing none, we’ll proceed to the vote. Those in favour of government motion 46? Those opposed? Government motion 46 carries.

Subsection 37(2) of the Police Services Act, 2017, government motion 47. Ms. Wong.

Ms. Soo Wong: I move that subsection 37(2) of schedule 1 to the bill be struck out.

The Chair (Mr. Shafiq Qaadri): Comments? We’ll proceed to the vote. Those in favour of government motion 47? Those opposed? Government motion 47 carries.

Shall schedule 1, section 37, as amended, carry? Carried.

We’ll now proceed to schedule 1, subsection 38(3) of the Police Services Act, government motion 48. Ms. Wong.

Ms. Soo Wong: I move that subsection 38(3) of schedule 1 to the bill be amended by striking out “First Nation territory” in the portion before clause (a) and substituting “First Nation reserve”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 48? If not, we’ll proceed to the vote. Those in favour of government motion 48? Those opposed? Government motion 48 carries.

Government motion 49: Ms. Wong.

Ms. Soo Wong: I move that subsection 38(5) of schedule 1 to the bill be amended by striking out “the deployment of members of the police service”.

The Chair (Mr. Shafiq Qaadri): Comments? We’ll proceed to the vote. Those in favour of government motion 49? Those opposed? Government motion 49 carries.

Government motion 50, subsection 38(7) of the Police Services Act: Ms. Wong.

Ms. Soo Wong: I move that section 38 of schedule 1 to the bill be amended by adding the following subsection:

“Publication

“(7) The police service board shall publish the policies referred to in subsections (1) and (2) in accordance with the regulations.”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 50? We’ll proceed, then. Those in favour of government motion 50, if any? Those in favour of government motion 50? I presume there are more, but in any case. Any opposed? Government motion 50 carries.

Shall schedule 1, section 38, as amended, carry? Carried.

We’ll now proceed to schedule 1, section 39(1) of the Police Services Act, government motion 51. Ms. Wong.

Ms. Soo Wong: I move that subsection 39(1) of schedule 1 to the bill be amended by striking out “prepare a strategic plan” in the portion before paragraph 1 and substituting “prepare and adopt a strategic plan”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 51? If not, we’ll proceed to the vote. Those in favour of government motion 51? Those opposed? Government motion 51 carries.

Shall schedule 1, section 39, as amended, carry? Carried.

We proceed now to schedule 1, subsections 40(4.1) and (4.2) (Police Services Act, 2017). Government motion 52: Ms. Wong.

Ms. Soo Wong: I move that section 40 of schedule 1 to the bill be amended by adding the following subsections:

“Other information serves purpose

“(4.1) The police service board shall not direct the chief of police to provide personal information to the board under subsection (1) if other information will serve the purpose for which the information is to be used.

“Personal information limited to what is reasonably necessary

“(4.2) The police service board shall not direct the chief of police to provide more personal information to the board under subsection (1) than is reasonably necessary to meet the purpose for which the information is to be used.”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 52? If none, we’ll proceed to the vote. Those in favour of government motion 52? Those opposed? Government motion 52 carries.

Subsection 40(6) (Police Services Act, 2017). Government motion 53: Ms. Wong.

Ms. Soo Wong: I move that the French version of subsection 40(6) of schedule 1 to the bill be amended by striking out “divulguer” and substituting “fournir”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 53?

Those in favour? Those opposed? Government motion 53 is passed.

We proceed now to subsection 40(7) (Police Services Act). Government motion 54: Ms. Wong.

Ms. Soo Wong: I move that section 40 of schedule 1 to the bill be amended by adding the following subsection:

“Publication

“(7) The police service board shall publish any directions given to the chief of police under subsection (1) in accordance with the regulations.”

The Chair (Mr. Shafiq Qaadri): Thank you. To be clear, we’re on subsection 40(7) (Police Services Act), government motion 54, as just read by Ms. Wong.

Any comments? If there are none, we’ll proceed to the vote. Those in favour of government motion 54? Those opposed? Government motion 54 carries.

Shall schedule 1, section 40, as amended, carry? Carried.

We now proceed to schedule 1, subsection 41(4) (Police Services Act, 2017), government motion 55. Ms. Sandals.

Mrs. Liz Sandals: I move that subsection 41(4) of schedule 1 to the bill be amended by striking out “any information relevant to the preparation or review” and substituting “any information, other than personal information, relevant to the preparation or review”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 55, if any? If not, we’ll proceed, then, to the vote. Those in favour of government motion 55? Those opposed? Government motion 55 carries.

Shall schedule 1, section 41, as amended, carry? Carried.

With your permission, I’ll consider the next 11 sections en bloc, meaning schedule 1, section 42 to section 52, as we have not received any motions to date.

Those in favour, to carry? Carried.

We’ll now move to schedule 1, subsections 53(1) to (2.1) (Police Services Act, 2017). Government motion 56: Ms. Sandals.

Mrs. Liz Sandals: I move that subsections 53(1) and (2) of schedule 1 to the bill be struck out and the following substituted:

“Termination to abolish or reduce size of police service

“(1) A police service board may, with the approval of the minister, terminate the employment of a member of a police service for the purpose of abolishing the police service or reducing its size.

“Minister’s approval

“(2) The minister may approve the termination of a member of a police service under subsection (1) if he or she is satisfied that,

“(a) appropriate arrangements have been made for the provision of adequate and effective policing in the area after the police service is reduced in size or abolished; and

“(b) the member being terminated and the police service board have made an agreement dealing with severance pay or have referred the issue of severance pay to arbitration under subsection (2.1).

“Arbitration

“(2.1) If the issue of severance pay cannot be referred to arbitration under part X, the board or the member being terminated may apply to the chair of the arbitration commission to appoint an arbitrator.”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 56? If not, we’ll proceed, then, to the vote. All those in favour of government motion 56? Those opposed? Government motion 56 carries.

Shall schedule 1, section 53, as amended, carry? Carried.

1610

We’ll consider the next two sections, with your permission, en bloc. Shall schedule 1, sections 54 and 55, carry? Carried.

We’ll now proceed to the next section which is schedule 1, subsection 56(3) (Police Services Act, 2017). Government motion 57: Ms. Sandals.

Mrs. Liz Sandals: I move that subsection 56(3) of schedule 1 to the bill be struck out and the following substituted:

“Appointments

“(3) The commissioner may, in accordance with any diversity plan, policy or directive that is applicable to the public service of Ontario, appoint members of the Ontario Provincial Police as police officers.”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 57? We’ll proceed, then, to the vote. Those in favour of government motion 57? Those opposed? Government motion 57 carries.

Subsection 56(3.1) (Police Services Act, 2017). Government motion 58: Ms. Sandals.

Mrs. Liz Sandals: I move that section 56 of schedule 1 to the bill be amended by adding the following subsection:

“Commissions

“(3.1) The Lieutenant Governor in Council may authorize the issue of a commission under the Great Seal to,

“(a) the commissioner;

“(b) deputy commissioners; and

“(c) police officers appointed under subsection (3) who attain a rank identified by the commissioner.”

The Chair (Mr. Shafiq Qaadri): Further comments on government motion 58? Seeing none, we’ll proceed to the vote. Those in favour of government motion 58? Those opposed? Motion 58 carries.

Shall schedule 1, section 56, as amended, carry? Carried.

We’ll proceed now to the next section, which is schedule 1, clause 57(a.1) (Police Services Act, 2017).

We’ll now proceed to government motion 59. Ms. Sandals.

Mrs. Liz Sandals: I move that section 57 of schedule 1 to the bill be amended by adding the following clause:

“(a.1) perform duties under this or any other act related to the employment of members of the Ontario Provincial Police in accordance with any diversity plan, policy or directive that is applicable to the public service of Ontario;”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 59? We’ll proceed, then, to the vote. Those in favour of government motion 59? Those opposed? Government motion 59 carries.

The next item: Shall schedule 1, section 57, as amended, carry? Carried.

We’ll now consider, with your permission, the next two sections en bloc, as we have not received any motions to date, which are schedule 1, section 58, and schedule 1, section 59. Shall they carry? Carried.

We’ll now proceed to schedule 1, subsection 60(5) (Police Services Act, 2017). Government motion 60: Ms. Sandals.

Mrs. Liz Sandals: I move that subsection 60(5) of schedule 1 to the bill be amended by striking out “the deployment of members of the Ontario Provincial Police”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 60? Seeing none, we’ll proceed to the vote. Those in favour of government motion 60? Those opposed? Government motion 60 carries.

Subsection 60(7) (Police Services Act, 2017). Government motion 61: Ms. Sandals.

Mrs. Liz Sandals: I move that section 60 of schedule 1 to the bill be amended by adding the following subsection:

“Publication

“(7) The minister shall publish the policies referred to in subsections (1) and (3) in accordance with the regulations.”

The Chair (Mr. Shafiq Qaadri): Comments on government motion 61? Seeing none, we’ll proceed to the vote. Those in favour of government motion 61? Those opposed? Government motion 61 carries.

Shall schedule 1, section 60, as amended, carry? Carried.

We’ll proceed now to the next section, which is schedule 1, subsection 61(1) (Police Services Act, 2017). Government motion 62: Ms. Sandals.

Mrs. Liz Sandals: I move that subsection 61(1) of schedule 1 to the bill be amended by striking out “prepare a strategic plan” in the portion before paragraph 1 and substituting “prepare and adopt a strategic plan”.

The Chair (Mr. Shafiq Qaadri): Comments on government motion 62? Seeing none, we’ll proceed to the vote. Those in favour of government motion 62? Those opposed? Government motion 62 carries.

Shall schedule 1, section 61, as amended, carry? Carried.

We'll proceed now to the next section, which is schedule 1, subsections 62(3.1) and (3.2) (Police Services Act, 2017). Government motion 63: Ms. Sandals.

Mrs. Liz Sandals: I move that section 62 of schedule 1 to the bill be amended by adding the following subsections:

“Other information serves purpose

“(3.1) The minister shall not direct the commissioner to provide personal information under subsection (1) if other information will serve the purpose for which the information is to be used.

“Personal information limited to what is reasonably necessary

“(3.2) The minister shall not direct the commissioner to provide more personal information under subsection (1) than is reasonably necessary to meet the purpose for which the information is to be used.”

The Chair (Mr. Shafiq Qadri): Government motion 63: Commentary? If none, we'll proceed to the vote. Those in favour of government motion 63? Those opposed? Government motion 63 carries.

Subsection 62(5) (Police Services Act, 2017), government motion 64: Ms. Sandals.

Mrs. Liz Sandals: I move that the French version of subsection 62(5) of schedule 1 to the bill be amended by striking out “divulguer” and substituting “fournir”.

The Chair (Mr. Shafiq Qadri): Comments on government motion 64? If none, we'll proceed to the vote. Those in favour of government motion 64? Those opposed? Government motion 64 is carried.

Government motion 65: Ms. Sandals.

Mrs. Liz Sandals: I move that section 62 of schedule 1 to the bill be amended by adding the following subsection:

“Publication

“(6) The minister shall publish any directions given to the commissioner under subsection (1) in accordance with the regulations.”

The Chair (Mr. Shafiq Qadri): Comments on government motion 65? Seeing none, we'll proceed, then, to the vote. Those in favour of government motion 65? Those opposed? Government motion 65 carries.

Shall schedule 1, section 62, as amended, carry? Carried.

We'll consider the next four sections en bloc. They are, with your permission, schedule 1, sections 63, 64, 65 and 66. Shall they carry? Carried.

We'll now proceed to the next section, which is schedule 1, subsection 67(1) (Police Services Act, 2017). Government motion 66: Mr. Potts.

Mr. Arthur Potts: I move that subsection 67(1) of schedule 1 to the bill be amended by striking out “First Nation territory” at the end and substituting “First Nation reserve”.

The Chair (Mr. Shafiq Qadri): Comments? We'll proceed, then, to the vote. Those in favour of government motion 66? Those opposed? Government motion 66 carries.

Shall schedule 1, section 67, as amended, carry? Carried.

We'll proceed now to schedule 1, clause 68(1)(f) (Police Services Act, 2017). Government motion 67: Mr. Potts.

Mr. Arthur Potts: I move that clause 68(1)(f) of schedule 1 to the bill be amended by striking out “First Nation territories” at the end and substituting “First Nation reserves”.

The Chair (Mr. Shafiq Qadri): We'll proceed, if there are no comments, to the vote. Government motion 67: Those in favour? Those opposed? Government motion 67 carries.

Shall schedule 1, section 68, as amended, carry? Carried.

We will now proceed to the next section, which is schedule 1, subsection 69(7) (Police Services Act, 2017). Government motion 68: Mr. Potts.

Mr. Arthur Potts: I move that section 69 of schedule 1 to the bill be amended by adding the following subsection:

“Publication

“(7) The OPP detachment board shall publish any local policies established under subsection (1) in accordance with the regulations.”

The Chair (Mr. Shafiq Qadri): Just to be clear, we are now on schedule 1, section 69, subsection 69(7) of the Police Services Act, 2017, government motion 68.

Are there comments? If none, we'll proceed, then, to the vote. Those in favour of government motion 68? Those opposed? Government motion 68 carries.

Shall schedule 1, section 69, as amended, carry? Carried.

We'll now proceed to schedule 1, section 70, subsection 70(1) (Police Services Act, 2017). Government motion 69: Mr. Potts.

Mr. Arthur Potts: I move that subsection 70(1) of schedule 1 to the bill be amended by striking out “prepare a local action plan” in the portion before paragraph 1 and substituting “prepare and adopt a local action plan”.

The Chair (Mr. Shafiq Qadri): Any further comments on government motion 69? If not, we'll proceed to the vote. Those in favour of government motion 69? Those opposed? Government motion 69 carries.

Shall schedule 1, section 70, as amended, carry? Carried.

With your permission, I'll consider the next five sections en bloc, as I have not received any motions. They are schedule 1, section 71 to section 75 en bloc. Do they carry? Carried.

We'll now proceed to schedule 1, subsections 76(1) and (3) (Police Services Act, 2017). Government motion 70: Mr. Potts.

Mr. Arthur Potts: I move that subsections 76(1) and (3) of schedule 1 to the bill be amended by striking out “First Nation territory” wherever it appears and substituting in each case “First Nation reserve”.

1620

The Chair (Mr. Shafiq Qaadri): Comments? None. We'll proceed to the vote. Those in favour of government motion 70? Those opposed? Government motion 70 carries.

Government motion 71: Mr. Potts.

Mr. Arthur Potts: I move that clause 76(4)(a) of schedule 1 to the bill be amended by striking out "First Nation territory" and substituting "First Nation reserve".

The Chair (Mr. Shafiq Qaadri): Just to be clear, we are now on clause 76(4)(a) of the Police Services Act, 2017, and government motion 71, as just read by Mr. Potts.

Are there any comments? If not, we'll proceed to the vote. Those in favour of government motion 71? Those opposed? Government motion 71 carries.

Shall schedule 1, section 76, as amended, carry? Carried.

We're now on schedule 1, subsection 77(9) (Police Services Act, 2017). Government motion 72: Mr. Potts.

Mr. Arthur Potts: I move that subsection 77(9) of schedule 1 to the bill be amended by striking out "First Nation territories" at the end and substituting "First Nation reserves".

The Chair (Mr. Shafiq Qaadri): Comments? We'll proceed to the vote. Those in favour of government motion 72? Opposed? Government motion 72 carries.

Now to subsection 77(10), paragraph 3 (Police Services Act, 2017). Government motion 73: Mr. Potts.

Mr. Arthur Potts: I move that paragraph 3 of subsection 77(10) of schedule 1 to the bill be amended by striking out "by the minister".

The Chair (Mr. Shafiq Qaadri): Comments on government motion 73? None. We'll proceed to the vote. Those in favour of government motion 73? Those opposed? Government motion 73 carries.

Shall schedule 1, section 77, as amended, carry? Carried.

The next section has not received any motions to date. Shall schedule 1, section 78, carry? Carried.

We'll now proceed to schedule 1, subsection 79(1.1) (Police Services Act, 2017). Government motion 74: Mr. Potts.

Mr. Arthur Potts: I move that section 79 of schedule 1 to the bill be amended by adding the following subsection:

"Eligibility

"(1.1) A person is not eligible to be appointed as the inspector general or as a deputy inspector general if he or she is, or has been, a member of a police service or a police service board."

The Chair (Mr. Shafiq Qaadri): Thank you. Mr. Yakabuski?

Mr. John Yakabuski: Wow. I was more than a little shocked to see this amendment. But it speaks to what we've been saying all along: that this bill—and we are not going to get to see very many more of the amendments, which is quite frankly shameful, Chair, because the government itself has tabled almost 300 amendments.

We're not even going to get to speak to them because, in a few minutes, we're going to be shut down. Then we're going to get 20 minutes per party on third reading debate to talk about all of these amendments that are not even in the bill yet, but will be in the bill by tomorrow.

But this one here speaks to the anti-police position the government is taking, or the motives—can I do that in here? I don't know. The inspector general—you've decided that the inspector general cannot be a former police officer. Regardless of their credentials, regardless of their record, regardless of their years of service or whatever else they may have done subsequent to being a police officer, they cannot be the inspector general.

Now, that's the only restriction I see. I see the duties under section 79, I believe it is, of the inspector general. We do know that he's appointed by the cabinet, and we had that discussion earlier this morning. They're now telling us anybody else, practically, is eligible to be the inspector general except a former police officer.

I don't know what you're suggesting here—that if the inspector general is a former police officer, they won't be impartial, they won't be fair, they'll be biased.

I know a lot of former police officers who are JPs, and they're actually the toughest ones, the worst ones, on police officers because they did the job for years. They can tell; they can read through anything—the way a charge is written, or anything. They're the ones who are more likely to question the evidence of an officer because they've walked in those shoes. But this government has decided, "We're so anti-police today that we will not ever, under any circumstances"—and this is an amendment, Chair. This was not even part of the original bill.

As far as I know, and please correct me if I'm wrong, no one came to this committee asking that a former police officer not be allowed to be appointed as the inspector general. This is beyond anything that I could have expected in this bill. We didn't know whether we'd get to this amendment or not. But you have to ask yourselves, is this really what we, the government of Ontario, are trying to say to the men and women who put their lives on the line every day—that none of you can be trusted enough to take the job of inspector general upon your retirement?

You could have been a police officer for five years and then you took an appointment, you took another job, you moved to another career—hell, you might have been a priest afterwards—but you can't be the inspector general because you're a former police officer. I am—I can't even say any more, but I do want to allow my colleague Mr. Natyshak a chance to comment.

Mr. Taras Natyshak: I'm good.

Mr. John Yakabuski: You're good? Well—

The Chair (Mr. Shafiq Qaadri): Mr. Potts?

Mr. John Yakabuski: I didn't relinquish it. I was—
Interjection.

Mr. John Yakabuski: Oh, I was just checking to see if Mr. Natyshak wanted to speak to it.

It just blows my mind. What were you thinking? What was happening in that cabinet room or the Premier's

office when you decided? I don't know if any of you were part of the conversation, but you're here today tabling that amendment and prepared to defend it.

Mr. Arthur Potts: You've only got one minute.

Mr. John Yakabuski: Well, as soon as I'm through—when does the clock run out, sir?

Mr. Arthur Potts: One minute, sir.

The Chair (Mr. Shafiq Qaadri): Four minutes.

Mr. John Yakabuski: It is just absolutely beyond my ability to comprehend what would motivate the government of Ontario to bring in an amendment such as this. There is no reason for it. It doesn't mean you have to appoint a former police officer. I would hope that, like in any other case, if you're appointing someone to a position such as the inspector general or anything else, there's a very thorough vetting process and each of the candidates is evaluated on their credibility, their skills, their resumé, the work that they have done—all of the things that would go into making a good decision.

If I am hiring somebody, I want all of the best candidates to be applying for that job. I don't want to say, "Oh, by the way, if you're left-handed, you can't apply." "Oh, by the way, if you're like me, half-bald, you can't apply." I mean, because you were a police officer at some time in your life, you can't apply? You are forbidden from taking this job at any time in the future? These are the kinds of things that make anyone who believes in fairness, transparency and accountability—why would you do this? What is your motivation? Chair, I have to ask them that question. What is your motivation? Why would you do this?

Mr. Arthur Potts: You don't want the answer.

Mr. John Yakabuski: I don't know the answer, but I am prepared—

Mr. Arthur Potts: You're not leaving me the time to answer.

Mr. John Yakabuski: Please. Chair, I would love for Mr. Potts to answer that question.

The Chair (Mr. Shafiq Qaadri): Thank you, Mr. Yakabuski. Mr. Potts?

Mr. Arthur Potts: I'm a little surprised that my friend opposite would have actually indicated that he thought justices of the peace who were police officers were biased in the performance of their duty. I don't share that view.

Mr. Taras Natyshak: He never said that.

Mr. Arthur Potts: He did. He said they're harder on police officers than other JPs. Quite frankly, I wouldn't want to be a police officer in front of a JP who was a former police officer. Maybe that's exactly why: because we don't want to have perceived conflicts of interest. This is about civilian oversight, and that's been very, very clear from the outset and the beginning. I'm not saying that many police officers—it's not about their qualifications. It's about the perception in the community that there may be a bias towards a friend.

So let's just eliminate the perception of bias. That's all we're looking for. I have the greatest respect for our men and women in blue. They would do an incredible job and

I'm sure they could be unbiased. It's about the perception.

For you to suggest for a minute that justices of the peace are biased against police officers, if they were previously police officers, just astounds me.

Are we almost done?

The Chair (Mr. Shafiq Qaadri): We're waiting for Google to tell us when, yes.

Mr. Arthur Potts: I will go on. That's the rationale, very, very clear. There was a member who came in front of—I can't remember exactly who it was. We heard very clearly that it should be a condition that it not be a former police—

Mr. John Yakabuski: You can't even remember who it was, but you brought in an amendment on that? Well, we don't remember who—

Mr. Arthur Potts: We'll have that discussion at third reading debate and we'll be sure to get exactly who it was on the record. We can go back to Hansard.

1630

The Chair (Mr. Shafiq Qaadri): Thank you, colleagues. As you will know, this is now the bewitching hour. As the order of the House was passed earlier today, all amendments and motions have now been deemed to have been read as if they have been read, and therefore are now subject to no further debate and only sequential voting. I am allowed to offer you recorded votes if you require. I am also allowed to group sections for which we have not received any motions. Therefore, we will proceed immediately and only with voting.

Interjections.

The Chair (Mr. Shafiq Qaadri): We are having a change of crew, which I will welcome for the evening flight. I commend all members of the committee for outlasting one legislative counsel; we'll see how the next one goes.

We are now proceeding purely to votes, as I mentioned. No further debate. I will read merely the titles. Recorded votes are allowed. As Mr. Yakabuski did point out, you are allowed to ask for a 20-minute recess now. Otherwise, hold your peace until these are executed, just to let you know.

We will proceed. Those in favour of government motion 74, which is subsection 79(1.1) of the Police Services Act, 2017? Those—

Mr. John Yakabuski: Recorded vote, please.

The Chair (Mr. Shafiq Qaadri): A recorded vote; fine.

Ayes

Berardinetti, Mangat, Potts, Sandals, Wong.

Nays

Scott, Yakabuski.

The Chair (Mr. Shafiq Qaadri): Government motion 74 carries.

Subsection 79(2.1) of the Police Services Act: government motion 75. Those in favour? Those opposed? Government motion 75 carries.

Shall schedule 1, section 79, as amended, carry? Carried.

I will consider, with your permission, the next two sections en bloc. They are schedule 1, sections 80 and 81. Shall they carry? Carried.

I'll now proceed to schedule 1, subsection 82(1) of the Police Services Act, 2017, government motion 76. Those in favour? Those opposed? Government motion 76 carries.

Shall schedule 1, section 82, as amended, carry? Carried.

We'll proceed now to schedule 1, clause 83(4)(a) of the Police Services Act, 2017, government motion 77. Those in favour? Those opposed? Government motion 77 carries.

Shall schedule 1, section 83, as amended, carry? Carried.

We'll proceed now to schedule 1, subsection 84(4) of the Police Services Act, 2017, government motion 78. Those in favour? Those opposed? Government motion 78 carries.

Clause 84(6)(a) of the Police Services Act, 2017: government motion 79. Those in favour? Those opposed? Government motion 79 carries.

Subsection 84(9) of the Police Services Act, 2017: government motion 80. Those in favour? Those opposed? Carried.

Shall schedule 1, section 84, as amended, carry? Carried.

Next section, which is schedule 1, subsection 85(2) of the Police Services Act, 2017: government motion 81. Those in favour? Those opposed? Carried.

Shall schedule 1, section 85, as amended, carry? Carried.

I have not received any amendments to the next section. We'll consider it as is. Schedule 1, section 86: Shall it carry? Carried.

With the next section, which is schedule 1, clause 87(2)(b) of the Police Services Act, 2017: government motion 82. Those in favour? Those opposed? Government motion 82 carries.

Subsection 87(2.1) of the Police Services Act, 2017: government motion 83. Those in favour? Those opposed? Carried.

Shall schedule 1, section 87, as amended, carry? Carried.

I've not received any motions to date for schedule 1, section 88. Shall it carry? Carried.

Proceeding now to schedule 1, subsection 89(1) of the Police Services Act, 2017, government motion 84. Those in favour? Those opposed? Government motion 84 carries.

Proceeding now to subsection 89(2) of the Police Services Act, 2017, government motion 85. Those in favour? Those opposed? Government motion 85 carries.

Subsection 89(3) of the Police Services Act, 2017: government motion 86. Those in favour? Those opposed? Government motion 86 carries.

Shall schedule 1, section 89, as amended, carry? Carried.

I will consider the next two sections, with your permission, en bloc. I've not received any motions to date. They are schedule 1, sections 90 and 91. Shall they carry? Carried.

Proceeding now to schedule 1, subsection 92(7) of the Police Services Act, 2017, government motion 87. Those in favour? Those opposed? Government motion 87 carries.

Shall schedule 1, section 92, as amended, carry? Carried.

We proceed now to schedule 1, subsection 93(1), paragraph 1.1 of the Police Services Act, 2017, government motion 88. Those in favour? Those opposed? Government motion 88 carries.

Now to subsection 93(6) (Police Services Act, 2017), government motion 89. Those in favour? Those opposed? Government motion 89 carries.

Now to subsection 93(7) (Police Services Act, 2017), government motion 90. Those in favour? Those opposed? Government motion 90 falls.

Shall schedule 1, section 93, as amended, carry? Carried.

Mr. Arthur Potts: Subsection 93(7).

The Chair (Mr. Shafiq Qaadri): Oh, there is a late addition, a replacement one, which is labelled, for your information, 90.1. Are all colleagues aware of this? Do you need further copies?

Interjections.

The Chair (Mr. Shafiq Qaadri): We'll proceed now to the vote on government motion 90.1: schedule 1 to the bill, subsection 93(7) (Police Services Act, 2017). Those in favour of government motion 90.1? Those opposed? Government motion 90.1 carries.

Shall schedule 1, section 93, as amended, carry? Carried.

We now proceed to the new schedule 1, section 93.1 (Police Services Act, 2017), government motion 91. Those in favour? Those opposed? Government motion 91 carries.

We now proceed to schedule 1, subsections 94(3) and (3.1) (Police Services Act, 2017), government motion 92. Those in favour? Those opposed? Government motion 92 carries.

Shall schedule 1, section 94, as amended, carry? Carried.

We now proceed to schedule 1, section 95 (Police Services Act, 2017), government motion 93. Those in favour? Those opposed? Government motion 93 carries.

Shall schedule 1, section 95, as amended, carry? Carried.

We will now proceed to schedule 1, section 96 and actually consider the next four en bloc as we have not received any motions. They are schedule 1, sections 96 to 99, en bloc. Shall they carry?

Mr. Arthur Potts: Excuse me.

Ms. Soo Wong: Ninety-eight.

The Chair (Mr. Shafiq Qaadri): Sections 96 to 98.

Shall they carry? Carried.

We now have government motion 94, which belongs to schedule 1, section 94. Are we clear?

Interjections.

The Chair (Mr. Shafiq Qaadri): It is officially schedule 1 to the bill, clause 99(2)(b) of the Police Services Act, 2017, and that is, by the way, government motion 94. Those in favour of government motion 94? Those opposed? Government motion 94 carries.

Therefore, shall schedule 1, section 99, as amended, carry? Carried.

We now proceed to schedule 1, section 100 (Police Services Act, 2017), government motion 95. Those in favour? Those opposed? Government motion 95 falls.

Mr. Arthur Potts: We have 95.1.

The Chair (Mr. Shafiq Qaadri): Okay. We have a late addition that is labelled as government motion 95.1, which we are now considering. Those in favour of government motion 95.1, which, just to be clear, belongs to schedule 1, section 100? Those in favour of government motion 95.1? Those opposed? Government motion 95.1 carries.

Shall schedule 1, section 100, as amended, carry? Carried.

We'll proceed now to schedule 1, subsection 101(1.1) (Police Services Act, 2017), government motion 96. Those in favour? Those opposed? Government motion 96 carries.

1640

Shall schedule 1, section 101, as amended, carry? Carried.

We'll proceed now to schedule 1, section 102 (Police Services Act, 2017), government motion 97. Those in favour? Those opposed? Government motion 97 carries.

Shall schedule 1, section 102, as amended, carry? Carried.

We'll proceed, then, to schedule 1, section 103 (Police Services Act, 2017), government motion 98. Those in favour? Those opposed? Government motion 98 carries.

Shall schedule 1, section 103, as amended, carry? Carried.

We'll proceed now to the next section. Schedule 1, section 104 (Police Services Act, 2017), government motion 99. Those in favour? Those opposed? Government motion 99 carries.

Shall schedule 1, section 104, as amended, carry? Carried.

We'll proceed now to schedule 1, section 105, subsections 105(4) and (5) (Police Services Act, 2017), government motion 100. Those in favour? Those opposed? Carried.

Shall schedule 1, section 105, as amended, carry? Carried.

We'll now consider the next four sections en bloc. They are schedule 1, sections 106 to 109. Shall they carry? Carried.

We'll now proceed to schedule 1, section 110, clause 110(1)(e) (Police Services Act, 2017), government motion 101. Those in favour of government motion 101? Those opposed? Government motion 101 carries.

Shall schedule 1, section 110, as amended, carry? Carried.

We'll proceed now to consider the next four sections en bloc. They are schedule 1, sections 111 to 114. Do they carry? Carried.

We'll proceed now to consider schedule 1, section 115 (Police Services Act, 2017), government motion 102. Those in favour of government motion 102? Those opposed? Government motion 102 falls.

We have a late addition that is labelled as government motion 102.0.1.

Mr. Arthur Potts: NDP motion.

The Chair (Mr. Shafiq Qaadri): No, it's a government replacement motion. It is a government—

Mrs. Liz Sandals: It comes after this. We're doing motion 102.0.1 first.

The Chair (Mr. Shafiq Qaadri): Okay, to be clear, we're now on government replacement motion 102.0.1. This is on schedule 1 to the bill, section 115 (Police Services Act, 2017). Those in favour? Those opposed? Government motion 102.0.1 carries.

Now to NDP motion 102.1: Those in favour of NDP motion 102.1? Those opposed? NDP motion 102.1 falls.

Shall schedule 1, section 115, as amended, carry? Carried.

We'll now proceed to consider schedule 1, new section 115.1 (Police Services Act, 2017), government motion 103. Those in favour of government motion 103? Those opposed? Government motion 103—

Mr. John Yakabuski: Excuse me, Chair.

The Chair (Mr. Shafiq Qaadri): Yes, Mr. Yakabuski?

Mr. John Yakabuski: Every time we turn around, we're getting more amendments. Are we still going to be expecting to be getting—because they've messed up this bill so badly and the drafting of it is so bad, we've got almost 300 amendments—

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski, with respect, I appreciate your points of clarification—

Mr. John Yakabuski: Are we going to continue to get amendments through the night?

Interjection: Until 11.

The Chair (Mr. Shafiq Qaadri): Mr. Yakabuski, I believe that the House has empowered us to sit until 11 p.m. Dinner will be ordered at 6:01 p.m., if required. The answer to your question is "yes." There is no further debate.

Mr. John Yakabuski: When do you take my specific dietary orders?

The Chair (Mr. Shafiq Qaadri): I will. I will make sure that they are medically sound as well.

We'll now proceed to consider government motion 103. Those in favour of government motion 103? Those opposed? Government motion 103 carries.

We'll now proceed to consider schedule 1, new section 115.2 (Police Services Act, 2017), government motion 104. Those in favour of government motion 104? Those opposed? Government motion 104 carries.

Next item: schedule 1, new section 115.3 (Police Services Act, 2017), government motion 105. Those in favour? Those opposed? Government motion 105 carries.

I will consider, with your permission, the next eight sections en bloc. They are schedule 1, sections 116 to 123. They have not received any motion today. Shall they carry? Carried.

We'll proceed now to schedule 1, subsection 124(1) (Police Services Act, 2017), government motion 106. Those in favour? Those opposed? Government motion 106 carries.

I believe we have already dispensed with 107.

Therefore, shall schedule 1, section 124, as amended, carry? Carried.

I will now consider the next two blocks, with your permission; that is, schedule 1, sections 125 and 126. Shall they carry? Carried.

I will now consider the next item, which is schedule 1, section 127, subsections 127(7) and (8) (Police Services Act, 2017), government motion 108. Those in favour of government motion 108? Those opposed? Government motion 108 is carried.

Shall schedule 1, section 127, as amended, carry? Carried.

I will now consider the next item, which is schedule 1, section 128, subsection 128(2) (Police Services Act, 2017), government motion 109. Those in favour? Those opposed to 109? Motion 109 carries.

Now to the next item, subsection 128(4) (Police Services Act, 2017), government motion 110. Those in favour of 110? Those opposed? Motion 110 carries.

Shall schedule 1, section 128, as amended, carry? Carried.

I will now consider the next two blocks, with your permission. They are schedule 1, sections 129 and 130. Are they carried? Carried.

I will now consider the next item, which is schedule 1—

Mr. John Yakabuski: The Liberals may need a break, sir, because I think their arms are getting tired.

The Chair (Mr. Shafiq Qadri): We appreciate your concern. I will await that request, if necessary.

Schedule 1, section 131, subsection 131(2) (Police Services Act, 2017), government motion 111—

Interjections.

The Chair (Mr. Shafiq Qadri): Mr. Yakabuski, would you like a break?

Mr. John Yakabuski: No, no, no.

The Chair (Mr. Shafiq Qadri): All right. We appreciate your perseverance, Mr. Yakabuski.

Mr. John Yakabuski: No, I was—

Mrs. Liz Sandals: I switch arms. It's okay.

Mr. John Yakabuski: Oh, okay.

The Chair (Mr. Shafiq Qadri): So, once again, schedule 1, section 131, subsection 131(2) (Police Ser-

vices Act, 2017), government motion 111. Those in favour of government motion 111? Those opposed? Government motion 111 carries.

Shall schedule 1, section 131, as amended, carry? Carried.

I have not received any motion to the next section, so we'll consider it. Schedule 1, section 132: Shall it carry? Carried.

Next item: schedule 1, new section 132.1 (Police Services Act, 2017), government motion 112. Those in favour? Those opposed? Motion 112 carries.

Schedule 1, section 133, subsection 133(1) (Police Services Act, 2017), government motion 113: Those in favour of 113? Those opposed? Motion 113 carries.

Subsection 133(2) (Police Services Act, 2017), government motion 114: Those in favour of 114? Those opposed? Motion 114 carries.

Shall schedule 1, section 133, as amended, carry? Carried—

Interjection.

The Chair (Mr. Shafiq Qadri): I need to hear it, colleagues. Shall schedule 1, section 133, as amended, carry?

Mr. Arthur Potts: Excuse me.

Mrs. Liz Sandals: We think we might have missed motion 115.

Mr. Arthur Potts: Motion 115 comes after it. That's the new 113.1.

The Chair (Mr. Shafiq Qadri): We're fine.

We'll proceed to the next item, which is schedule 1, new section 133.1 (Police Services Act, 2017), government motion 115. Those in favour of government motion 115? Those opposed? Motion 115 carries.

We'll proceed now to the next section, which is schedule 1, section 134, subsection 134(1) (Police Services Act, 2017), government motion 116. Those in favour of 116? Those against? Motion 116 carries.

Shall schedule 1, section 134, as amended, carry? Carried.

We'll proceed now to consider the next one, which has not received any motions to date, which is schedule 1, section 135. Shall it carry? Carried.

We'll now proceed to the next item, which is schedule 1, section 136, subsection 136(2) (Police Services Act, 2017), government motion 117. Those in favour? Those opposed? Motion 117 carries.

Shall schedule 1, section 136, as amended, carry? Carried.

We'll consider the next section, which has not received any motions to date, which is schedule 1, section 137. Shall it carry? Carried?

We'll now proceed to the next item, which is schedule 1, section 138 (Police Services Act, 2017), government motion 118. Those in favour of 118? Those opposed? Motion 118 carries.

Shall schedule 1, section 138, as amended, carry? Carried.

1650

We'll consider, with your permission, the next two en bloc, which are schedule 1, sections 139 and 140. Shall they carry? Carried.

We'll proceed to the next item: schedule 1, subsections 141(3) and (4) (Police Services Act, 2017), government motion 119. Those in favour of motion 119? Those opposed? Motion 119 carries.

Shall schedule 1, section 141, as amended, carry? Carried.

We'll consider the next section, as no amendments have been received, which is schedule 1, section 142. Shall it carry? Carried.

We'll proceed now to schedule 1, subsections 143(7) and (8) (Police Services Act, 2017), government motion 120. Those in favour of motion 120? Those opposed? Motion 120 carries.

Shall schedule 1, section 143, as amended, carry? Carried.

We'll now proceed to the next section, which is schedule 1, subsection 144(5) (Police Services Act, 2017), PC motion 121. Those in favour of PC motion 121? Those opposed? PC motion 121 falls.

Shall schedule 1, section 144, carry? Carried.

Schedule 1, subsection 145(10) (Police Services Act, 2017), PC motion 122: Those in favour? Those opposed? PC motion 122 falls.

Shall schedule 1, section 145, carry? Carried.

We'll proceed now to the next item, which is schedule 1, subsection 146(1.1) (Police Services Act, 2017), government motion 123. Those in favour of motion 123? Those opposed? Motion 123 carries.

Next item: subsection 146(4) (Police Services Act, 2017), government motion 124. Those in favour of motion 124? Those opposed? Motion 124 carries.

Subsection 146(5) (Police Services Act, 2017), PC motion 125: Those in favour of PC motion 125? Those opposed? PC motion 125 falls.

Next item: subsection 146(5), paragraph 4 (Police Services Act, 2017), government motion 126. Those in favour of government motion 126? Those opposed? Motion 126 is carried.

We've already dispensed with government motion 127; therefore, we'll proceed with subsection 146(6) (Police Services Act, 2017), government motion 128. Those in favour of motion 128? Those opposed? Motion 128 carries.

Shall schedule 1, section 146, as amended, carry? Carried.

We'll consider the next two sections en bloc, with your permission, which are schedule 1, sections 147 and 148. Shall they carry? Carried.

Next item: schedule 1, section 149 (Police Services Act, 2017), government motion 129. Those in favour of motion 129? Those opposed? Motion 129 carries.

Shall schedule 1, section 149, as amended, carry? Carried.

We'll proceed now to schedule 1, subsection 150(1) (Police Services Act, 2017), government motion 130.

Those in favour of motion 130? Those opposed? Motion 130 carries.

Shall schedule 1, section 150, as amended, carry? Carried.

We'll proceed now to the next item, which is schedule 1, subsection 151(1), paragraph 2 (Police Services Act, 2017), government motion 131. Those in favour of motion 131? Those opposed? Motion 131 carries.

Shall schedule 1, section 151, as amended, carry? Carried.

We will now consider the next four sections en bloc, with your permission, which are schedule 1, sections 152 to 155, inclusive. Will they carry? Carried.

We'll now consider the next item, which is schedule 1, subsection 156(4) (Police Services Act, 2017), government motion 132. Those in favour of motion 132? Those opposed? Motion 132 carries.

Shall schedule 1, section 156, as amended, carry? Carried.

Next item: schedule 1, section 157 (Police Services Act, 2017), government motion 133. Those in favour of motion 133? Those opposed? Motion 133 carries.

Shall schedule 1, section 157, as amended, carry? Carried.

We'll consider the next section as we've not received any motions, which is schedule 1, section 158. Shall it carry? Carried.

Schedule 1, section 159 (Police Services Act, 2017), government motion 134: Those in favour of motion 134? Those opposed? Motion 134 carries.

Shall schedule 1, section 159, as amended, carry? Carried.

We'll proceed now to schedule 1, new section 159.1, (Police Services Act, 2017), government motion 135. Those in favour of motion 135? Those opposed? Government motion 135 carries.

We'll proceed now to schedule 1, section 160. We have not received motions to date. Shall it carry? Carried.

We'll proceed now to the next item, which is schedule 1, section 161 (Police Services Act 2017), government motion 136. Those in favour of 136? Those opposed? Government motion 136 carries.

Shall schedule 1, section 161, as amended, carry? Carried.

We'll proceed now to the next item, which is schedule 1, subsections 162(4) and (5) (Police Services Act, 2017), government motion 137. Those in favour of 137? Those opposed? Government motion 137 carries.

Shall schedule 1, section 162, as amended, carry? Carried.

We'll proceed now to immediately consider schedule 1, section 163. Shall it carry? Carried.

Now to the next item: schedule 1, subsection 164(2) (Police Services Act, 2017), government motion 138. Those in favour of 138? Those opposed? Government motion 138 carries.

Shall schedule 1, section 164, as amended, carry? Carried.

We'll proceed now to schedule 1, subsection 165(6) (Police Services Act, 2017), government motion 139. Those in favour of 139? Those opposed? Government motion 139 carries.

Shall schedule 1, section 165, as amended, carry? Carried.

We'll proceed now to the next section: schedule 1, section 166. Shall it carry? Carried.

We'll proceed now to the next item, which is section 1, subsection 167(6) (Police Services Act, 2017), government motion 140. Those in favour of 140? Those opposed? Government motion 140 carries.

Shall schedule 1, section 167, as amended, carry? Carried.

Shall schedule 1, section 168, carry? Carried.

Shall schedule 1, section 169, carry? Carried.

Schedule 1, section 170 (Police Services Act, 2017), government motion 141: Those in favour of 141? Those opposed? Government motion 141 carries.

Section 170 (Police Services Act, 2017), NDP motion 141.1: Those in favour of NDP motion 141.1? Those opposed? NDP motion 141.1 falls.

Shall schedule 1, section 170, as amended, carry? Carried.

We'll consider the next five sections en bloc, which are schedule 1—

Mr. Arthur Potts: Four sections.

Interjections.

Mr. Arthur Potts: Oh, sorry. My apologies.

The Chair (Mr. Shafiq Qadri): The Chair's ruling stands; it is five sections. That's advanced mathematics, grade 11.

Schedule 1, sections 171 to 175, five sections: Shall they carry? Carried.

Mrs. Liz Sandals: All five should.

The Chair (Mr. Shafiq Qadri): I welcome your endorsement.

We'll consider now the new schedule 1, section 175.1 (Police Services Act, 2017), government motion 142. Those in favour of 142? Those opposed? Government motion 142 carries.

Schedule 1, subsection—

Mr. Lorenzo Berardinetti: Point of order, please, Chair?

The Chair (Mr. Shafiq Qadri): Point of order, Mr. Berardinetti.

Mr. Lorenzo Berardinetti: It's just a procedural matter. From motion 143 right to motion number 158, including the sections: Can we do them all en bloc?

The Chair (Mr. Shafiq Qadri): No.

Mr. Lorenzo Berardinetti: No? Okay.

The Chair (Mr. Shafiq Qadri): It's the empty sections. Mr. Berardinetti, as a former Chair, you know this. Empty sections can be done en bloc.

We'll consider now schedule 1, subsection 176(4), paragraph 1 (Police Services Act, 2017), government motion 143. Those in favour of government motion 143? Those opposed? Government motion 143 carries.

Schedule 1, subsection 176(4), paragraph 3 (Police Services Act, 2017), government motion 144: Those in favour of 144? Those opposed? Government motion 144 carries.

Schedule 1, subsections 176(5) and (5.1) (Police Services Act, 2017), government motion 145: Those in favour of 145? Those opposed? Government motion 145 carries.

Schedule 1, subsections 176(9), (10) and (11) (Police Services Act, 2017), government motion 146: Those in favour of 146? Those opposed? Government motion 146 carries.

Shall schedule 1, section 176, as amended, carry? Carried.

We're now considering the next seven sections en bloc. Shall schedule 1, sections 177 to 183 en bloc carry? Carried.

We'll now consider schedule 1, subsection 184(2) (Police Services Act, 2017), government motion 147. All those in favour of 147? Those opposed? Motion 147 carried.

1700

Shall schedule 1, section 184, as amended, carry? Carried.

We'll now consider the next four sections en bloc, with your permission. They are schedule 1, sections 185 to 188, en bloc. Shall they carry? Carried.

Interruption.

The Chair (Mr. Shafiq Qadri): We're now having an AV crew change; I commend you again.

We'll now proceed to the next item, which is schedule 1, subsection 189(3), paragraphs 4 and 4.1 (Police Services Act, 2017), government motion 148. Those in favour of 148? Those opposed? Motion 148 carried.

We're now considering clauses 189(6)(b) and (b.1) (Police Services Act, 2017), government motion 149. Those in favour of 149? Those opposed? Motion 149 carries.

Shall schedule 1, section 189, as amended, carry? Carried.

We'll consider the next five sections, with your permission, en bloc. They are schedule 1, sections 190 to 194, en bloc. Shall they carry? Carried.

We'll now consider schedule 1, subsection 195(3) (Police Services Act, 2017), government motion 150. Those in favour of 150? Those opposed? Motion 150 carries.

Shall schedule 1, section 195, as amended, carry? Carried.

We will now consider the next four sections, with your permission, en bloc. They are schedule 1, sections 196 to 199, en bloc. Shall they carry? Carried.

We will now consider schedule 1, subsection 200(1), paragraph 2 (Police Services Act, 2017), government motion 151. Those in favour of 151? Those opposed? Motion 151 carried.

Schedule 1, subsection 200(1), paragraph 17.1 (Police Services Act, 2017), government motion 152: Those in favour of 152? Those opposed? Motion 152 carried.

Schedule 1, subsection 200(1), paragraph 20.1 (Police Services Act, 2017), government motion 153: Those in favour of 153? Those opposed? Motion 153 carried.

Schedule 1, subsection 200(1), paragraph 32.1 (Police Services Act, 2017), government motion 154: Those in favour of 154? Those opposed? Motion 154 carried.

Schedule 1, subsection 200(1), paragraph 52 (Police Services Act, 2017), government motion 155: Those in favour of 155? Those opposed? Motion 155 carried.

Schedule 1, subsection 200(1), paragraph 65 (Police Services Act, 2017), government motion 156: Those in favour of 156? Those opposed? Motion 156 carries.

Schedule 1, subsection 200(1), paragraph 66 (Police Services Act, 2017), government motion 157: Those in favour of 157? Those opposed? Motion 157 carried.

Schedule 1, subsection 200(1), paragraph 78 (Police Services Act, 2017), government motion 158: Those in favour of 158? Those opposed? Carried.

Schedule 1, subsection 200(1), paragraph 79.1 (Police Services Act, 2017), government motion 159: Those in favour of 159? Those opposed to 159? Carried.

We're on schedule 1, subsection 200(1.1) (Police Services Act, 2017), NDP motion 159.1. Those in favour of NDP motion 159.1? Those opposed to 159.1? Motion 159.1 falls.

To schedule 1, subsection 200(2), paragraph 19.1 (Police Services Act, 2017), government motion 160. Those in favour of 160? Those opposed? Motion 160 carried.

Schedule 1, subsection 200(4) (Police Services Act, 2017), government motion 161: Those in favour of 161? Those opposed? Motion 161 carried.

Schedule 1, subsections 200(6) to (15) (Police Services Act, 2017), government motion 161.1. Those in favour of—

Mr. Arthur Potts: NDP motion.

The Chair (Mr. Shafiq Qadri): Sorry, NDP motion 161.1.

Mr. Taras Natyshak: Can I get a recorded vote, please, Chair?

The Chair (Mr. Shafiq Qadri): Recorded vote on NDP motion 161.1.

Mr. John Yakabuski: What is it?

Mr. Arthur Potts: You should vote against it, John.

The Chair (Mr. Shafiq Qadri): I'm happy to circulate a copy, if necessary. Has somebody got it?

Mr. Taras Natyshak: I'd love to tell the committee about it, but we can't do that anymore.

The Chair (Mr. Shafiq Qadri): So to be clear, we are now proceeding directly to the vote on NDP motion 161.1. Recorded vote.

Ayes

Natyshak.

Nays

Berardinetti, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qadri): Motion 161.1 falls. Shall schedule 1, section 200, as amended, carry? Carried.

Shall schedule 1, section 201, carry? Carried.

Now to the next item, new section 201.1 (Police Services Act, 2017), government motion 162. Those in favour of 162? Those opposed? Motion 162 carries.

Schedule 1, subsection 202(6), (subsection 145(3), paragraphs 4 and 4.1 of the Police Services Act, 2017), government motion 163: Those in favour of 163? Those opposed? Motion 163 carries.

Schedule 1, subsection 202(6) (clauses 145(6)(b) and (b.1) of the Police Services Act, 2017): government motion 164: Those in favour of 164? Those opposed? Motion 164 carries.

Schedule 1, subsection 202(6) (subsection 151(3) of the Police Services Act, 2017), government motion 165: Those in favour of 165? Those opposed? Motion 165 carries.

Shall schedule 1, section 202, as amended, carry? Carried.

Shall schedule 1, section 203, carry? Carried.

Referring now to the next item, schedule 1, section 204 (commencement, Police Services Act, 2017), government motion 166: Those in favour of government motion 166? Those opposed? Motion 166 carries.

Shall schedule 1, section 204, as amended, carry? Carried.

Shall schedule 1, section 205, carry?

Mr. Arthur Potts: Recorded vote.

Mr. Taras Natyshak: Sorry, Chair. Where are we?

The Chair (Mr. Shafiq Qadri): We are, Mr. Natyshak, on schedule 1, section 205.

Interjection.

The Chair (Mr. Shafiq Qadri): There's no motion in it.

Mr. Taras Natyshak: We're voting on the whole schedule?

The Chair (Mr. Shafiq Qadri): I think the intention is to vote on the whole schedule; we're actually voting on the section, as I am surmising.

Interjection.

Mr. Arthur Potts: We carried it.

Mrs. Liz Sandals: We thought we were voting on the whole schedule.

The Chair (Mr. Shafiq Qadri): No, not yet. We're not voting on the whole schedule right now. We're still on schedule 1, section 205. I presume that's not a recorded vote. In any case, there are no amendments or motions in it yet and ever. We're still voting on the very last section of schedule 1, which is section 205.

Mr. Taras Natyshak: And they're calling for a recorded vote on this?

Mr. Arthur Potts: No.

The Chair (Mr. Shafiq Qadri): I don't think so.

Mr. Taras Natyshak: Okay.

The Chair (Mr. Shafiq Qadri): That was a premature call.

Shall schedule 1, section 205, carry? Carried.

Now we are voting on the entire schedule 1, as amended.

Mr. Arthur Potts: Recorded vote.

Ayes

Berardinetti, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qaadri): Those opposed? Schedule 1, as amended, carries.

Colleagues, a five-minute-or-so recess—not a recess. It’s a five-minute interlude.

1710

Thank you, colleagues.

We’re now considering schedule 2. For sections 1, 2 and 3, we have not received any amendments, so we’ll consider them en bloc, with your permission. Shall schedule 2, sections 1, 2 and 3, carry? Carried.

We’ll now proceed to the next item, which is schedule 2, subsection 4(1), definition of “affected person” (Policing Oversight Act, 2017), government motion 167. Those in favour of motion 167? Those opposed? Motion 167 carries.

Schedule 2, subsection 4(3) (Policing Oversight Act, 2017), PC motion 168: Those in favour of—

Mr. Arthur Potts: Recorded vote.

The Chair (Mr. Shafiq Qaadri): Recorded vote.

Ayes

Berardinetti, Mangat, Potts, Sandals, Scott, Wong.

The Chair (Mr. Shafiq Qaadri): Those opposed?

I congratulate you, Ms. Scott: PC motion 168 has passed.

Schedule 2, subsection 4(3) (Policing Oversight Act, 2017), government motion 169: Those in favour of motion 169?

Mr. Arthur Potts: It’s out of order, actually.

The Chair (Mr. Shafiq Qaadri): Thank you. Government motion 169: You’re quite right, Mr. Potts. I thank you for the reminder. It is out of order and therefore dismissed. It is identical to the previous motion decided on by this illustrious committee.

Shall schedule 2, section 4, as amended, carry? Carried.

We’ll now consider the next section. No motions received to date. Shall schedule 2, section 5, carry? Carried.

Schedule 2, clause 6(6)(c) (Policing Oversight Act, 2017), government motion 170: Those in favour of motion 170? Those opposed? Motion 170 carries.

Shall schedule 2, section 6, as amended, carry? Carried.

We’ll now consider the next three sections en bloc, with your permission. Therefore, shall schedule 2, section 79, carry? Carried.

Schedule 2, subsection 10(12) (Policing Oversight Act, 2017), government motion 171: Those in favour of motion 171? Those opposed? Motion 171 carries.

Shall schedule 2, section 10, as amended, carry? Carried.

I will now consider the next four sections en bloc, with your permission. They are schedule 2, sections 11 to 14, inclusive. Shall they carry? Carried.

Next item, which is schedule 2, subsection 15(2) (Policing Oversight Act), government motion 172: Those in favour of motion 172? Those opposed? Motion 172 carries.

Shall schedule 2, section 15, as amended, carry? Carried.

Schedule 2, subsection 16(1) (Policing Oversight Act, 2017), PC motion 173: Those in favour of PC motion 173? Those opposed? PC motion 173 falls.

Schedule 2, subsection 16(1), paragraph 4 (Policing Oversight Act, 2017), government motion 174: Those in favour of motion 174? Those opposed? Motion 174 carries.

Schedule 2, subsection 16(1), paragraph 4 (Policing Oversight Act, 2017), NDP motion 174.1: Those in favour of NDP motion 174.1? Those opposed? NDP motion 174.1 falls.

Schedule 2, subsection 16(6.1) (Policing Oversight Act), government motion 175: Those in favour of motion 175? Those opposed? Motion 175 carries.

Shall schedule 2, section 16, as amended, carry? Carried.

Schedule 2, subsection 17(4) (Policing Oversight Act), government motion 176: Those in favour of motion 176? Those opposed? Motion 176 carries.

Schedule 2, subsection 17(5) (Policing Oversight Act), PC motion 177: Those in favour of PC motion 177? Those opposed? PC motion 177 falls.

Schedule 2, subsection 17(5) (Policing Oversight Act, 2017), government motion 178: Those in favour of motion 178? Those opposed? Motion 178 falls.

1720

Mrs. Liz Sandals: No, no.

The Chair (Mr. Shafiq Qaadri): Sorry, it’s carried. Government motion 178 carried.

Shall schedule 2, section 17, as amended, carry? Carried.

Next item: schedule 2, subsection 18(1), government motion 179: Those in favour of motion 179? Those opposed? Motion 179 carries.

Shall schedule 2, section 18, as amended, carry? Carried.

Next item: schedule 2, subsection 19(5), government motion 180: Those in favour of motion 180? Those opposed? Motion 180 carries.

Next item: NDP motion 180.1 is out of order and therefore dismissed.

Shall schedule 2, section 19, as amended, carry? Carried.

We’ll consider the next seven sections en bloc, with your permission. They are schedule 2, sections 20 to 26, en bloc. Shall they carry? Carried.

We proceed now to the next item: schedule 2, subsection 27(3), government motion 181: Those in favour of motion 181? Those opposed? Motion 181 carries.

Subsection 27(5), government motion 182: Those in favour of motion 182? Those opposed? Motion 182 carries.

Subsection 27(6), government motion 183: Those in favour of motion 183? Those opposed? Motion 183 carries.

Schedule 2, subsection 27(7), motion 184: Those in favour of government motion 184? Those opposed? Motion 184 carries.

Shall schedule 2, section 27, as amended, carry? Carried.

We proceed now to the next item, which is schedule 2, subsection 28(3), NDP motion 184.1. Those in favour of NDP motion 184.1? Those opposed? NDP motion 184.1 falls.

We proceed now to schedule 2, subsection 28(3), PC motion 185. Those in favour of PC motion 185? Those opposed? PC motion 185 falls.

Shall schedule 2, section 28, carry? Carried.

We'll consider the next four sections en bloc, with your permission. They are schedule 2, sections 29 to 32, en bloc. Shall they carry? Carried.

Now to the next item: schedule 2, subsection 33(1), government motion 186. Those in favour of motion 186? Those opposed? Motion 186 carries.

PC motion 187 is out of order and therefore dismissed: schedule 2, subsection 33(1). PC motion 187 is, as I said, out of order.

Next item: schedule 2, subsection 33(2), government motion 188. Those in favour of motion 188? Those opposed? Motion 188 is carried.

Next item: schedule 2, subsection 33(3), government motion 189. Those in favour of motion 189?

Mrs. Liz Sandals: It's a PC motion.

The Chair (Mr. Shafiq Qadri): Sorry, PC motion 189. Those in favour of PC motion 189? Those opposed? PC motion 189 falls.

Schedule 2, subsection 33(3), government motion 190: Those in favour of motion 190? Those opposed? Motion 190 carries.

Schedule 2, subsection 33(4), government motion 191: Those in favour of motion 191? Those opposed? Motion 191 carries.

To be clear, that was subsection 33(4). We've already voted and it has carried.

Shall schedule 2, section 33, as amended, carry? Carried.

Next item: schedule 2, section 3, government motion 192. Those in favour? Those opposed? Motion 192 carries.

Shall schedule 2, section 34, as amended, carry? Carried.

Our next item is schedule 2, section 35: Carry? Carried.

Next item: schedule 2, subsection 36(3), government motion 193. Those in favour of 193? Those opposed? Government motion 193 carries.

Schedule 2, subsection 36(4), paragraph 1, PC motion 194: Those in favour of PC motion 194? Those opposed? PC motion 194 falls.

Next item: NDP motion 194.1 is out of order and therefore dismissed, as it's identical to the previous one.

Next item: schedule 2, subsection 36(10), government motion 195. Those in favour? Those opposed? Government motion 195 carries.

Shall schedule 2, section 36, as amended, carry? Carried.

Next item: schedule 2, subsection 37(2), PC motion 196. Those in favour of PC motion 196? Those opposed to PC motion 196? PC motion 196 falls.

Next item: schedule 2, subsection 37(2), NDP motion 196.1 is out of order as it is also identical to the previous.

Shall schedule 2, section 37, carry? Carried.

Next item: No motions received to date. Shall schedule 2, section 38, carry? Carried.

We'll proceed now to schedule 2, subsection 39(3), government motion 197. Those in favour of 197? Those opposed? Government motion 197 carries.

Shall schedule 2, section 39, as amended, carry? Carried.

We'll now consider the next four sections en bloc, with your permission. They are: schedule 2, sections 40 to 43, en bloc. Shall they carry? Carried.

We'll now consider schedule 2, clause 44(9)(e) (Policing Oversight Act, 2017), government motion 198.

Interjection.

The Chair (Mr. Shafiq Qadri): Okay, just to be clear, that was clause 44(e).

Those in favour of government motion 198? Those opposed? Motion 198 carries.

Shall schedule 2, section 44, as amended, carry? Carried.

Next item: schedule 2, subsection 45(9), government motion 199. Those in favour of 199? Those opposed? Government motion 199 carries.

Shall schedule 2, section 45, as amended, carry? Carried.

We'll now consider the next four sections en bloc, with your permission. They are: schedule 2, sections 46 to 49, en bloc. Shall they carry? Carried.

Next item: schedule 2, subsection 50(12), government motion 200. Those in favour of 200? Those opposed? Government motion 200 carries.

Shall schedule 2, section 50, as amended, carry? Carried.

We will now consider the next nine sections en bloc, which are schedule 2, sections 51 to 59, en bloc. Shall they carry? Carried.

Next item: schedule 2, subsection 60(2), government motion 201. Those in favour of 201? Those opposed? Government motion 201 carries.

Schedule 2, subsection 60(4), government motion 202: Those in favour of 202? Those opposed? Government motion 202 carries.

Shall schedule 2, section 60, as amended, carry? Carried.

Next two, en bloc: Shall schedule 2, sections 61 and 62, carry? Carried.

Next item: schedule 2, subsection 63(2), government motion 203. Those in favour of 203? Those opposed? Government motion 203 carries.

Shall schedule 2, section 63, as amended, carry? Carried.

We will now consider the next 12 sections en bloc. They are schedule 2, section 64 to section 75, so 64 to 75, en bloc. Shall they carry? Carried.

Next item: schedule 2, subsections 76(2) and (3), government motion 204. Those in favour of 204? Those opposed? Government motion 204 carries.

Shall schedule 2, section 76, as amended, carry? Carried.

Next item: schedule 2, subsection 77(3), government motion 205. Shall 205 carry? Carried.

We've dispensed, I believe, with government motion 206, so we will proceed to consider that section.

Shall schedule 2, section 77, as amended, carry? Carried.

1730

We are considering now schedule 2, section 78. Shall it carry? Carried.

Next item: schedule 2, subsection 79(1), government motion 207. Those in favour of 207? Those opposed? Motion 207 carries.

Schedule 2, subsections 79(3) and (4), government motion 208: Those in favour of 208? Those opposed? Motion 208 carries.

Shall schedule 2, section 79, as amended, carry? Carried.

Next item: schedule 2, subsection 80(7), government motion 209. Those in favour of 209? Those opposed? Motion 209 carries.

Next item: schedule 2, subsection 80(8), government motion 210. Those in favour of 210? Those opposed? Motion 210 carries.

Next item: schedule 2, subsection 80(8.1), government motion 211. Those in favour of 211? Those opposed? Motion 211 carries.

Shall schedule 2, section 80, as amended, carry? Carried.

We'll now proceed to the next item, which is schedule 2, subsection 81(2.1), government motion 212. Those in favour of 212? Those opposed? Motion 212 carried.

Next item: schedule 2, subsection 81(6), government motion 213. Shall 213 carry? All those in favour of government motion 213? All those opposed? Government motion 213 carried.

Schedule 2, subsection 81(10), government motion 214: Those in favour of government motion 214? Those opposed? Motion 214 carries.

Shall schedule 2, section 81, as amended, carry? Carried.

Next item: schedule 2, subsection 82(2), government motion 215. Those in favour of 215? Those opposed? Motion 215 carries.

Next item: schedule 2, subsection 82(4), government motion 216. Those in favour of 216? Those opposed? Motion 216 carries.

Shall schedule 2, section 82, as amended, carry? Carried.

We will now consider the next two sections en bloc. They are 83 and 84, which means—

Mr. Lorenzo Berardinetti: No, no. We have a government notice.

Mr. Arthur Potts: Can we do them individually, please?

The Chair (Mr. Shafiq Qadri): Fine. There's a notice on 84. We'll do them individually.

Shall schedule 2, section 83, carry? Carried.

Now we have a government notice of motion on section 84, which is just to be—

Interjection.

The Chair (Mr. Shafiq Qadri): We just go straight to the vote. Fair enough.

Shall schedule 2, section 84, carry? Those in favour of section 84? Those opposed? Schedule 2, section 84, falls.

Next item: schedule 2, subsection 85(4), government motion 217. Those in favour of 217? Those opposed? Motion 217 carries.

Shall schedule 2, section 85, as amended, carry? Carried.

Shall the next item, schedule 2, section 86, carry? Carried.

Next item: schedule 2, subsection 87(1), PC motion 218. Those in favour of PC motion 218? Those opposed? Motion 218 falls.

Next item: schedule 2, subsection 87(1), paragraphs 2 to 6 and 8, PC motion 219. Those in favour of PC motion 219? Those opposed? PC motion 219 falls.

Next item: schedule 2, subsection 87(1), paragraph 7, government motion 220. Those in favour of 220? Those opposed? Motion 220 carries.

Shall schedule 2, section 87, as amended, carry? Carried.

We will consider the next six items—there's still one where a notice is pending—schedule 2, section 88 to section 93, which is six sections. Shall they carry? Carried.

We now have schedule 2, section 94, for which we do have a government notice—

Interjection.

The Chair (Mr. Shafiq Qadri): Sorry, a PC notice. I would invite you to notice it.

Therefore, we now proceed to the vote. Shall schedule 2, section 94, carry? Carried.

Schedule 2, section 95: Shall it carry? Carried.

We'll now proceed to schedule 2, subsections 96(1) and (1.1), government motion 221. Those in favour of 221? Those opposed? Motion 221 carries.

Shall schedule 2, section 96, as amended, carry?
Carried.

Next item: schedule 2, subsection 97(2), government motion 222. Those in favour of 222? Those opposed? Motion 222 carries.

Shall schedule 2, section 97, as amended, carry?
Carried.

Next two items en bloc: Shall schedule 2, sections 98 and 99, carry? Carried.

Next item: schedule 2, subsection 100(1), government motion 223. Those in favour of motion 223? Those opposed? Government motion 223 carried.

The next item, PC motion 224, is out of order and, with extreme regret, nullified.

The next item is schedule 2, subsection 100(2), government motion 225. All those in favour of 225? Those opposed? Motion 225 carried.

Shall schedule 2, section 100, as amended, carry?
Carried.

Next item: no amendments received to date. Shall schedule 2, section 101, carry? Carried.

The next item: schedule 2, section 102, PC motion 226. Those in favour of PC motion 226? Those opposed? PC motion 226 falls.

Next item: schedule 2, section 102, government motion 227. Those in favour of government motion 227? Those opposed? Motion 227 carried.

Shall schedule 2, section 102, as amended, carry?
Carried.

Next item: schedule 2, new section 102.1, government motion 228. Those in favour of 228? Those opposed? Motion 228 carried.

Next item: schedule 2, section 103. Carried? Carried.

Next item: schedule 2, section 104, clause 104(c.1), government motion 229. Those in favour of 229? Those opposed? Motion 229 carries.

Shall schedule 2, section 104, as amended, carry?
Carried.

New schedule—sorry?

Interjection.

The Chair (Mr. Shafiq Qaadri): I need some vocalization. Shall schedule 2, section 104, as amended, carry? Carried. Thank you.

Next item: schedule 2, new section 104.1, NDP motion 229.1. Those in favour of 229.1? Those opposed to 229.1? Motion 229.1 falls.

Next item: schedule 2, section 105, government motion 230. Those in favour? Those opposed? Motion 230 carries.

Shall schedule 2, section 105, as amended, carry?
Carried.

We will now consider the next three items en bloc, which are schedule 2, sections 106, 107 and 108. Shall they carry? Carried.

This is a vote now for the entire schedule 2.

Mr. Arthur Potts: Recorded.

The Chair (Mr. Shafiq Qaadri): Shall schedule 2, as amended, carry?

Ayes

Berardinetti, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qaadri): Those opposed? Schedule 2, as amended, carries.

We will now proceed to the next schedule, which is schedule 3.

We have not received any motions to date for the first seven sections—I will consider them, with your permission, en bloc—which are schedule 3, sections 1 to 7, en bloc. Do they carry? Carried.

Next item: schedule 3, section 8, government motion 231. Those in favour of 231? Those opposed? Motion 231 carries.

The next two items, en bloc, schedule 3, sections 9 and 10: Do they carry? Carried.

Schedule 3, new section 10.1, government motion 232: Those in favour of 232? Those opposed? Motion 232 carries.

Next item: schedule 3, new section 10.2, government motion 233. Those in favour of 233? Those opposed? Motion 233 carries.

Next item: schedule 3, section 11, subsection 11(1), paragraph 5, government motion 234. Those in favour of 234? Those opposed? Motion 234 carries.

Shall schedule 3, section 11, as amended, carry?
Carried.

We will now consider—

Mrs. Liz Sandals: We want to do 12 separately so we can have 13 separately.

The Chair (Mr. Shafiq Qaadri): Thank you, Ms. Sandals.

We'll proceed, then, to consider schedule 3, section 12, for which no amendments have been received to date. Shall schedule 3, section 12, carry? Carried.

Next item: schedule 3, section 13. Those in favour of schedule 3, section 13? Those opposed? Section 13 falls.

Next item: schedule 3, section 14. Those in favour of section 14? Carried? Carried.

Shall schedule 3, sections 15 and 16, carry? Carried.

Shall schedule 3, as amended, carry?

Mr. Arthur Potts: Recorded.

Ayes

Berardinetti, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qaadri): Those opposed? None. Schedule 3, as amended, carries.

1740

We now proceed to schedule 4, subsection 1(1), definition of “affected person” (Ontario Special Investigations Unit Act, 2017), government motion 235. Those in favour of 235? Those opposed? Motion 235 carries.

Next item: schedule 4, subsection 1(1), definition of “official” (Ontario Special Investigations Unit Act, 2017), government motion 236. Those in favour of motion 236? I presume there are others on your team,

Mr. Potts, who are in favour of government motion 236? Thank you.

Mr. John Yakabuski: You should never presume anything, Chair.

The Chair (Mr. Shafiq Qaadri): I was simply asking for clarification. Thank you.

All those in favour of government motion 236? All those opposed? Motion 236 carries.

Schedule 4, subsection 1(3) (Ontario Special Investigations Unit Act, 2017), PC motion 237: Those in favour of PC motion 237? Those opposed? Motion 237 carries. I congratulate you, Mr. Yakabuski.

Schedule 4, subsection 1(3), government motion 238—which is out of order. It's identical to the previous and therefore nullified, expunged, erased.

Shall schedule 4, section 1, as amended, carry? Carried.

The next three items have no amendments or motions to date. I will consider them en bloc. They are schedule 4, sections 2, 3 and 4. Shall they carry? Carried.

Schedule 4, clause 5(6)(c) (Ontario Special Investigations Unit Act, 2017), government motion 239: Those in favour of 239? Those opposed? Motion 239 carried.

The next three items: no motions to date. Shall schedule 4, section 5, as amended, carry? Carried.

The next three items: no motions to date. Shall schedule 4, sections 6, 7 and 8, carry? Carried.

Schedule 4, subsection 9(12) (Ontario Special Investigations Unit Act, 2017), government motion 240: Those in favour of motion 240? Those opposed? Motion 240 carries.

Shall schedule 4, section 9, as amended, carry? Carried.

We will now consider the next four items en bloc, with your permission. They are schedule 4, sections 10, 11, 12 and 13. Shall they carry? Carried.

Schedule 4, subsection 14(2) (Ontario Special Investigations Unit Act, 2017), government motion 241: Those in favour of motion 241? Those opposed? Motion 241 carries.

Shall schedule 4, section 14, as amended, carry? Carried.

Schedule 4, subsection 15(1) (Ontario Special Investigations Unit Act, 2017), PC motion 242: Those in favour of PC motion 242? Those opposed? PC motion 242 falls.

Schedule 4, subsection 15(1), paragraph 4 (Ontario Special Investigations Unit Act, 2017), government motion 243: Those in favour of motion 243? Those opposed? Motion 243 carries.

Schedule 4, paragraph 4 of subsection 15(1) (Ontario Special Investigations Unit Act, 2017), NDP motion 243.1: Those in favour of NDP motion 243.1? Those opposed? NDP motion 243.1 falls.

Schedule 4, subsection 15(6.1) (Ontario Special Investigations Unit Act, 2017), government motion 244: Those in favour of motion 244? Those opposed? Motion 244 carries.

Shall schedule 4, section 15, as amended, carry? Carried.

Schedule 4, subsection 16(4) (Ontario Special Investigations Unit Act, 2017), government motion 245: Those in favour of motion 245? Those opposed? Motion 245 carries.

Schedule 4, subsection 16(5) (Ontario Special Investigations Unit Act, 2017), PC motion 246: Those in favour of PC motion 246? Those opposed? PC motion 246 falls.

Schedule 4, subsection 16(5) (Ontario Special Investigations Unit Act, 2017), government motion 247: Those in favour of motion 247? Those opposed? Motion 247 carries.

Shall schedule 4, section 16, as amended, carry? Carried.

Schedule 4, subsection 17(1) (Ontario Special Investigations Unit Act, 2017), government motion 248: Those in favour of motion 248? Those opposed? Motion 248 carries.

Shall schedule 4, section 17, as amended, carry? Carried.

Schedule 4, subsection 18(5) (Ontario Special Investigations Unit Act, 2017), government motion 249: Those in favour of motion 249? Those opposed? Motion 249 carries.

Shall schedule 4, section 18, as amended, carry? Carried.

We will now consider, with your permission, the next six sections en bloc. They are schedule 4, sections 19 to 25—six sections en bloc.

Mr. Arthur Potts: That's seven. He's doing the new math.

Interjections.

The Chair (Mr. Shafiq Qaadri): I believe you are wholly correct.

Therefore, seven sections: schedule 4, sections 19 to 25. Shall they carry? Carried.

Next item: schedule 4, subsection 26(3), Ontario SIU, government motion 250. Those in favour of 250? Those opposed? Carried.

Next item: schedule 4, subsection 26(5), government motion 251. Those in favour of 251? Those opposed? Carried.

Next item: schedule 4, subsection 26(6), Ontario SIU, government motion 252. Those in favour? Those opposed? Government motion 252 carries.

Next item: schedule 4, subsection 26(7), Ontario SIU, government motion 253. Those in favour of 253? Those opposed? Carried.

Shall schedule 4, section 26, as amended, carry? Carried.

Next item: schedule 4, subsection 27(3), Ontario SIU, PC motion 254. Those in favour of PC motion 254? Those opposed? PC motion 254 falls.

Shall schedule 4, section 27, carry? Carried.

Next item: Shall schedule 4, section 28, carry? Carried.

Next item: schedule 4, subsection 29(1), Ontario SIU, government motion 255. Those in favour of 255? Those opposed? Carried.

Shall schedule 4, section 29, as amended, carry? Carried.

Next two items: Shall schedule 4, sections 30 and 31, carry? Carried.

Next item: schedule 4, subsection 32(1), PC motion 256. Those in favour of PC motion 256? Those opposed? PC motion 256 falls.

Government motion 257: Those in favour of 257? Those opposed? Carried.

Schedule 4, subsection 32(2), Ontario SIU, government motion 258: Those in favour of 258? Those opposed? Carried.

Schedule 4, subsection 32(3), PC motion 259: Those in favour of PC motion 259? Those opposed? PC motion 259 falls.

Schedule 4, subsection 32(3), government motion 260: Those in favour of 260? Those opposed? Carried.

Next item: schedule 4, subsection 32(4), Ontario SIU, government motion 261. Those in favour of 261? Those opposed? Carried.

Shall schedule 4, section 32, as amended, carry?

Next item: schedule 4, section 33, Ontario SIU, government motion 262. Those in favour of 262? Those opposed? Carried.

Shall schedule 4, section 33, as amended, carry? Carried.

Shall schedule 4, section 34, carry? Carried.

Next item: schedule 4, subsection 35(3), Ontario SIU, government motion 263. Those in favour of 263? Those opposed? Carried.

Next item: schedule 4, subsection 35(4), paragraph 1, Ontario SIU, PC motion 264. Those in favour of PC motion 264? Those opposed to PC motion 264? PC motion 264 falls.

Next item: schedule 4, subsection 35(10), Ontario SIU, government motion 265. Those in favour of 265? Those opposed? Carried.

Shall schedule 4, section 35, as amended, carry? Carried.

Next item: schedule 4, subsection 36(2), Ontario SIU, PC motion 266. Those in favour of PC motion 266? Those opposed? PC motion 266 falls.

Shall schedule 4, section 36, carry? Carried.

Next two items, en bloc: Shall schedule 4, sections 37 and 38, carry? Carried.

Next item: schedule 4, clause 39(2)(c.1), Ontario SIU, government motion 267. Those in favour? Those opposed? Carried.

1750

Schedule 4, subsections 39(3) to (12) (Ontario Special Investigations Unit Act, 2017), government motion 267.1—

Mr. Lorenzo Berardinetti: NDP motion.

The Chair (Mr. Shafiq Qadri): Thank you. So we're on NDP motion 267.1.

Those in favour of NDP motion 267.1? Those opposed? NDP motion 267.1 falls.

Shall schedule 4, section 39, as amended, carry? Carried.

The next item: a new section—

Interjection.

The Chair (Mr. Shafiq Qadri): Mr. Natyshak, what were you saying?

Mr. Taras Natyshak: I'm just looking at the TV here, Chair. It looks like we're imminent to be called into the House.

The Chair (Mr. Shafiq Qadri): Okay, fair enough.

Schedule 4 to the bill, section 39.1 (Ontario Special Investigations Unit Act, 2017), labelled as government motion 268: Those in favour of government motion 268? Those opposed? Motion 268 is carried.

We'll proceed to the next four sections en bloc: schedule 4, sections 40, 41, 42, 43 and 44. Shall they carry? Carried.

Mr. Arthur Potts: You said 44; there is no 44.

The Chair (Mr. Shafiq Qadri): Sorry, no 44. Sections 40, 41, 42 and 43? Carried.

We will now vote on the entire schedule.

Mr. Arthur Potts: Recorded.

The Chair (Mr. Shafiq Qadri): Shall schedule 4, as amended, carry? A recorded vote.

Ayes

Berardinetti, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qadri): Those opposed? Schedule 4, as amended, carries.

Schedule 5: We will proceed to consider the first six sections en bloc, with your permission, as we have received no amendments to date. Schedule 5, sections 1 to 6, en bloc. Shall they carry? Carried.

Schedule 5, subsection 7(2) (definition of "police force" in subsection 1(1) of Christopher's Law (Sex Offender Registry, 2000), government motion 269: Those in favour of motion 269? Those opposed? Motion 269 carries.

Shall schedule 5, section 7, as amended, carry? Carried.

We will consider the next—how many is that?

Mrs. Liz Sandals: A whole bunch.

The Chair (Mr. Shafiq Qadri): The next whole bunch, which is the next 33 sections, which is schedule 5, section 8 to section 40, which is 33 sections en masse. Shall schedule 5, section 8 to section 40, inclusive, pass? Carried.

Schedule 5, subsection 41(2) (subsection 50(8) of the Occupational Health and Safety Act), government motion 270: Those in favour of motion 270? Those opposed? Motion 270 carries.

Shall schedule 5, section 41, as amended, carry? Carried.

We will now consider the next 28 sections—

Mrs. Liz Sandals: Do we need a schedule?

The Chair (Mr. Shafiq Qadri): —en bloc, with your permission.

Interjection.

The Chair (Mr. Shafiq Qadri): Pardon me?

Mr. Arthur Potts: We haven't finished the sections yet.

Interjection.

The Chair (Mr. Shafiq Qaadri): We haven't finished schedule 5 yet. With this, we will.

We're going to consider 28 sections: schedule 5, section 42 up to and including section 69. Shall they carry? Carried.

We will now consider the entire schedule 5 en bloc, as amended.

Mrs. Amrit Mangat: Should it be a recorded vote?

The Chair (Mr. Shafiq Qaadri): That's your choice. A recorded vote.

Shall schedule 5, as amended, carry?

Ayes

Berardinetti, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qaadri): Those opposed? Schedule 5, as amended, carries.

We'll now move to schedule 6. The first two sections have not received any motions to date. We'll consider them en bloc. Shall schedule 6, sections 1 and 2, carry? Carried.

We'll now proceed to the next item: schedule 6, section 3, subsection 3(1) (subsection 9(1) of the Coroners Act), government motion 271. Those in favour of 271? Those opposed? Motion 271 carries.

Shall schedule 6, section 3, as amended, carry? Carried.

We will now consider the next nine sections en bloc, with your indulgence. That is schedule 6, section 4 to section 12, inclusive—nine sections. Shall they carry? Carried.

Next item: schedule 6, section 13 (section 52.1.1 of the Coroners Act), government motion 272. Those in favour of 272? Those opposed? Motion 272 carries.

Next item: schedule 6, section 13 (subsection 52.2(1) of the Coroners Act), government motion 273. Those in favour of 273? Those opposed? Motion 273 carries.

We have another government motion, a late addition, labelled as 273.0.1, which we will consider now for the vote. Those in favour of government motion 273.0.1? Those opposed? This item passes.

Shall schedule 6, section 13, as amended, carry? Carried.

Next item: schedule 6, section 14, subsection 14(3) (subsections 56(5) to (14) of the Coroners Act), NDP motion 273.1. Those in favour of 273.1? Those opposed? Motion 273.1 falls.

Shall schedule 6, section 14, carry? Carried.

We will now consider schedule 6, section 15. Carried? Carried.

Now we will vote on the entire schedule.

Interjection: Recorded vote.

The Chair (Mr. Shafiq Qaadri): Shall schedule 6, as amended, carry?

Ayes

Berardinetti, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qaadri): Those opposed? Schedule 6, as amended, carries.

The next item is schedule 7, the first three items en bloc. Shall schedule 7, sections 1 to 3, carry? Carried.

Next item: schedule 7, section 4, subsection 4(0.1) (Missing Persons Act, 2017), PC motion 274. Those in favour of PC motion 274? Those opposed? PC motion 274 falls.

Shall schedule 7, section 4, carry? Carried.

Next item: schedule 7, section 5, subsection 5(0.1) (Missing Persons Act, 2017), PC motion 275. Those in favour of PC motion 275? Those opposed? PC motion 275 falls.

Shall schedule 7, section 5, carry? Carried.

Next item: schedule 7, section 6, subsection 6(0.1) (Missing Persons Act, 2017), PC motion 276. Those in favour of PC motion 276? Those opposed? PC motion 276 falls.

Shall schedule 7, section 6, carry? Carried.

Next item: schedule 7, section 7, subsection 7(4) (Missing Persons Act, 2017), government motion 277. Those in favour of 277? Those opposed? Motion 277 carries.

Shall schedule 7, section 7, as amended, carry? Carried.

Next two items, en bloc: Shall schedule 7, sections 8 and 9, carry? Carried.

Next item: schedule 7, section 10, subsections 10(2) to (10) (Missing Persons Act, 2017), NDP motion 277.1. Those in favour? Those opposed? Motion 277.1 falls.

Shall schedule 7, section 10, carry?

Next four items, en bloc: Shall schedule 7, sections 11, 12, 13, 14, carry? Carried.

Next item: Shall the preamble, as amended, carry?

Interjection.

The Chair (Mr. Shafiq Qaadri): Sorry. Shall the preamble carry? Carried.

Shall schedule 7, as amended—

Ms. Soo Wong: Recorded vote.

The Chair (Mr. Shafiq Qaadri): Shall schedule 7, as amended, carry?

Ayes

Berardinetti, Mangat, Potts, Sandals, Wong.

The Chair (Mr. Shafiq Qaadri): Those opposed? Schedule 7, as amended, carries.

We will now proceed to the final schedule, I'm pleased to say: schedule 8.

Schedule 8, section 1: no amendments received to date. Shall it carry? Carried.

I now proceed to schedule 8, subsection 2(3) (Forensic Laboratories Act, 2017), government motion 278. Those in favour of motion 278? Those opposed? Motion 278 carries.

Shall schedule 8, section 2, as amended, carry? Carried.

Schedule 8, section 3 (Forensic Laboratories Act, 2017), government motion 279: Those in favour of motion 279? Those opposed? Motion 279 carries.

Shall schedule 8, section 3, as amended, carry? Carried.

The next four items, en bloc: Shall schedule 8, sections 4, 5, 6 and 7, carry? Carried.

Schedule 8, subsection 8(1) (Forensic Laboratories Act, 2017), government motion 280: Those in favour of motion 280? Those opposed? Motion 280 carries.

Schedule 8, subsection 8(3) (Forensic Laboratories Act, 2017), government motion 281: Those in favour? Those opposed? Motion 281 carries.

Shall schedule 8, section 8, as amended, carry? Carried.

Shall schedule 8, section 9, carry? Carried.

Shall schedule 8, section 10, carry? Carried.

Schedule 8, clause 11(2)(b) (Forensic Laboratories Act, 2017), government motion 282: Those in favour of motion 282? Those opposed? Motion 282 carries.

Shall schedule 8, section 11, as amended, carry? Carried.

Shall the next two sections of schedule 8, sections 12 and 13, carry? Carried.

This is now the entire schedule—

Ms. Soo Wong: Recorded vote.

The Chair (Mr. Shafiq Qaadri): Recorded vote. Shall schedule 8, as amended, carry?

Ayes

Berardinetti, Mangat, Potts, Sandals, Wong.

Nays

Yakabuski.

The Chair (Mr. Shafiq Qaadri): Schedule 8, as amended, carries.

We return to the very first page of our items, colleagues. We return to section 1 of the bill. Shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the title of the bill carry? Carried.

Shall Bill 175, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Carried.

Thank you, colleagues. Committee is now adjourned.

The committee adjourned at 1802.

STANDING COMMITTEE ON JUSTICE POLICY

Chair / Président

Mr. Shafiq Qadri (Etobicoke North / Etobicoke-Nord L)

Vice-Chair / Vice-Président

Mr. Lorenzo Berardinetti (Scarborough Southwest / Scarborough-Sud-Ouest L)

Mr. Lorenzo Berardinetti (Scarborough Southwest / Scarborough-Sud-Ouest L)
Mrs. Amrit Mangat (Mississauga–Brampton South / Mississauga–Brampton-Sud L)

Mr. Jim McDonell (Stormont–Dundas–South Glengarry PC)

Mr. Arthur Potts (Beaches–East York L)

Mr. Shafiq Qadri (Etobicoke North / Etobicoke-Nord L)

Mr. Ross Romano (Sault Ste. Marie PC)

Mrs. Liz Sandals (Guelph L)

Miss Monique Taylor (Hamilton Mountain ND)

Ms. Soo Wong (Scarborough–Agincourt L)

Substitutions / Membres remplaçants

Mr. Mike Colle (Eglinton–Lawrence L)

Mr. Taras Natyshak (Essex ND)

Ms. Laurie Scott (Haliburton–Kawartha Lakes–Brock PC)

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke PC)

Also taking part / Autres participants et participantes

Mr. John Malichen-Snyder, counsel, legal services branch, Ministry of Community Safety and Correctional Services

Clerk / Greffier

Mr. Christopher Tyrell

Staff / Personnel

Mr. Eric Chamney, legislative counsel