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Président : L'honorable Ted Arnott
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LEGISLATIVE ASSEMBLY
OF ONTARIO

Monday 5 October 2020

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Lundi 5 octobre 2020

The House met at 0900.

The Speaker (Hon. Ted Arnott): Good morning. Let us pray.

Prayers.

The Speaker (Hon. Ted Arnott): I wish to acknowledge this territory as a traditional gathering place for many Indigenous nations, most recently the Mississaugas of the Credit First Nation.

This being the first Monday of the month, we are now going to have O Canada and the royal anthem.

Playing of the royal anthem / Écoute de l'hymne royal.

Playing of the national anthem / Écoute de l'hymne national.

PRIVATE MEMBERS'
PUBLIC BUSINESS

COVID-19 RESPONSE

Ms. Mitzie Hunter: I move that, in the opinion of this House, the government must rise to meet the urgent needs facing Ontarians during the COVID-19 pandemic and address worsening issues in housing, poverty, mental health, long-term care, education, job creation, crime, and violence; and that calling an election before the fixed date in 2022 would put politics ahead of public health and interrupt the ongoing COVID-19 response with a serious human toll in the short and long term.

The Speaker (Hon. Ted Arnott): Ms. Hunter has moved private members' notice of motion number 110. Pursuant to standing order number 101, the member has 12 minutes for her presentation.

Again, this is the member for Scarborough–Guildwood.

Ms. Mitzie Hunter: At this very moment, our province is under threat of novel coronavirus COVID-19. Yesterday, Ontario passed the 54,000-total-cases mark, sadly with 2,975 deaths, mostly in long-term care, and we are just hitting a second wave. It's projected that the number of cases will rise to 1,000 per day unless actions are taken.

Hot-spot areas, like my riding of Scarborough–Guildwood, and Etobicoke North, which the Premier himself represents, have not had a break since the virus hit in March. We see a school year that has been lost due to lockdown, and a back-to-school that was rocky due to lack of proper planning and investments needed to keep class sizes low and students, educators and families safe. Long-term-care homes are bracing for a second wave as they cope with flu season and the change in weather.

Speaker, despite knowing the risks of a second wave, this government has failed to plan adequately for a surge

in testing and contact tracing. Instead, they've restricted the ability of people to get tested. Ontario's economy has been hard hit. Small businesses are at risk of closing, with no credible relief package in sight from this government. Women, Black, Indigenous, and other people of colour are seeing deeper and longer effects of job loss. Yet instead of preparing and doing the necessary work, the Premier and his ministers have been on a summer-long campaign-style tour, paid for by taxpayers. This must stop.

Instead of keeping their eye on the ball, they were busy politicking. Now, we have rumours of an early election, fueled by reports of PC incumbents being acclaimed to run in the next election, and every riding would have nominated candidates by March.

The priorities of the Premier must be about what is important to people. No—

Interjections.

The Acting Speaker (Mr. Percy Hatfield): Order, please. Order.

Ms. Mitzie Hunter: Today, all members of this House, and especially the Premier, can go on record in support of this motion and explicitly state that responding to the impact of COVID-19 must be our priority at this time, not campaigning for an unnecessary election.

We need to be able to take the Premier at his word, but, sadly, we cannot. I am calling on this House to ensure that Ontarians are not forced to participate in an election in the middle of a public health crisis. We have a duty to protect our residents, and pushing them to the polls at this time would be an unconscionable risk to their health.

The Premier and his government should instead dedicate their undivided attention to fixing our systems that are overburdened and overstrained by the pandemic, fixing the chaos in our education system, and protecting residents and staff in long-term care. This ought to be the focus of the government. We need to pay attention to what really matters.

0910

In Toronto and in communities across the province, COVID-19 is particularly concentrated in low-income and racialized communities. To quote the chair of the Toronto Board of Health: "Like many infectious diseases, COVID-19 preys on poverty. Vulnerability to this virus is directly connected to the social determinants of health— income, race and ethnicity, and housing status, to name a few. Our public health data shows that the impacts of this pandemic have not been equally distributed and that its lasting effects will be hardest on those who are already vulnerable and marginalized in our communities. That's why all levels of government must commit to working

together to tackle the social determinants of health and address social inequalities that COVID has both exposed and worsened.”

Our social inequalities have been aggravated by the pandemic in other ways as well. Gun crime is on the rise. Youth programs and after-school activities have been shut down. There is a tsunami of evictions. Food bank visits are skyrocketing. And we’ve seen a dramatic rise in opioid overdose deaths since the pandemic began in March.

The same social determinants of health that exposed racialized communities to COVID-19 are also key contributors to the rash of gun violence we’ve seen rising in our cities since the pandemic began. In the city of Toronto, there have been more incidences of gun violence, and they’re getting deadlier. Over the same period last year, incidents are up 12%, and shooting deaths are up nearly 20%. The former chief of police Mark Saunders said that you cannot arrest your way out of this problem. Clearly, more needs to be done to invest in communities. Many community organizations and non-profits are struggling, but the work that they do is essential for youth who benefit from it.

Nearly overnight, spaces for youth closed. Community centres and other programs that kept young people anchored, supported and cared for have disappeared. The government needs a plan to address this gap during the pandemic. Gun violence is both a public health and a social issue. This is a crisis. It’s a problem that my private member’s bill, Safe and Healthy Communities Act (Addressing Gun Violence), 2019, would bridge. The bill would declare gun violence a public health crisis. It would provide funding for hospital-based violence intervention and trauma-informed counselling for survivors and others affected by gun violence to help break the cycle of violence.

Toronto Public Health has adopted the bill and already are working to implement recommendations, and we should do the same. The province’s support would also give local boards of health the resources that they need to provide programs and services for reducing gun violence. I’m calling on the government to take the lives and trauma of Ontarians seriously and address poverty in our cities and communities. Invest in those communities and make resources available for youth spaces and after-school programs.

The Ontario government can afford to invest more in our education system to make it both safe and effective. The government’s plan is not working. Our education system is in chaos. Just today, the Catholic board announced another school that will be in lockdown. The virus has swept through our schools the same way it has swept through communities across the province.

We’ve heard reports that many boards do not have the resources that they need to roll out the return to school effectively, but the government just isn’t listening. To quote Dr. Carol Campbell, associate professor in the Ontario Institute for Studies in Education at the University of Toronto: “The United Nations has warned that students are facing a ‘generational catastrophe’ due to the COVID-19 pandemic. In Ontario, there continue to be

issues with back-to-school plans and, already, over one in 10 schools have a confirmed COVID-19 case. Students’ learning and health are being negatively affected with increasing inequities evident. Our students’ futures are at” risk.

And they are at stake. Decisions taken or not taken now will have consequences for many years to come. The government must fulfill its mandate to the people of Ontario by taking action for the long haul of the pandemic to ensure that we do not have a generational catastrophe.

The province has received billions of dollars in transfers from the federal government to prepare for a safe restart and the reopening of schools. Students need help now. This disruption to their education and development could have impacts lasting well beyond the pandemic. We need to ensure that youth are safe and can learn, which begins in our world-class education system.

Ontario is in a housing crisis, as a direct result of the pandemic. Tenants are facing a tsunami of evictions. The government’s response so far is simply insufficient. The rent freeze for 2021 passed in Bill 204 does not go far enough and does not address the root causes of unaffordability and the predatory practices of some landlords. We haven’t seen the kind of direct support for tenants and small landlords in Ontario as we’ve seen in other jurisdictions, like BC, despite the fact that all tenants are facing the same issues as a result of the pandemic. With rising evictions, the Premier can’t keep shouting at the wind and expecting things to change.

Just last week, Toronto city council passed a motion calling on the Premier to reinstate the moratorium on residential evictions, and the motion passed with a margin of 22 to one. Housing is a right in Canada. People need a safe and healthy place to call home. Housing provides the ability to seek and maintain employment, education, and it impacts on mental health.

Food banks use has also skyrocketed during the pandemic. The Daily Bread Food Bank is reporting a 25% increase in visits since the pandemic began, and Feed Ontario, which is a provincial network of food banks, has reported a growing number of individuals who are working but still require the support of a food bank.

We’re also seeing a drastic rise in opioid overdose deaths since the pandemic. More work is needed—and solutions for this problem—or more people will continue to die.

Speaker, the breakdown of our social safety net under the strain caused by COVID-19 serves no one in the short or the long term. Our overburdened and overstrained systems accelerate social issues like poverty, housing, mental health, addictions, violence and crime. There is a human cost and an economic cost to these issues. They’re complex; they’re interwoven. They require urgent action from this government. The patchwork response that we have seen so far will not address the spectrum of needs that are worsening as a result of COVID-19.

We cannot afford a generational catastrophe, and the government must stop taking its eye off the ball and get to work. The government needs to plan and take action now. Today, the government has an opportunity to affirm that

they see these issues and they take them seriously and will take action to make lives better and safer in Ontario. Indeed, Speaker, I invite all members of the House to vote in favour of this motion, and especially—

Interjection: No.

Ms. Mitzie Hunter: I heard someone over there saying “no.” What in this motion can you possibly disagree with? This is the job of elected representatives. People sent us here, not for ourselves, but to serve the needs that they have.

Speaker, my colleagues in the House especially need to vote for this motion and show Ontarians that you’re serious about this pandemic and saving lives.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

Hon. Paul Calandra: I do appreciate the opportunity to address this motion today. I want to thank the member opposite for bringing this motion forward to the House. I think this is a very important motion that she has brought forward to the House. I would say that in over 35 years of being involved in politics, this is the first time that I have ever seen an opposition party bring forward a motion of confidence in the government. I want to thank the member opposite for tabling this motion today, because it is very clear: What this member has done is express her confidence in the actions that this government and, frankly, this entire Legislature, have done, and she is begging us, colleagues, begging us not to call an election in that time. I say very clearly to the member opposite: We appreciate that you brought forward this motion, we appreciate the vote of confidence that she and her leader are expressing, and the Progressive Conservatives will be excited to stand and make sure that all of us vote in favour of that motion of confidence in the government. I certainly am happy to hear that the Liberal Party will be expressing their support and joining Progressive Conservatives after question period today and getting into that lobby and voting in support of continuing this government through to the next election.

0920

In 35 years, I have never seen the Ontario spirit more alive and well than it is today with this motion, Mr. Speaker. In 35 years, I have never seen the Liberal Party so openly express its support for the Progressive Conservative Party, and I appreciate what the member opposite has done. It must have taken a lot of courage to admit, colleagues, that this government is on the right track and that it had to continue, no matter what. And to put a motion on the floor of the Legislature, begging the government to continue right through to 2022—Mr. Speaker, I have never seen that. So I thank the Liberal Party for bringing this motion forward today.

I cannot thank her enough, because as a former education minister, colleagues, she could have brought forward other motions. She talked about things that were important to her. I know her riding quite well. I know that the Guildwood Village Community Association must have been begging her to bring this motion forward, to show its support for the government of the province of Ontario.

And to the members of the Guildwood Village Community Association: We hear you. We hear the worries expressed through this motion from your member, and we will make sure that this government continues doing what it has been doing right through to June of 2022.

Boys and Girls Club of East Scarborough, an organization I know quite well, do fabulous work. I can only imagine that for this member to bring this motion of confidence in the government forward, they, too, must have been asking for her to do that, and we will respond favourably. We’re very excited to get up in this House and vote. In fact, we’re so excited, we’re going to force a vote, because it is a motion of confidence, really, and I’ve never seen that.

Now, Mr. Speaker, it’s obvious where the member comes from in this motion. Look, an opposition party—they’re the opposition. Clearly, when they see failings in the government, they want to highlight those failings. It’s natural. When we were in opposition, and we were in opposition a long time as Progressive Conservatives, we highlighted the things that we were disappointed in constantly, and when we were elected in 2018, we worked very aggressively and quickly to make the changes that we thought were important. I can tell you, as somebody who was a partisan for the Progressive Conservative Party, there was not one day of those 15 years that I didn’t wish Dalton McGuinty and Kathleen Wynne would call an election. The day after they were elected, I wished that they would call an election so that we could bring them down and start anew and get a better government in place.

But this, colleagues, is something that I have never seen. I have never seen an opposition party bring forward a motion of support, a motion of confidence in the government, begging all colleagues to join with the member for Scarborough–Guildwood, join with the leader of the Liberal Party, in expressing confidence in the actions of this Premier and what he has accomplished over these very many months. And it wasn’t just the Premier and the government alone; it was all of us, colleagues. We’ve all worked very hard to make sure that our communities are safe, to make sure that our communities will continue to grow, to fight this COVID-19.

But before that, Mr. Speaker, the member—and I see why the members of the Liberal Party are so desperate, because they see the position they put the people of the province of Ontario in. COVID has become increasingly more difficult to fight in the province of Ontario because the Liberal Party left us in such bad shape. We are the most indebted sub-sovereign government in the world, making it more difficult to fight COVID. But because of the actions of this government and of this Legislature, we were able to cut unnecessary spending and put more money available to the government so that it could fight COVID head-on. We’ve worked with our partners at the federal and the municipal levels, and they’ve done a great job at all levels. They’ve allowed us to focus on health care. Whereas the previous government did nothing to reform the health care system for years, our Minister of Health, along with the Premier, has put in place a new

system of Ontario health teams, which will be a blanket of care. Whether you require long-term care, home care, health care, a visit to a doctor, our system that we are putting in place will make sure that you're covered.

We saw that the Liberals, under the previous administration, did nothing with respect to long-term care, Mr. Speaker. This government put the necessary resources in place to make sure that we could build new long-term-care homes, because it was so important. Something that we should have started decades ago, this government put an emphasis on, and we are doing that. I thank the member for Scarborough–Guildwood and the Liberal Party for their show of confidence in those actions.

We also moved very quickly with respect to small business. We knew how difficult it had been. We saw jobs leaving the province under the previous Liberal administration. They couldn't wait to get out of here.

They turned a province that was the envy of North America, the best place to live, work, invest and raise a family, and they drove jobs away. How did they do it? They did it with high hydro prices. They did it with over-regulation. They drove jobs away. We became one of the least competitive jurisdictions in North America.

I am glad that the members opposite have expressed confidence today in the fact that, prior to COVID, we started eliminating red tape. We invested in small, medium and large job creators. Jobs were coming back to the province. Our revenues were increasing in the province of Ontario because people were working again. They had hope. They had opportunity. They knew that this was the best place to live, work, invest and raise a family, Mr. Speaker, and today we have a motion on the floor of this Legislature that confirms that at least the Liberal Party believes that we are on the right track. Does more need to be done? Absolutely, it does, and I appreciate the member opposite raising some of those things in her motion that we need to work on, because they're some of the very things that we are talking about.

When the Minister of Health brought forward new legislation with respect to safe injection sites, we turned it into a blanket of care so that it would be full service, so that you could go from getting the care that you need to hopefully getting back into the community and getting a job. That's the type of thing that we're talking about; we're the first province. We're doing more on housing than the previous government ever did. Our transit-oriented communities that will allow for development around our transit systems will change how housing development is done in this city and across this province for generations to come, and I'm very, very proud of that. It's something that has been very, very important to the Minister of Transportation and the Minister of Municipal Affairs and Housing, and to the Premier of this province, one of the pillars of what we've worked on since being elected.

So, I again want to thank the honourable member across the floor for bringing—it would have been easy just to sit here and vote against what the member has, but when you look at what the member has done, she is embodying the Ontario spirit unlike any of us could have ever imagined

by bringing forward a motion like this. I commend the member. I commend the member, because it can't be easy. When a party is reduced to seven seats, it can't be easy to make such a public declaration of the fact that—

Mr. John Fraser: And then you gave us one.

Hon. Paul Calandra: And the member says, "You gave us one." They're riding on that, right? Yeah, they've got one more. They got eight. They got eight. So now they can fill the back row of the Caravan. Good for them, Mr. Speaker.

But, here, it could not have been easy for the new leader of the Liberal Party and for this member to so publicly endorse the actions of this government. It could not have been easy when they were sitting in their small caucus room to say, "Look, we have the first opportunity. We have an opportunity to debate anything that we want in this Legislature. The House leader and the government and the Premier have made sure that there are more opportunities to debate: the first Monday morning, private members' business"—and I thank the member. They could have talked about education. They could have talked about health care. They could have talked about the things that were important to them. Presumably, increasing regulation, increasing taxes are the things that Liberals like to focus on. Bad energy policy—they could have focused on that. But they didn't, and this could not have been easy. It could not have been easy to rise to the occasion and say, "Let's make history," because that's what the Liberal Party of Ontario is doing today, and I say very, very clearly to Mr. Del Duca, to the entire Liberal caucus, "Thank you." Thank you for your support. Thank you for making history today. Thank you for being part of the Ontario spirit. Thank you for showing your support.

0930

I encourage all members of this Legislature to stand up with the Liberal Party of Ontario, to stand with Progressive Conservatives and vote in favour of this motion after question period today to show your support for this government, to show your support for this caucus and to show your support for this Premier, who has done so much to bring Ontario back and to help guide us through the COVID-19 pandemic.

Again, to the member for Scarborough–Guildwood, thank you. You have made history today. And to Mr. Del Duca: You have made history, and all Ontarians thank you for it. Again, colleagues, I encourage all of you to vote with us and support this very important motion.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

Ms. Peggy Sattler: I'm going to start by stating the obvious, Speaker: Of course Ontarians do not want to see this province plunged into an election. We are in the middle of a pandemic. We have to deal with a backlog in testing cases of almost 100,000. We have to deal with the chaos that is unfolding in our schools. We have to deal with the potential devastation of the virus once again through our long-term-care homes. We have to deal with the complete unravelling of our small and medium-sized business sector, as small businesses face the very real

prospect of closing. All of that is the highest priority for the people of this province—not going into an election.

However, the concern we have with this motion is that Ontarians are also very clear that they do not want more of the same. It is this government's policy decisions that have been made from the beginning of this pandemic, particularly now as we are well into a second wave everyone knew was coming—and all kinds of advice was given to this government about what needed to happen to protect Ontarians from the effect of the second wave, but this government chose to ignore that advice.

Speaker, we do not need more of the same. We need to deal with the issues in our COVID assessment centres as people wait for hours and have to come back day after day to try to access a test. We know that now they're moving to an appointment-only system, but there are real concerns that have been expressed by experts that that is going to under-represent the actual spread of COVID in our communities.

Limiting testing, reducing the number of symptoms that will trigger a COVID test for children: That's not the way to deal with the assessment issues in this province. I would point to a column that was in the Toronto Star this weekend by Bruce Arthur. He calls the Premier's response to all of the issues in the assessment centres an "incoherent, sclerotic mess, and the failure of the testing is a trembling pillar." Ontarians expect this government to deal with issues like testing, because they understand how crucial that is to contact tracing and to understanding where COVID is going in our communities.

Unfortunately, this government announced some changes last week that really only tinker around the edges. They do nothing to get at the real problems that we are confronting in this province. They are ignoring the advice of scientists, epidemiologists, physicians, many of whom commented last Friday on the new measures that were announced by this government. Dr. Michael Warner, the medical director of critical care at Michael Garron Hospital, said, "Let's be clear." The Premier and the Minister of Health "are wilfully choosing not to follow the directions of" Toronto's medical officer of health.

Dr. Yoni Freedhoff, associate professor of family medicine at University of Ottawa, said, "This is an ongoing abject failure."

Dr. Kate Dupuis from Sheridan College says, "It's up to individuals now to protect our communities. Our government isn't going to. No one inside your home except for people who live there or provide necessary care."

The Ontario Hospital Association said, "Given the rapidly-growing number of" COVID "infections within the city of Toronto, the OHA unequivocally supports the request by" Toronto's medical officer of health "for stricter public health measures in Toronto."

Ottawa Public Health says, "Our health care system is in crisis. Labs are working beyond capacity, causing dangerous backlogs, which affects our contact tracing and case management. Hospitals are nearing capacity, and we're seeing more outbreaks in LTC homes. Our system can't handle much more of this."

We need the government to step up and take on these critical challenges for the people who live in this province and in particular for parents of school-aged children, who are deathly afraid of what is happening in our schools. We're seeing more and more parents opting for remote learning rather than in-class instruction because they see the failure of this government to take action that's actually going to protect students in our schools, to put a cap on class sizes of no more than 15 students and to ensure that the PPE is there, the HVAC, the ventilation improvements are there to actually protect students and education workers.

But again, in the Toronto Star on Sunday, another great column revealing that this government has actually invested very, very little—the minimum amount that it possibly could—into trying to ensure the safe reopening of schools in Ontario. This government talks a good line about how much money it's spending to keep kids safe, but in fact, it has barely spent \$400 million out of the \$103 billion that it actually claims to be investing. We need a government that's going to be looking at what actually has to happen in our schools to keep education workers and students safe.

In our long-term-care system, we had almost 2,000 deaths of residents of long-term-care homes in the first wave, and there are real concerns about what's going to happen with this second wave. We're still not providing long-term-care home workers the PPE they need and putting the protections in place, actually creating that iron ring that the government likes to talk about, to ensure the safety of residents of long-term-care homes.

Speaker, we saw a recent report from the Canadian Medical Association Journal that compares what happened in the first wave in Ontario to what happened in BC. It found that there was a much higher rate of death in Ontario than in BC, and it warns that Ontario has not learned the lessons of that experience in the first wave.

So as we brace for the impact of this second wave, how can we ensure that Ontarians are going to be protected? I would suggest that it's not by introducing a motion that says that the government should call an election on June 2, 2022. The problem is not the date of the election; it is the electoral system within which this province operates. It is an electoral system that rewards governments that determine when they're going to call an election based on when it's to their political advantage. We saw that in New Brunswick with the recent election that was called, because that government, which actually had been doing a pretty good job—a much better job than this government, quite honestly, Speaker, in involving all members of the Legislative Assembly in decisions about how to respond to COVID-19. That government, as a minority government, had been doing that work. But it saw an electoral advantage. It saw an opportunity to translate its minority status to a majority government, and who can blame that government? That's what first past the post means. It rewards that kind of decision-making. So that government was able then to elect a majority government, and now is able to unilaterally—just as we saw with this majority

government—make decisions, moving forward for that province.

0940

So, Speaker, in my capacity as critic for democratic reform, I wanted to point out some of the advantages of moving away from first past the post and looking at a system of proportional representation as the most effective way to ensure that the problems associated with COVID-19, the risks to the people that we represent, can be dealt with in a much more collaborative way, a way that involves the ideas of all members who are elected to represent the voices of our constituents.

There's research that's been done: Countries that have systems of proportional representation have been much more effective in their response to COVID-19. They have experienced fewer deaths, fewer hospitalizations, fewer people on ventilators. All of this is well-documented in the research. That is because those countries operate in a system of negotiation, of compromise, of hearing from different sides of the table so that they can make good decisions that actually respond to the priorities and the needs of all of the people of this province.

I also just do want to give a shout-out to Fair Vote Canada that just recently put out a paper called Building a Better Democracy. I encourage all members in this chamber to take a look at that paper and review the benefits of proportional representation to build a better democracy. Because, Speaker, democracy is more than about elections. Democracy is about engagement. It's about citizen participation. It's about feeling that the government is responding to needs that have been identified by the people who are represented.

Leger just recently did a poll. They asked Canadians questions about democracy: What do they care about in democracy? Some 97% of Canadians who responded to that poll said they want a system that encourages parties to work together more in the public interest. They want a system that encourages elected members to work on longer-term solutions to problems, rather than quick fixes.

Thank you, Speaker.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

M^{me} Lucille Collard: Ontario is in the second wave of COVID-19—I'm stating the obvious—but our priority needs to be protecting and supporting our communities. Cases are rising, test centres and labs are overwhelmed, the back-to-school plan is causing stress for everyone, long-term-care homes are seeing new outbreaks—the list of concerns is growing every day. This government has adopted extraordinary measures to move legislative matters rapidly, in order to be responsive to the crisis at hand. It would be inconsistent and irresponsible for a government that has taken such actions, despite criticism, to interrupt legislative business and force the province into a premature election.

The government holds a majority, it has the power and it needs to fix what needs to be fixed: that is, a less-than-successful restart to schools; better protection for our seniors in long-term-care settings that are experiencing,

again, the impact of the second wave; and to address the pandemic's growing, disproportionate and detrimental impact on Black, Indigenous and people of colour.

There are enough elements to address from this COVID crisis without throwing in the mix the impact of a costly, premature election. I know that in my riding of Ottawa–Vanier, residents would not be impressed or appreciate such a self-serving decision by the government that could come at the cost of their well-being. Our riding has been through three provincial elections in the past five years. We know elections well. We know the extremely concerning risk that would be involved in having another one so soon. Rumours are circulating, and this government's actions have raised suspicions and concerns. There is enough to worry about right now and we can't be adding to the anxiety that Ontarians are feeling about the future.

This motion is important and it is an opportunity for the government to reassure communities that they remain focused on the issues at hand, and will continue to prioritize health and safety by keeping up the fight against COVID-19. If the rumors are only that, then let's stop them right now—today—by clearly affirming that the government knows that the priority remains to be present and supportive of the people of Ontario. Our communities deserve to know that they are priority number one, and that the government has our back.

I urge all members that believe the same to support my colleague's motion. And I am glad to hear that the members of the Progressive Conservative Party just said that they would support the motion. Let's now see them do whatever it takes and unlock the funds and resources that we need to get through this crisis. We shall hold them accountable to that.

The Acting Speaker (Mr. Percy Hatfield): Further debate?

Mr. John Fraser: I'll cut to the chase: At the end of June, the government took its eye off the ball. Opposition health briefings ended. The government decided to take people's charter rights and punt them off to a committee, some obscure committee, and not debate it in this House—introduce an omnibus bill—and the Premier's summer tour became the priority.

All the while, we knew that there was a second wave of COVID-19 coming, and that there was a risk. Experts told us, "There are two million kids going back to school. You need to get to 75,000 to 100,000 tests." LTC homes were pleading for help. We knew that we needed smaller and safer classes. So where did we find ourselves in September? A chaotic return to school; long-term-care homes still pleading for a plan; families waiting in line for tests for inordinate amounts of time: It was total chaos, to the point where last Friday, if you took a test, you might have to take it again because the backlog was 90,000 and that test might go bad.

But the government's priority the week before was nominating 72 candidates. That was your biggest, most important communications priority, and not talking to people about who should get a test, not talking to people

about what your plan was and not clearly communicating how you were going to address testing.

The point of the motion is not about the election. It's about taking your eye off the ball. I'm glad that you're voting for the motion, because what that's going to tell me is you're not going to take your eye off the ball again like you did at the end of June.

The Acting Speaker (Mr. Percy Hatfield): We return now to the member from Scarborough–Guildwood, who has a two-minute summation.

Ms. Mitzie Hunter: I want to say thank you to the government House leader, thank you to the member from London West, and of course, thank you to my colleagues, the member from Ottawa South and the member from Ottawa–Vanier.

Speaker, it was very interesting to hear the comments coming from the government. They missed the boat completely and the point of this motion. The point of this motion is to focus the government's attention not on itself, but on people, like the mother who called me this morning from York region who said, "I'm really concerned because I don't believe that children are getting the right supports in this environment"—that's something that the government needs to ensure is happening—and like the fact that people who need tests are lining up for hours and hours and hours, and not getting the results for many days, and the virus continues to circulate.

I really liked what the member from London West said about BC, that, because of their proactive response, they've seen fewer deaths. What we've seen from this government is a slow and sluggish response, and delay after delay, not because their resources are not there, because we know that you're sitting on billions of dollars in cash transfers from the federal government that was meant for the safe restart, but you're just choosing not to spend them. I received a message from a small business owner who came to the Standing Committee on Finance and Economic Affairs, still waiting for a meaningful package for small businesses so that they can get through this as well.

The concerns that the people of Ontario are putting forward are what I lay on the table in this motion today. I'm glad that you're going to be supporting it, but support it for the right reasons, not for the wrong reasons.

To the member from London West, I, too, am the democratic renewal critic, and I appreciate what you said about the importance of—

The Acting Speaker (Mr. Percy Hatfield): Thank you.

Ms. Hunter has moved notice of motion number 110. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

A vote being necessary, the vote will be held after question period this morning.

Vote deferred.

The Acting Speaker (Mr. Percy Hatfield): Orders of the day?

Hon. Paul Calandra: Given this historic motion, Mr. Speaker, no further business until 10:15.

The Acting Speaker (Mr. Percy Hatfield): Therefore, there being no further business, this House stands in recess until 10:15 this morning.

The House recessed from 0951 to 1015.

MEMBERS' STATEMENTS

STEVE CRNEC

Mr. Percy Hatfield: I rise today to bring birthday greetings to a dear friend of mine. Steve Crnec is turning 94 today—that's right, 94; he was born in 1926. Back in the day, we used to call them the Roaring Twenties. "Roaring" is certainly a descriptive word that described Steve for most of his life. He slowed down a bit, but just a bit, Speaker.

If you're a New Democrat in Windsor and Essex county, you have likely worked with Steve Crnec on an election campaign or two. If the kids were tearing down election signs, Steve would be the first to scramble up a tree and put the sign up there so they couldn't get at it.

The member for Niagara Falls may have the best moustache in the Legislature, but Steve Crnec has the best moustache this side of Croatia. It's a handlebar without the handle. It's big and bushy, like the one Yosemite Sam, the Looney Tunes character, has. It just droops down—all the better to match his ponytail, of course, Speaker. It's also a convenient way just to reach out very gently and pull him in for a big kiss; I'm not ashamed to say I have done that on more than one occasion. His wife, Dr. Madeline Crnec, used to be an analyst on my old Percy's Political Panel, back in my old CBC days in Windsor.

Steve, happy birthday, buddy. I hope the next time we get together with you, we're doing shots of slivovitz.

ONTARIO FARMERS

Mr. Toby Barrett: The days over the past several months have been tough for many in certain professions. We value and respect those essential workers who showed up and who continue to show up. One field where challenges have been plentiful is farming.

I know many people took to growing their own food this spring and summer, including myself. It's not as easy as it seems, and that's just on a very small plot. Imagine trying to produce and harvest food to feed many, many people in Ontario and across Canada. The pressure is immense. Weather—too much rain, then not enough—pests and, of course, early frost are always something on a farmer's mind. And farmers, of course, are not immune to the challenges a global pandemic has presented.

In my riding of Haldimand–Norfolk, labour-intensive agriculture is dealing with some of the strictest rules in North America for housing seasonal workers. I know my farmers cannot endure much more, as they have been put in a precarious and unfair situation. They're clearly at a

competitive disadvantage, and the risk, as well, is they may not be able to adequately feed the rest of us.

Farmers don't ask for much, but what they do ask is to be treated fairly, and most importantly, they ask for support. We ask for support for our farm families who put food on our tables.

GERRY LAHAY

Mr. Terence Kernaghan: Today I remember a great man who taught many about kindness, thoughtfulness and life's second and third acts. Gerry LaHay was a wise soul, and an impassioned writer, speaker and devoted friend to many. Last week, he met his final rest. The loss felt in London is colossal.

Gerry used his undeniable charm and zest for life to push for greater accessibility for everyone. After both his legs were amputated due to complications from diabetes, Gerry showed Londoners what life was like for folks in a wheelchair. He pushed to prioritize sidewalk snow clearing, AODA standards with teeth, and parking enforcement so walkways and bike lanes weren't blocked by cars.

Gerry and I also had many conversations about insufficient ODSP funding. He felt that many years of government neglect were pushing more and more people deeper into poverty. COVID has only made these flaws more apparent. ODSP recipients hardly received any assistance during the pandemic and are struggling now more than ever. Gerry reminded us that ODSP recipients deserve to live with dignity and that we all must do our part to ensure Ontarians with disabilities are not left behind. He taught us all that if we don't look outside ourselves, we will never see what others need.

1020

Gerry, you were one of a kind, and we miss you terribly. Thank you for sharing yourself with us.

CYSTIC FIBROSIS

Mr. Stan Cho: I rise this morning to lend my voice in bringing awareness to a genetic disorder that affects thousands of Ontarians, including in my community of Willowdale. Cystic fibrosis, or CF, is the most-common fatal genetic disease affecting children and young adults in Canada, and at present there is no cure. It's estimated that one in every 3,600 children born in Canada has CF. The disease causes damage to the lungs, digestive system and other organs and, in many cases, leads to the destruction of lungs and a loss of lung function that is fatal in the majority of people with CF.

For months, I have been meeting with members of the CF community in Willowdale and representatives from Cystic Fibrosis Canada, including Jennifer, whose eight-year-old daughter, Alison, is living with CF. Jennifer's daughter is often unable to play with other kids, attend school or enjoy many of the activities that make being a kid great. During this pandemic, it has been especially hard for her to be away from her friends or receive necessary care. In September, Jennifer and I met with

Willowdale MP Ali Ehsassi to discuss ways both the federal and provincial governments can help approve and make available life-saving treatments for CF.

At the moment, there's no proven cure for cystic fibrosis, and I know that our government is negotiating with pharmaceutical manufacturers to make new treatments available in Ontario, but we all have a role to play in ensuring that Ontarians living with CF have access to new treatments, the best care and breakthrough medications. Let's all work to help Alison.

TENANT PROTECTION

Ms. Suze Morrison: Today is International Tenants' Day, a day to highlight the challenges facing tenants around the world. This year, tenants' organizations are calling on governments to take action to ensure housing for all. In the fight against COVID-19, access to housing has become a matter of life and death. For those without stable housing, it is impossible to isolate, and as many tenants have lost their income and their jobs, more and more people are struggling to keep a roof over their heads.

COVID-19 has compounded the housing and homelessness crisis that many of our communities are facing. Too many tenants are being renocted, receiving massive above-guideline rent increases and waiting decades on wait-lists for affordable housing. Liberal and Conservative governments have let tenants down over and over again and have ignored the housing crisis for years.

Now, instead of helping tenants during this difficult time, this Conservative government has managed to take things from bad to worse. Tenants urgently need rent relief. They need a ban on commercial evictions and real rent control that's going to put a check on the sky-high rents we're experiencing in many of our communities. We need substantial investments in affordable housing and to repair the existing infrastructure of housing that we have. We need significant changes to the Residential Tenancies Act to ensure that tenants have faith that their landlord is properly maintaining their units. Everyone deserves a place to call home, and it's time that this provincial government took action to make that a reality.

CHILDREN'S VISION MONTH

Mr. John Fraser: October is Children's Vision Month. Vision problems can really create a problem for young people when they're trying to learn. Some 80% of classroom learning is visual. I remember in about 2013—I was here in this building—an ophthalmologist said to me, "We don't actually check children's vision in school anymore." I said, "That's not true." I found out it was true, and literally nobody was checking the box. Parents don't often see it. It didn't always happen in the physician's office. It was a problem with the perception of perception: It's hard to tell when someone can't see.

I was pleased to be able to do some work as the parliamentary assistant to bring vision screening to schools in Ontario, and I know in September 2019, the Ottawa Public

Health unit started doing that; now it's been pulled back because of the pandemic. It's really a critical thing. It can affect a child's brain development.

I just want to mention this to members in this House, that once we get out of this pandemic, we'll have to re-focus on this effort to ensure that every child has their vision screened before they get to school, to go see an optometrist and get the glasses, if they need them.

WILLIAMSTOWN FAIR

Mr. Jim McDonell: I rise today to recognize the achievements of the Williamstown Fair board, for their centuries-long commitment to their community and especially for their dedication this September to hold again Canada's oldest annual fair, the 209th edition of the Williamstown Fair.

On September 5, the Williamstown Fair staged a wonderful experience by hosting a drive-through experience, along with a horse-riding and dairy calf competition. It was gratifying to see the work put in by the many volunteers and the resulting support from the residents. They were able to bring together more than 1,000 feet of displays that everyone could enjoy from the safety of their motor vehicle.

The fair board also collaborated with their partners from World's Finest Shows, the Raisin Region Conservation Authority and the township of South Glengarry. World's Finest prepared cotton candy, candy and caramel apples to serve to visitors in each vehicle, while Raisin River and South Glengarry worked together to give away free trees to the first 500 vehicles. This example of community spirit in these troubling times is what makes the riding of Stormont–Dundas–South Glengarry the special and strong place that it is.

TEACHERS

Ms. Peggy Sattler: I rise on international teachers' day to celebrate the amazing work that Ontario teachers are doing in the age of COVID-19. As public health experts emphasize the critical importance of physical distancing and gatherings of no more than 10, in-class teachers are in cramped classrooms with as many as 30 students, while rooms down the hall sit empty because of this government's stubborn refusal to reduce class sizes.

Online teachers are grappling with challenging technology issues. I talked to London West parent Anna Foat, whose two sons, aged 6 and 9, are learning online. Anna says, "We have every advantage: a mom who has flexible work and time to do IT support," and sons with their own Chromebooks who are being taught by "brand new enthusiastic teachers." Yet they are all frustrated by provincially mandated digital tools and systems that do not work together, by log-in and authentication errors that regularly reduce her sons to tears, by unrealistic expectations that parents will download, print or reproduce worksheets, then upload or use a webcam, if they have one, to record the assignment.

Speaker, this government had six months to plan for the safe reopening of schools. Instead, they chose to ignore crucial public health recommendations for safe in-school learning and to flood schools with uncoordinated remote learning devices. We are profoundly grateful for the dedication and professionalism of teachers who are rising above the chaos and doing everything they can to help students learn.

WASTE DIVERSION

Ms. Jane McKenna: Speaker, every year Canadians buy over a billion batteries, and according to Environment Canada, only 5% of them are being recycled. When batteries break down in our landfills, chemicals get into the groundwater and can contaminate the supply. That's why I partnered with Call2Recycle, Canada's national consumer battery collection and recycling program.

I'm pleased to report that during two weeks in September, my Burlington office collected over 160 pounds of batteries. In addition, my paint recycling drive took in 872 cans of paint, including 103 spray cans. Recycling paint and batteries protects our environment by keeping hazardous waste out of our landfills, and it's something everyone could be doing.

I am pleased to be working with the non-profit Electronic Recycling Association and the Pediatric Oncology Group of Ontario in a six-week-long collection drive. We're accepting used laptops, computers, monitors, printers, cell phones and tablets from now until November 6 at my Burlington office. Electronic devices will be refurbished and provided to children undergoing cancer treatment.

I want to thank the Burlington community for always stepping up and supporting these efforts.

SCARBOROUGH RIBFEST

Miss Christina Maria Mitas: I just wanted to give a shout-out to the Scarborough Ribfest, which happened a few weeks ago and was put on by the Rotary Club of Scarborough. We had over 2,800 cars drive through the Centennial College campus on Progress, so thank you, Centennial College, for lending us your parking lot.

My family and I were one of the cars that went through. We went to Camp 31, which is a family favourite, and got ribs, mac and cheese, and chicken. On the way out, we grabbed blooming onions, and funnel cakes with strawberries and ice cream. My daughter enjoyed her first Scarborough Ribfest meal. She loved the sauce, as she says, the most.

1030

Next year, I really look forward to coming out with all of you Rotarians at Thompson park and waiting in one- or two-hour lineups in the blistering heat, because, let's face it, that's part of the experience.

I thank you, Rotarians, so much for putting on this event this year, for not giving up and for ensuring that Scarborough still had this really great community event. It was

really nice to see so many of your familiar faces. Thank you for the work you did on the Ribfest and thank you for all of the volunteer work that you do for Scarborough.

ANNAMIE PAUL

The Speaker (Hon. Ted Arnott): I understand the member for Guelph has a point of order.

Mr. Mike Schreiner: I rise with a point of order. I'd like to congratulate Annamie Paul for not only being elected the leader of the Green Party of Canada—

Applause.

Mr. Mike Schreiner: Thank you. But I also want to congratulate her, Speaker, for a historic election. She is the first Black woman and the first Jewish woman to lead a major political party in Canada with seats in the House of Commons.

SPEAKER'S BOOK AWARD

The Speaker (Hon. Ted Arnott): It gives me great pleasure to inform members about this year's Speaker's Book Award short-listed books and authors, and announce the winner of the 2020 Speaker's Book Award.

As many of you know, our annual Speaker's Book Award was launched in 2012 by Speaker Dave Levac and is given to an Ontario book or author—or authors—each year, and normally announced during a ceremony that's held here in the Legislative Assembly building. Unfortunately, it's not possible for that event to occur this year, so I am announcing the winning book this morning in the chamber.

For almost a decade, the Speaker's Book Award has brought attention to a diverse collection of Ontario books that have included biographies, historical events, cultural perspectives and accounts about communities facing significant challenges and criminal justice issues, all written by Ontario authors and all published here in Ontario.

A short list of books is chosen out of numerous submissions received each year. These books are then read by a panel of judges and a winning title is chosen. This year's selection panel included former MPPs Marilyn Churley and David Tsubouchi, along with broadcast journalist Robert Fisher, Indigenous educator Nancy Cooper and David Bogart, communications officer here at the Assembly.

The 2020 short list included the following titles:

—*The Forest City Killer: A Serial Murderer, a Cold-Case Sleuth, and a Search for Justice*, by Vanessa Brown, published by ECW Press, 2019;

—*Marvellous Grounds: Queer of Colour Histories of Toronto*, edited by Jin Haritaworn, Ghaida Moussa and Syrus Marcus Ware, published by Between the Lines, 2018;

—*BlackBerry Town: How High Tech Success Has Played Out for Canada's Kitchener-Waterloo*, by Chuck Howitt, published by James Lorimer and Company Ltd., 2019;

—*Resilience Is Futile: The Life and Death and Life of Julie S. Lalonde*, by Julie Lalonde, published by Between the Lines, 2020;

—*House Divided: How the Missing Middle Will Solve Toronto's Affordability Crisis*, edited by Alex Bozickovic, Cheryll Case, John Lorinc and Annabel Vaughan, published by Coach House Books, 2019; and

—*The Age of Fentanyl: Ending the Opioid Epidemic*, by Brodie Ramin, MD, published by Dundurn Press, 2020.

I am pleased to announce this year's Speaker's Book Award. It goes to: *Resilience is Futile: The Life and Death and Life of Julie S. Lalonde*, by Julie Lalonde, published by Between the Lines, 2020.

Many of the members here today will be familiar with Ms. Lalonde and her personal struggle with abuse, and her subsequent campaigns advocating for women's rights and the denouncement of violence against women in this province and beyond. Hers is truly a compelling story and I would encourage all members to take the opportunity to read it, along with the other excellent titles in this year's short list.

Again, we congratulate Ms. Lalonde and her winning publisher, Between the Lines, along with all this year's other short-listed authors and publishers. Information about the 2020 short list and the winning book will be available on the Legislative Assembly's website very soon. Thank you very much.

It is now time for oral questions.

QUESTION PERIOD

COVID-19 RESPONSE

Ms. Andrea Horwath: My first question this morning is to the Premier. Throughout the spring, the Premier insisted that he was sparing no expense in the fight against COVID-19. Yet Saturday's Toronto Star reports that people running Ontario's labs and testing were pleading with the Ford government to bump up the investment throughout the spring and summer. They were pleading with the government to expand the testing capacity only to be told that the government just didn't want to spend the money.

In the midst of an unprecedented health crisis, why has the Premier been trying to cut corners and save a buck?

The Speaker (Hon. Ted Arnott): Deputy Premier and Minister of Health.

Hon. Christine Elliott: I would say quite the opposite to the leader of the official opposition: We have been strengthening our lab capacity since the beginning. To remind the member, when we started out, we were able to do 5,000 tests through Public Health Ontario. Since then, we've expanded that capacity to be able to do over 40,000 tests per day in Ontario. We have a connected lab network that includes Public Health Ontario, hospitals, universities and community labs, and we're still expanding more. In fact, we have just indicated that as part of our public health

plan, Keeping Ontarians Safe, we're spending over \$1 billion to increase our testing, our lab capacity and our contact tracing. That is something that we're going to continue to do because we know more testing needs to be done to flatten this curve and be able to deal with the second wave of COVID.

The Speaker (Hon. Ted Arnott): The supplementary question?

Ms. Andrea Horwath: Well, Speaker, nobody in Ontario that has been dealing with the long lineups and the consistently changing statements from the Premier believes that the government was ready. Labs have been informed that the government was aiming to conduct 100,000 tests by October. Now, that deadline has been quietly moved back to January. Canada's largest city is scaling back on contact tracing. We're in an ever-worsening second wave now and in chaos because the Premier refused to spend the money that was necessary to protect the people of Ontario.

Will we ever see a real plan and the investment necessary to back it up?

Hon. Christine Elliott: I would say, through you, Speaker, to the leader of the official opposition, that that is absolutely not the case. We have been increasing our testing capacity since March, and we're going to continue to increase it. We did not ever indicate that we would be doing 100,000 by the end of October. What we did indicate was that we were going to be increasing from 40,000 to 50,000, and we're well on our way. We routinely do more than 40,000 tests per day in Ontario. We are changing our capacity with respect to testing because we listened to what you were saying all last week, indicating that people are waiting outside in long lineups. It is getting colder. We've responded quickly. Now, we're changing to appointment-based testing so that people will have a better idea of when they need to go. They don't have to stand up outside in lineups for long periods of time, and they will be screened before they come in to make sure that they are eligible to receive a test. So we are responding to changing conditions, to changing weather and—

The Speaker (Hon. Ted Arnott): Thank you.

The final supplementary?

Ms. Andrea Horwath: Speaker, for the last week or so, the Premier has demeaned and derided doctors, hospitals and medical experts who have spoken on his failure to act, and now, this Minister of Health just threw the labs under the bus. Only this Premier will call an ER doctor an "armchair quarterback" in the middle of a pandemic.

These front-line health experts are telling us that it is "100% true" that the Premier's attempt to save a buck back in June, the way this government loves to do—it's all about saving, saving, saving—

Interjections.

The Speaker (Hon. Ted Arnott): Stop the clock.

The government side will come to order.

Start the clock. Please place your question.

Ms. Andrea Horwath: It's "100% true" that the Premier's attempt to save a buck back in June has left us scrambling today: That's what the experts are saying.

So at what point will this Premier admit that his government's decision to focus on cost-cutting instead of fighting COVID-19 has led to exploding numbers and us scrambling to try to react?

Hon. Christine Elliott: In fact—let's speak actual facts—this government has spent an incredible amount of money on the issues that we absolutely need to deal with in order to deal with COVID-19.

1040

First of all, we've spent over \$935 million to our hospital sector this year; a 5.5% increase, which is greater than any hospital funding in a decade. Secondly, we have allowed for \$458 million to go into home and community care so that people who can be cared for at home, who don't need to be in hospitals, can be cared for where they want to be. We've also put in \$283 million to support dealing with the backlogs of surgeries and procedures that we've needed to deal with, and \$1 billion to test, trace and isolate cases.

Moreover, we've done all of that, expended those sums of money, with the incredible assistance of our public health experts—the best in the world. We have a team of people who we've spoken to. We held over 45 sessions with over 300 health experts, in bringing forward our plan for keeping Ontarians safe—

The Speaker (Hon. Ted Arnott): Thank you.

The next question.

COVID-19 RESPONSE

Ms. Andrea Horwath: It seems interesting that the minister says one thing and the Financial Accountability Officer says the other about how much this government was prepared to invest over the summer to get us ready for a second wave.

My question is to the Premier. This weekend, Toronto Public Health actually had to stop its contact tracing. The biggest city in our country had to stop its contact tracing, saying that they can no longer notify close contacts of people who have tested positive with COVID-19, because they simply don't have the resources to keep up otherwise.

Toronto's medical officer of health has been pleading with the Ford government for action that will help her do her job. Where is the action? Why hasn't it come?

The Speaker (Hon. Ted Arnott): Minister of Health.

Hon. Christine Elliott: Well, in actual fact, there has been significant action taken, which is why we released our plan, which is why, with the pillars that we have, that we want to reduce the number of cases that we're seeing; which is why we've also targeted Peel, Toronto and Ottawa with special measures to make sure that you don't have more than 100 people in restaurants—I believe Toronto has reduced that to 75—and no more than six people at a table. These are places where we're seeing the outbreaks, and we are responding to the remarks and concerns that have been expressed by Dr. de Villa, and the outbreaks in these areas. We have also allotted more than 200 contract tracers specifically to the city of Toronto to allow

them to catch up and be able to carry on the contact management.

We are very aware of their concerns and we're responding due to the concerns that have been expressed by both Mayor Tory as well as Dr. de Villa.

The Speaker (Hon. Ted Arnott): The supplementary question.

Ms. Andrea Horwath: What the minister is saying is that once again they're scrambling to catch up instead of getting out ahead of what's happening with COVID-19. People are desperate for clear direction and leadership from this government, and the Premier has failed to deliver. Even simple questions about what we should be doing in terms of celebrating Thanksgiving with our loved ones didn't even get a clear answer.

The medical officer of health in Ottawa describes the situation as a crisis. In Niagara, they're scrambling to try to redeploy public health staff. The medical officer in Toronto, of course, we know is pleading with the province for some help.

Will the Premier admit that his plan to save money isn't working for the second wave? It didn't work for the first wave, which is why we had over 1,800 seniors die in long-term care from COVID. So will he just admit that his saving money isn't the right thing to do, and start listening to public health and medical experts who are pleading for the government's help?

Hon. Christine Elliott: We have prepared for the second wave. We've been preparing for that throughout the summer months with the consultations that we've held with public health experts and experts in other areas of health. That's why we came forward with our plan, Keeping Ontarians Safe, which is a comprehensive \$2.8-billion program. We are spending the money, and we are spending the money in the right areas.

We're going to maintain the public health measures that we need to maintain. We're going to bring forward the most comprehensive flu campaign in Ontario's history. We're going to make sure that we can identify and manage outbreaks of COVID-19. We're going to keep up with the backlogs of surgeries and procedures that were postponed in the first place. We're going to recruit and deal with health human resources to make sure that we have the right people in place to manage COVID-19. And we are ready for surges, to be able to increase hospital capacity and community capacity in the areas where we do see the outbreaks.

The Speaker (Hon. Ted Arnott): Final supplementary.

Ms. Andrea Horwath: Speaker, consultations are useless if you don't take the advice of the experts. They're useless.

Here is what families actually see: A second wave of COVID is spreading in our schools, in our long-term-care homes, across our communities. People on the front lines of our labs, in hospitals and in public health say that they've been ignored for months, and they are pleading for action. And the Premier is attacking experts and insisting

that his plan is working, where everybody sees that it is not.

The government needs to do better, Speaker. When will the Premier finally admit that the government failed to make the investments needed over the summer and start listening to front-line health care experts pleading with the government for some help?

Hon. Christine Elliott: In fact, we have been making the investments. I believe I answered in your previous question to indicate that we're spending \$2.8 billion—that's a lot of money—to increase our resources, to make sure that we can test, trace and isolate new cases of COVID-19. We are continuing to do that. Our plan is working. Compared to most other jurisdictions, we are doing extremely well per cases per 100,000.

This is an outbreak that's not just happening in Ontario, I might remind the leader of the official opposition. This is happening throughout the world. We are prepared for it. We have been prepared since the early summer, and we are moving forward, making those investments in our testing capacity, in our lab capacity, in increasing the number of contact managers by 1,000, from 2,750 to 3,750. We are making the necessary improvements in our home and community care to make sure we have more money to respond to more people that are going to be home and to expand our hospital capacity when we need to.

EDUCATION FUNDING

Ms. Marit Stiles: My question is to the Premier. Speaker, there were outbreaks in 114 long-term-care homes before the government stopped the practice of personal support workers working in multiple homes. We knew then, as we know now, that the risk of transmission increases exponentially when workers move between multiple groups of people. That's why it was so disheartening to read in the Toronto Star that classes in up to six schools in the Toronto Catholic District School Board were exposed to COVID-19 through a staff member who is still required to rotate through different classes and different schools.

Speaker, why is the government putting students and staff at risk, ignoring the lessons of the first wave of COVID-19?

The Speaker (Hon. Ted Arnott): The Minister of Education.

Hon. Stephen Lecce: Thank you to the member opposite for the question. We provided guidance to all educators and to all boards to limit the mobility of teachers within schools. For specialized teachers, like French—as cited in the article noted by the member—or music teachers, we've asked them to undergo strict screening before they enter schools.

The Chief Medical Officer of Health, who has improved our plan, endorsed our plan, is constantly reviewing the protocols to make sure that they are adhering to the highest standards, and we are open to any adaptations he may make to further improve them. But that's why,

Speaker, you will note in the summer, we asked, when it comes to these specialized teachers, for our union partners to work with us when it comes to managing prep time, to bundle it, to start at the beginning of the day, the end of the day, to minimize these impacts.

This could have been avoided, Speaker. But I do believe there is a way forward, working with our unions. This is proof positive that these issues are manifesting in schools. We have to reduce the risk, which is why we're asking them to work with us to do just that.

The Speaker (Hon. Ted Arnott): The supplementary question.

Ms. Marit Stiles: Well, here we go again: Blame the boards, blame the teachers, blame the unions, and refuse to take any responsibility of your own.

You do not need to be an epidemiologist to know that moving staff from class to class and school to school is going to increase risk. There are six schools impacted, and those families can't even get a test today because testing centres are closed.

It is not just itinerant teachers, I want to point out, Mr. Speaker. Education workers of all kinds—EAs, custodians—are still being asked to work in multiple settings, and it is on this government and their failure that they are still doing that.

The government has ignored repeated warnings. Speaker, will the Premier direct his minister to act now to limit the risk to students and staff and bring forward urgently needed funding to keep these workers and students safe?

Hon. Stephen Lecce: The government has provided a \$1.3-billion investment to school boards. The issue before us has absolutely nothing to do with funding; it's access to educators.

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The member knows we have a limit of French teachers in the province of Ontario, so when the Premier said he's open to ideas from the opposition, I look forward to that member bringing forth ideas on how we're going to create thousands of French teachers just overnight, as the member opposite pretends that that could happen.

What we know, Speaker, is that itinerant teachers have been asked to enhance screening. We have asked school boards to limit the indirect and direct contact for students to 100. School boards have very clear protocols on how to administer, and we will work with our school boards, as well as the public health agencies, to make sure we limit the spread in our schools. We are seeing incredible compliance, and I want to thank our school boards, our public health and our educators for doing everything they can to reduce the risk within our schools.

COVID-19 RESPONSE

Mrs. Nina Tangri: Good morning, Speaker. My question is to the Deputy Premier. This past week, we received a real wake-up call. We saw from the modelling update that if we don't act now to halt these trends, we could see a thousand new cases a day by mid-October. We could have 200 to 300 people a day arriving in our hospital ICUs.

In fact, Speaker, there were 732 new cases just last Friday. We're in a second wave of COVID-19.

Throughout this pandemic, we have made some tough but necessary decisions, always based on the best medical advice and scientific evidence available. Speaker, can the Deputy Premier please share with the Legislature about the new public health measures that our government, in consultation with the Chief Medical Officer of Health and the command table, announced to stop this virus from spreading any further?

Hon. Christine Elliott: Thank you to the member from Mississauga–Streetsville for the question and for your leadership. Effective this past Saturday, we're making the masking policies already in place in many communities across the entire province. That means wearing a mask when shopping, when taking public transit and at work if you can't keep two metres between you and your colleagues. As much as possible, we also need to limit close contact with anyone outside our households.

We also have to extend the pause on the reopening of any other businesses or facilities for another 28 days, and we are bringing in additional targeted measures in Ottawa, Peel and Toronto: Restaurants, bars and nightclubs in Ottawa and Peel must limit their capacity to 100 customers or less. Toronto Public Health has already decided to limit capacity to 75, with no more than six people per table, and each customer's contact information must be collected for contact tracing.

The Speaker (Hon. Ted Arnott): The supplementary question.

Mrs. Nina Tangri: Thank you to the Deputy Premier. I also put my supplemental question to the Deputy Premier. I know that these strong measures are necessary and build on additional new requirements for gyms, fitness centres, banquet halls and event spaces.

Deputy Premier, I know that Ontario has been a major leader when it comes to testing. We have over four million individuals tested; we are a leader in Canada and North America. But with the weather getting colder, this will lead to more of my constituents returning indoors, which has led to more community spread and a surge in testing. Additionally, we can't continue to have people waiting in the cold and outdoors to get tested.

Deputy Premier, can you please share with my constituents about the new, enhanced process our government has implemented on testing to help streamline the process and provided better service and certainty to everyone in the province?

Hon. Christine Elliott: Thank you again for the question. Beginning yesterday, assessment centres will no longer be accepting walk-ins. As well, assessment centres are now moving to an appointment-based-testing-only system. The vast majority of assessment centres in Ontario are already offering testing by appointment, and they will continue to operate as usual while we make this important transition.

Up to 80 pharmacy locations in Ontario will also continue to offer tests by appointment, with more pharmacies to offer tests in the coming weeks while they transition.

The assessment centres will also take the opportunity to conduct a deep cleaning. This will also give labs a critical opportunity to clear any testing backlogs.

Colleagues, these changes are absolutely necessary. We're working with our partners in hospitals and assessment centres to make sure this transition to testing by appointment is as smooth as possible.

COVID-19 RESPONSE

M^{me} France Gélinas: Ma question est pour le premier ministre. Thousands of Ontarians are anxiously waiting to get their COVID test results because we have this huge backlog, the result of government inaction. The public testing centres have shut down their walk-in services; they now require Ontarians to book on the website Eventbrite, often days in advance, to get an appointment. Ottawa Public Health calls it a crisis. But today, the Globe and Mail reports that if people have the means to pay hundreds of dollars, they can jump that queue. The Premier calls health care a free market, and is letting private companies use medical supplies from Ontario Health and charge hundreds of dollars for a COVID test. Why is the Premier letting private corporations profit from COVID testing?

The Speaker (Hon. Ted Arnott): The Minister of Health.

Hon. Christine Elliott: I would like to assure the member opposite and the people of Ontario that this is not happening. This is not allowed. We are not allowing companies to receive private swabs that we are using in our assessment centres that they can then go and use to conduct tests at hundreds and hundreds of dollars. This is not happening.

Our tests are public tests available to people without charge. That is what our public health system is modelled on. That's the way we are conducting tests. And while companies can buy their own swabs elsewhere and conduct tests of their workers if they wish to, we are not allowing any private companies to obtain Ontario swabs and then use them to do testing at a private cost.

The Speaker (Hon. Ted Arnott): Supplementary question.

M^{me} France Gélinas: One of the companies offering these for-profit tests is Switch Health. The Premier knows them well. He allowed their private mobile test on farms earlier this year. Now, because he calls health care a free market, he's fine with this company and others charging Ontarians for a private COVID test, going completely against the founding principle of medicare.

Right now, our assessment centres are backed up. People are struggling to get an appointment. Public health had to stop contact tracing and lab capacity is overburdened and backlogged. All of this could have been—should have been—avoided. Why is this government allowing private companies to profit from COVID testing instead of making sure that our public health care system has what it needs to test Ontarians in a timely manner?

Hon. Christine Elliott: Well, our government is not doing what the member has suggested. In fact, Ontario

Health has been directed not to provide swabs to any providers known to charge patients, and we're currently determining further action to ensure that this activity is discontinued. This is something that private employers can do if they wish, as I indicated earlier. If they wish, they can conduct testing for their employees free of charge, but they need to buy their own swabs and they need to have their own equipment.

What we are focusing on is testing in the public sphere. You're right: That's what our public system is based on, and we are following that. Anyone who comes to any of testing and assessment centres, or pharmacies, does not have to pay for a test. They will be given a test. That is our responsibility and our duty to the people of Ontario, and that is what we are doing. No private testing is being used using Ontario swabs that belong to the public system.

COVID-19 RESPONSE

Mr. Mike Schreiner: My question is for the Minister of Health. The messaging on testing has been all over the place. The public was told that anybody who needed a test could get a test. But testing capacity was not there to meet demand, even though we knew demand would go up when schools and businesses reopened. So I understand why the government has reacted to move to appointment-based testing to deal with the backlog that they created, but I'm worried that the appointment-only testing will make it even less accessible for vulnerable people. There are many people, for instance, people who are homeless or who may have disabilities, who may not be able to access the technology to set up an appointment to get a test.

Speaker, can the minister tell us what is being done to ensure that vulnerable Ontarians have access to testing?

Hon. Christine Elliott: I thank the member very much for the question. This is a very important point because we want to make sure that anyone in Ontario who needs a test will get a test. The move to the appointments is, in fact, a response to long lineups, changes in weather. In fact, all of the northern testing centres are already doing appointment-based testing. That hasn't shown to be a problem.

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However, we do recognize there may be some people who might be in that situation who might need to have home and community care come and visit their homes to be able to do their testing for them, or primary care through their physician's office. There are other ways that we can do this testing without necessarily having people being tested in the assessment centres themselves. We have allowed for that, and that is happening as we speak.

The Speaker (Hon. Ted Arnott): The supplementary question.

Mr. Mike Schreiner: Thank you, Minister, for the answer. I hope the government communicates that clearly with the people of Ontario.

If we have learned anything about this pandemic, it is that speed is of the essence. The federal government has entered into conditional contracts for purchasing millions of rapid testing to deal with these long lineups, even

though some of these companies haven't been approved by Health Canada. The federal government has done this because they know we have to increase capacity for rapid testing.

There's a company in my riding that is waiting on imminent approval for rapid testing, and they have said that if they can have a conditional contract, they can roll that out quickly. So knowing that time is of the essence to deal with the testing backlog, will the minister commit to entering into conditional contracts with companies who are on the brink of receiving Health Canada approval for rapid testing so there is no excuse for further testing delays?

Hon. Christine Elliott: Well, yes, we are looking at the new point-of-care testing that's coming forward. We've had a brief conversation about the company that's in your riding. We're always looking to follow new innovations because, as the Premier has indicated, that is a game changer. If we can do point-of-care testing and get results in 10 or 15 minutes, it's a big difference from what we're dealing with now, where we try to receive test results within 24 hours, but it doesn't always happen for a variety of circumstances.

So we are moving forward. We are in contact with Health Canada and with the federal department of health. They are obtaining the orders, and then we will receive the orders from them. That is happening, and we are looking for other creative, innovative solutions. But we are working directly with the federal government on this and with Health Canada, encouraging them to have these tests approved as quickly as possible while making the necessary testing requirements and making sure they do their due diligence.

GOVERNMENT'S RECORD

Mr. Stan Cho: This morning, the Liberals, at the direction of their new leader, Steven Del Duca, brought forward an unprecedented private member's motion outlining their confidence in this government. The motion, sponsored by the member for Scarborough–Guildwood, expresses her party's desire to see the government continue the great work it has done for a full four-year term. Later today, there will be an opportunity for all members to vote on this motion and record their support for this government.

Would the government House leader please update this House on the great work this government has done and will continue to do for the people of this awesome province?

Hon. Paul Calandra: I appreciate the tough question from the member for Willowdale. Today was a very historic day for many reasons: Not only is today the first day that the opposition was provided two additional questions during question period to hold government accountable, it was also the addition of another private members' bill or motion. But as historic as that is, it pales in comparison to the fact that today, for the first time—at least in my 35

years of being involved in politics—an opposition party has tabled a motion of confidence in the government.

As I said in my speech this morning, I thank the honourable member. I know how difficult it must have been to sit around the table with her new leader and to put the very first motion that they have had to debate in months and to make it a motion of confidence in the government. I urge all members of this Legislature to do the right thing and vote with us and vote with the Liberals. Show your support for this government, and vote in favour of that confidence motion.

The Speaker (Hon. Ted Arnott): The supplementary question.

Mr. Stan Cho: I agree with the member from Scarborough–Guildwood that this government has done a great job since coming into office in 2018. We returned fiscal sanity and accountability to Queen's Park, and started tackling the Liberals' out-of-control \$15-billion deficit.

We made Ontario open for business; invested \$26 billion to build better subway transit in Toronto; reduced small business taxes; increased housing supply to make the dream of home ownership a reality for families and young people; invested in education, health care, mental health and supports for the skilled trades; and created over 300,000 jobs before the pandemic hit.

Though, I am still a little surprised at this unprecedented motion of confidence brought forward by the Liberals today. Usually, opposition parties bring forward motions that challenge or criticize the government.

I think the government House leader mentioned that in his 35 years in politics, he's never seen anything like this. Can you expand on that? Can you tell the House if you've ever seen a motion of this kind from an opposition party?

Hon. Paul Calandra: I want to thank the honourable member for that question. As I said, not only in my 35 years have I never seen an opposition bring forward a motion of support and confidence in the government, I have actually asked the legislative library to find out if, in the history of parliamentary democracy, an opposition party has ever gone out of its way to use the time that it has been given to hold government accountable to show support in the government.

As I said in my remarks this morning, that truly shows the Ontario spirit. When the Liberal Party can come forward with a motion of support in the government and confidence and ask for the support of all members of this Legislature for that, it speaks volumes to not only the job that we are doing as a government and that this Premier has done, but all legislators in this place.

I thank the honourable member for making history. I thank the Liberal Party for the support that they've had. I encourage all members: Vote in favour of this confidence motion. Join with us and the Liberals in making sure that this government—

Interjections.

The Speaker (Hon. Ted Arnott): Stop the clock. Start the clock. The next question.

SUBVENTIONS DESTINÉES À
L'ÉDUCATION

EDUCATION FUNDING

M. Guy Bourgouin: Ma question est pour le premier ministre. Alors que le ministre de l'Éducation se dit prêt à faire l'impossible pour garder nos enfants en sécurité dans les écoles, les conseils scolaires francophones et les programmes d'immersion font face à une pénurie de personnel.

Que ce soit dans le Nord ou dans l'Est, les conseils francophones invitent les parents à recommander des gens de confiance pour devenir suppléants ou de prêter main-forte dans les écoles. Jeudi dernier, on a appris que les programmes d'immersion risquent de fermer, car il n'y a pas d'enseignants de langue française dans la province, malgré le fait que les conseils demandent des changements depuis des mois.

Monsieur le Président, le premier ministre croit-il vraiment qu'on peut faire face à une pénurie sans précédent avec des mesures floues comme des salons d'emploi, des partenariats et des portails en ligne?

The Speaker (Hon. Ted Arnott): Minister of Education.

Hon. Stephen Lecce: The province of Ontario and governments across the country have been facing a shortage of French-language educators. But I'm very proud that just days ago last week, the Minister of Francophone Affairs, the parliamentary assistant to the Minister of Education and I announced a plan to re-establish the French second-language working group, which brings together boards, unions and leaders in education, to confront this issue head-on and address it meaningfully with action—after 15 years of inaction by the former government that got us to this place where we do not have a sufficient supply of educators.

The issue is not financing, Speaker; it's literal access to qualified educators in our province. We are working with the French government in trying to attract skilled educators from France and the Francophonie across the world. We're working with Laurentian University, working with a specific program to foster more graduates in French education. We're doing everything we can, knowing this issue is acute, recognizing that you can't just create them overnight. We're going to keep working very hard on this, Speaker.

The Speaker (Hon. Ted Arnott): The supplementary question.

M. Guy Bourgouin: Ce gouvernement a carrément les deux pieds dans la même bottine.

On ne peut pas régler ces pénuries à la dernière minute avec des salons d'emploi. C'est une pénurie de longue date. Peut-être ont-ils oublié qu'en 2015, les libéraux ont négligé la lentille francophone en doublant la durée des programmes en éducation, y compris les deux seules formations en français en Ontario. Et ce gouvernement ne comprend pas non plus que deux sur 10 enseignants abandonnent le métier à cause de la multiplication des tâches, la pression et les conditions de travail.

Ce gouvernement doit arrêter de faire la sourde oreille. Il doit écouter les enseignants, les conseils et les spécialistes pour prendre des mesures agressives et concrètes. Allez-vous prendre des mesures claires et tangibles adaptées aux besoins des francophones, oui ou non?

Hon. Stephen Lecce: We do agree with the member opposite that it was absolute inaction from the former government, which has really resulted in this shortage and the acuity of that problem. But that is why just days ago, to the member opposite, we literally just relaunched the working group on French as a second language to ensure we work with all partners, with federations, with school boards and with faculties of education to encourage more individuals to pursue French-language education and to teach within our schools. We relaunched it because we recognize the problem, and we're working very hard, aggressively, with a limited timeline to get results for your community and for all communities across this province.

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SMALL BUSINESS

Ms. Mitzie Hunter: Speaker, my question—
Interjections.

The Speaker (Hon. Ted Arnott): Stop the clock. Order. Start the clock. Once again, the member for Scarborough—Guildwood.

Ms. Mitzie Hunter: Thank you, Speaker. My question is for the Premier. The first wave of the pandemic was devastating on our small businesses and local economies. The second wave shows every sign of being worse than the first, and our testing and contact-tracing infrastructure is unprepared and overwhelmed. Yet the response from the Premier has been slow and reactionary. Many small businesses fear that they will not survive a second wave lockdown.

Just this week, I was contacted by Michael Wood, a small business owner in Ottawa, whose message is clear: Small businesses need support. They need their government to act. They need real rent relief and more. They're worried about closing. That will devastate the livelihoods of their families.

Speaker, through you to the Premier, will the Premier step up to provide real relief to small businesses, or will he wait for them to collapse before he acts?

The Speaker (Hon. Ted Arnott): The parliamentary assistant to the Minister of Finance.

Mr. Stan Cho: It certainly has been a tough time for our small business community out there. That's why this government responded from the very beginning of the pandemic with real relief for individuals and businesses: \$3.7 billion announced in March, increased to \$11 billion in those direct supports in August; \$241 million was put towards direct rent relief. It has been almost 591,000 employees who have been helped by this program. That's almost 60,000 commercial tenants throughout this province.

But businesses are attacked in a number of ways, not just on paying their rent but their hydro bills. That's why this government has provided \$175 million in relief there, \$355 million in employer health tax cuts and WSIB

premium reductions. This is a tough situation for small businesses. That's why we're there to support our hard-working small business community.

Mr. Speaker, the message is clear. Again, to small businesses out there: We have your back.

The Speaker (Hon. Ted Arnott): The supplementary question?

Ms. Mitzie Hunter: Mr. Wood presented at the Standing Committee on Finance and Economic Affairs on August 17. He needs action from this government now.

This government is asleep on the issue of support for small business. The COVID pandemic is making the cost of doing business in Ontario unaffordable for small businesses. Insurance companies are denying coverage or hiking rates to unreasonable and unaffordable levels in industries where the risk of transmitting COVID-19 is elevated or uncertain. I asked the Minister of Finance about this issue on July 8. He said he would look into it. This issue affects small businesses, including restaurants, some non-profits. In fact, even film and television production is seeing escalating costs that are quickly becoming unaffordable.

Ontario's economy has been hard hit. Many small businesses are at risk of closing, with no credible relief package in sight from this government. Winter is coming, Mr. Speaker, and we need action now. Will the Premier step in to address the issues of insurability caused by COVID-19, or will he wait until these businesses close?

The Speaker (Hon. Ted Arnott): The Associate Minister of Small Business and Red Tape Reduction.

Hon. Prabmeet Singh Sarkaria: I want to thank the member opposite for the question. I actually had an opportunity to host a round table with the individual referenced by the member opposite, Michael Wood, who has been a great advocate for small businesses across the province.

We've held over 90 round tables. It was due to consultations with businesses owners like Michael Wood that this government worked together with our federal partners to put together the commercial emergency rent relief program. It is through these conversations that this government was able to put forward programs like electricity rate relief, to the tune of \$175 million. It is through the conversations with these small business owners that this government was able to put forward a Tackling the Barriers website that looked at temporary reg changes that could help support small businesses, like allowing restaurants to deliver alcohol with takeout food.

This government will continue to support small businesses, whether it was before the pandemic, during the pandemic or during this very difficult time.

SKILLED TRADES

Ms. Lindsey Park: My question is to the parliamentary assistant to the Minister of Labour, Training and Skills Development. Speaker, the people in my riding of Durham have been hit hard by COVID-19, like so many across the province of Ontario. While it's encouraging to see more people returning to work as we safely reopen the economy, some people in my community do not have jobs to return to.

Recently, the Premier and Minister of Labour, Training and Skills Development announced that our government is helping people retrain and gain the skills they need to work in the skilled trades. Would the government please tell this House how this investment will help increase skilled trades jobs in our community?

Ms. Jane McKenna: Thank you to the member for Durham for the question. Last month, the Premier and minister announced \$37 million to support over 80 projects across Ontario. This funding will help more than 15,000 people to train for new jobs in high-demand fields.

In Durham region, this includes investing in construction, automotive, aerospace and transportation jobs. These jobs not only help provide for people and their families, they are the foundation for long-lasting, meaningful careers that will be in demand for years to come.

For example, we're investing in a project that will bring together industry partners with the most talented students to help them find hands-on work placements that will teach them the skills they need to succeed. We've got a plan to get people back to work, and I look forward to speaking in the supplementary.

The Speaker (Hon. Ted Arnott): The supplementary question.

Ms. Lindsey Park: Thank you to the parliamentary assistant for that answer. This is great work that's being done to train and upskill people so that they have the talent they need to connect to the jobs of today. This investment is giving Ontario Tech University, Durham College and Loyalist College the tools they need to deliver work-integrated learning, like placements and apprenticeships, and we know how important those are to young people today.

As we know, the pandemic has impacted different people in different ways. Particularly, it has created an additional barrier for those who are already unemployed or underemployed. Can the government please also share with this House how these investments are supporting these groups that need help?

Ms. Jane McKenna: Thank you to the member for the follow-up question. I'm happy to share that we are enriching school training programs to better align with the needs of employers and to help get workers back into the workforce.

Take, for example, our Driving Success commercial driver training program with the Ontario Truck Training Academy. This program provides future drivers with the training, opportunities and experiences they need to thrive in the current and future workplace. It has been specifically designed to enhance the student's knowledge, increase job retention and improve communication between training organizations, candidates and employers.

Speaker, we're on a mission to get people into good jobs that support them, their families and their communities. We will not stop until this important work is done.

LONG-TERM CARE

Ms. Jessica Bell: My question is to the Premier. It's been five months since the Premier promised to build an

iron ring around long-term-care homes. This weekend, Vermont Square, a long-term-care home in my riding, reported that 26 residents and 15 staff members have tested positive for COVID-19. That's 45 people.

We have known for months that our province was in for a second wave, set to begin in the fall. Now here it is, and families are reliving the nightmare. Seniors at Vermont Square want to know, why is the Premier failing to protect them from the second wave?

The Speaker (Hon. Ted Arnott): The Minister of Long-Term Care.

Hon. Merrilee Fullerton: Thank you to the member opposite for that question. Looking at the outbreaks in our long-term-care homes, some of the homes are particularly affected—a small number. There are only 12 homes out of 626 homes that currently have resident cases, Vermont being one of them. We look at the measures being taken in conjunction and coordination with the hospitals, with the IPAC teams, the infection prevention and control teams, working with the medical officers of health, adding more and more layers of protection. This is something that's been ongoing since January, looking at ways to protect our long-term-care homes.

The reality is, we have an invisible intruder that is in the communities. You've heard Ottawa, Toronto, Peel—these areas have higher numbers of community cases. So we are adding more measures in addition to what we've done already to support our homes, and we will continue to do that with great vigilance and care.

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The Speaker (Hon. Ted Arnott): The supplementary question.

Ms. Jessica Bell: Back to the Premier: The Ford government was urged to prepare long-term-care homes for COVID-19 as early as January. Chronic understaffing, overcrowding and funding cuts have made long-term-care homes particularly vulnerable. Instead of acting, this Premier has chosen to do the minimum.

When the first wave hit, we know long-term-care homes were devastated. We are now well into the second wave, and it's looking like it will be worse than the first. There are now 43 outbreaks in long-term-care homes—43. Why is the government failing to properly prepare long-term-care homes for a second wave?

Hon. Merrilee Fullerton: Thank you for the question. I completely disagree with the premise of your question. In fact, we have been preparing all along, working as a coordinated effort with the Ministry of Health as the lead for the command table, with Public Health Ontario, Ontario Health, our medical officers of health.

Again, I will clarify: An outbreak in a long-term-care home includes a staff member that might be isolating at home, when there is no case in the long-term-care home. As I said, a small number, about 12 homes right now, have any resident cases. That's out of 626 homes. Some 98% of our long-term-care homes have no resident cases.

The dollars that we put behind our plans also matter: \$243 million for surge capacity staffing, infection control, screening. Over half a billion dollars that we've just

announced, in addition to hundreds of millions of dollars, have gone to this sector.

We will continue to work with our sector to—

The Speaker (Hon. Ted Arnott): Thank you. The next question.

COVID-19 RESPONSE

M^{me} Lucille Collard: My question is to the Minister of Education. The return to school has been a source of much anticipation and anxiety. Unfortunately, the fears and concerns of Ontarians surrounding the back-to-school plan are becoming facts. As we see an increasing number of persons in schools testing positive, we are learning with dismay that the province is decreasing testing instead of expanding it. Our education workers are now working under impossible stress.

Families were waiting for hours to have their children tested, to then wait days to get results because of the backlogs. Dr. Vera Etches at Ottawa Public Health said our health system is in crisis and on the edge of collapse. Communities, families and students are looking up at the government for support.

What is the minister's plan to tackle the wave of COVID-19 spreading through our education system?

Hon. Stephen Lecce: Thank you to the member opposite for the question. I should start, Speaker, with the recognition of today as World Teachers' Day. I think all members will join me in thanking our front-line educators who, every day, make a difference in our province and inspire the next generation to pursue higher learning and to be people of good character. We're very grateful for their leadership every day, particularly now.

With respect to Ottawa region, I was pleased to assemble a call with Dr. Etches, with the board chairs, directors and a public health nurse—leadership within Ottawa—with a single mission: to understand how the protocols are working. What I can tell you is in Ottawa region, it's clear, with higher rates of community transmission, it's creating some impact in our schools. But our educators, our administrators and public health are working very quickly and decisively to get into those schools, contact-trace, isolate when required and test these children. The Minister of Health has unveiled a robust, national-leading plan to increase capacity so that all parents and all kids get the test when they need it.

The Speaker (Hon. Ted Arnott): Supplementary question?

M^{me} Lucille Collard: Again to the Minister of Education: School boards are asked to perform miracles without adequate resources. Education workers, and especially teachers, are stretched too much between teaching in class, teaching online, teaching to additional students because of other teachers withdrawing for health reasons, all the while looking after the well-being of the students they care for. The increasing number of persons in schools being exposed to the virus requires testing capacity to have efficient contact tracing if we want to avoid school closures.

Education workers are the front-line workers of our education system. The economic recovery cannot happen without the recovery of our education system. Now is not the time to limit testing. Now is not the time to try and save money. The health of our communities has no price. Will the minister ensure that education workers have access to priority testing and access to timely results?

Hon. Stephen Lecce: We are fully committed to all citizens of this province having access to testing within their community. The Minister of Health has unveiled a variety of steps of increasing capacity, as well as the assessment centres, pharmacies, more points of contact. This is a reflection that we are all doing our very best. Our school boards on the ground are being provided with significant funds—literally over \$1 billion of investment—to help ensure every layer of protection is in place.

When I reflect on how Ontario is doing in this federation, when you look at what other opposition members or governments are saying across the country—the opposition in Quebec, for example, the Liberal Party member Gregory Kelley said, “Ontario is taking #backtoschoolsafely seriously.” Premier Ford “is miles ahead of us in protecting kids, teachers & support staff. Money has been invested for distance learning, school ventilation and PPE for staff. Quebec must do more to reassure parents.”

We respect Quebec’s role in our country, but we will acknowledge we lead this nation in investment in a very serious, comprehensive protocol. We will do whatever it takes to keep kids safe.

ECONOMIC REOPENING AND RECOVERY

Ms. Catherine Fife: My question is to the Premier. This past Friday I spoke with Ben Graci. He and his family own and operate The Doctor’s House event venue in Kleinburg, in the riding of King–Vaughan. They have been in the event venue business for over 35 years. They employ 130 people and they host up to 300 events a year. Due to the economic effects of the pandemic, businesses like The Doctor’s House are hanging on by a thread. They have written to this government asking for help and they haven’t heard anything from anyone on that side of the House.

They have done their part to prevent the spread of COVID-19. They closed their doors and they are paying the highest price. They’ve asked for direct government support. Without it, their business has no future. CECRA ends today.

Will the government work with Mr. Graci and the other event venues to support them financially through this difficult time?

The Speaker (Hon. Ted Arnott): The Minister of Heritage, Sport, Tourism and Culture Industries.

Hon. Lisa MacLeod: I appreciate the member opposite bringing this important issue to the floor of the Legislature. Through the ministry we continue to engage with our stakeholders. Last week alone, we had over 700 stakeholders, including those in the event business, talk to the

ministry about some of the challenges they’re facing as a result of COVID-19.

I had the opportunity earlier in the summer to visit Kleinburg with the Minister of Education, the local member for that area. I can also tell you that on Thursday evening I had a significantly long conversation with the federal minister responsible for economic development and all of my provincial and territorial colleagues on the requirement for us to have a national approach to supporting banquet and event spaces, such as the one you’re talking about.

I’d be more than happy to take your direct concerns today to my staff and meet with the individual later on today or later on this week. We recognize these have been challenging times and we want to make sure that right now we’re taking their concerns to the federal government, and we’ll continue to do that.

The Speaker (Hon. Ted Arnott): The supplementary question?

Ms. Catherine Fife: Just to be clear, Mr. Speaker, these businesses are asking for provincial support. That’s what they need.

Mr. Graci formed a group with his colleagues. Collectively they represent over 100 event venues and banquet halls and employ 5,000 people. After a drastically reduced 2020 season, most of the 1,100 event venues across the province won’t be able to survive even two more months without government support.

These venues wrote to the government explaining this problem and asking for support in the form of bridge financing, rent and mortgage relief, and real tax relief, and they have heard nothing. Ontario’s banquet halls and event spaces employ approximately 50,000 people in this province. At the very least, the government should have directly responded to their concerns. The government can’t just give up on these businesses. It should not be allowed.

What is the government’s plan to support event venues and banquet halls in the province of Ontario? They deserve our support. We should show up for them.

Hon. Lisa MacLeod: This is the second question in a week where the NDP asked the question, I responded, and then they forgot to pivot, Speaker.

The reality is, this ministry, this government, continues to work with event venues and banquet halls. We have continued to set up multiple sectoral tables, including 14 ministerial advisory committees within my ministry alone focused on how we can best pivot to support these sectors.

As I said, my ministry had a large gathering via telephone town hall last week with over 700 of our stakeholders. We continued to meet over the weekend with our theme park operators and last week with our professional sports, and we continue to meet with those like Mr. Graci. I’m happy to take his concerns and meet with him later today and set up a table as well for him, if that’s what he thinks, with his stakeholders.

1130

The reality is, the member opposite doesn’t seem to understand that there’s no point in Ontario duplicating something that’s already going to be coming from the

federal government—and I had those conversations just last Thursday.

I just wish, for once, they would—

Interjections.

The Speaker (Hon. Ted Arnott): Order. The next question.

COVID-19 RESPONSE

Mr. John Fraser: My question is for the Deputy Premier.

On Friday, Ottawa's chief medical officer of health, Vera Etches, said that our health care system is in crisis. Our hospitals are at 100%. We're on the edge. That same day, there was a testing backlog of 92,000 tests. That meant that people were waiting. But what's worse is, you might have to get retested because your test went bad.

Then we find that Toronto Public Health is shutting down contact tracing because they can't keep up.

For a month now, we've been unable to keep up with demand.

Experts have been telling the government that if you've got two million kids going back to school, you've got to get to 100,000 tests. So why aren't we there, and when are we going to get there in testing in Ontario?

Hon. Christine Elliott: With respect to the issue of testing: We have been increasing tests. We started at 5,000 at the beginning of the pandemic. We're typically doing around 40,000 tests per day in Ontario right now, which, as has been noted by the Premier, outperforms all of the other provinces and territories in Canada combined, compared to Ontario. We've already tested over four million Ontarians, and we're increasing that testing capacity. We are getting up to 50,000—that should happen within the next few weeks—and we're going to increase from there, because we know that with the second wave, testing, tracing and isolating cases is key.

But along with the testing strategy, of course, you have to have the lab capacity to be able to do the testing on a timely basis. We're increasing the lab capacity, as well. We're reaching out to other universities that have testing facilities. We're working on establishing a network, which we did not have when we started with this.

So we are increasing both of them, and we will be able to continue to increase our volumes as time goes on.

The Speaker (Hon. Ted Arnott): Supplementary question?

Mr. John Fraser: Speaker, British Columbia did more tests than they've ever done, about 11,000, which is roughly equal to the share of the population. And do you know what their backlog was? Zero. Maybe the Premier should make that comparison, because that's what we're talking about here.

We're still in a situation where we have huge demand and huge test backlogs. On the weekend, in the Toronto Star, experts were saying that to get to 100,000 tests it's going to take up to three to four months, but they just announced the money last week.

We had the time, the advice and the money in Ontario to do what needed to be done, and it didn't happen. The

Premier took his eye off the ball, and as a result we're not going to be where we need to be right now.

So my question is, when are you going to get to 100,000 tests here in Ontario, to make sure that we can meet the demand that's necessary to manage this pandemic?

Hon. Christine Elliott: We have been meeting our targets every step along the way. Remember, we started at 5,000 tests per day; we're now at 40,000 tests. We will get to 50,000 tests within the next week or so. We are going to increase from there, to get up to 70,000, 80,000, and then on from that.

We are meeting those targets, and we've been working on this since the pandemic began. We brought out our plan, Keeping Ontarians Safe, which is dealing with testing, tracing, isolating, but also managing all the volumes of tests and procedures and surgeries that were postponed during the first wave.

We're also getting ready for flu season. We're going to have the largest flu immunization campaign in Ontario's history.

So we are moving forward on all fronts. We are meeting our targets. We are doing everything that we can to keep Ontarians safe.

EDUCATION FUNDING

Ms. Suze Morrison: My question is for the Premier.

Families in my riding are frustrated with this government's failed online learning plan. Elementary students in my riding have been waiting weeks to start school.

One of my constituents, Helen, was so excited to start grade 7 that she woke up at 5:30 in the morning on the first day of school. She logged into her virtual classroom, only to be disappointed that she didn't actually have a teacher yet. It wasn't until, in fact, last Friday, 11 days after she had been scheduled to start school, that she finally met her teacher and her classmates—11 days.

Helen's mother, Sandi, is frustrated at this government's botched back-to-school plan, which left school boards scrambling to hire teachers for virtual classes. It meant that her daughter spent days isolated and disappointed, unsure of when she would actually get to start school this year. What does this Premier have to say to parents like Sandi who are fed up with this government's failed online learning plan that left students in my riding without a teacher for weeks?

The Speaker (Hon. Ted Arnott): Minister of Education.

Hon. Stephen Lecce: What I'd say to Sandi is, if it was up to her MPP, she wouldn't have the choice of online learning in this province of Ontario. So the irony is not lost on me, the irony's not lost on Progressive Conservatives, who stood alone in this House—and now the member thinks that that individual can lecture this government, when we've set a national leading standard that 75% of online learning must be done live, synchronous learning. In Quebec, for example, from grades 1 to 3 it is a matter, I believe, of four to six hours a week. We do that in a day. We have educated by mandate and compulsory—every educator must undergo professional development when it

comes to online learning. We've ensured virtual learning environments in every school, Internet in every high school.

We're taking this seriously, Speaker. We're creating a state-of-the-art platform. We're doing it for the first time in this province, and we're proud of the work that we're doing in this province.

The Speaker (Hon. Ted Arnott): That concludes our question period for this morning.

DEFERRED VOTES

COVID-19 RESPONSE

The Speaker (Hon. Ted Arnott): We now have a deferred vote on private members' notice of motion number 110, as moved by Ms. Hunter.

The bills will ring for 30 minutes, during which time members may cast their votes. I'll ask the Clerks to prepare the lobbies.

The division bells range from 1136 to 1206.

The Speaker (Hon. Ted Arnott): The vote has been held on the motion for private members' notice of motion number 110.

The Clerk of the Assembly (Mr. Todd Decker): The ayes are 45; the nays are 0.

The Speaker (Hon. Ted Arnott): I declare the motion carried.

Motion agreed to.

SPEAKER'S BOOK AWARD

The Speaker (Hon. Ted Arnott): Before I recess the House, I want to once again congratulate Julie S. Lalonde for winning the Speaker's Book Award for her book, *Resilience is Futile: The Life and Death and Life of Julie S. Lalonde*.

This House stands in recess until 1 p.m.

The House recessed from 1209 to 1300.

INTRODUCTION OF BILLS

FAIRNESS FOR RESIDENTIAL SUPERINTENDENTS, JANITORS AND CARETAKERS ACT, 2020

LOI DE 2020 SUR L'ÉQUITÉ POUR LES CONCIERGES, LES EMPLOYÉS D'IMMEUBLE OU LES PRÉPOSÉS À L'ENTRETIEN D'UN IMMEUBLE D'HABITATION

Mr. Bisson moved first reading of the following bill:

Bill 210, An Act to amend the Employment Standards Act, 2000 with respect to the minimum wage for residential superintendents, janitors and caretakers / *Projet de loi 210, Loi modifiant la Loi de 2000 sur les normes*

d'emploi en ce qui concerne le salaire minimum des concierges, employés d'immeuble ou préposés à l'entretien d'un immeuble d'habitation.

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

First reading agreed to.

The Speaker (Hon. Ted Arnott): Would the member for Timmins care to explain his bill?

Mr. Gilles Bisson: Yes, Mr. Speaker. The bill amends the Employment Standards Act in order to ensure that people who are the heroes that have kept our apartments and the common areas in those apartment buildings clean at least get paid the minimum wage for the work that they do. Currently, they're not. This would remedy that issue.

PETITIONS

ALZHEIMER'S DISEASE

Mr. Percy Hatfield: I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas Alzheimer's disease and other dementias are progressive, degenerative diseases of the brain that cause thinking, memory and physical functioning to become seriously impaired; and

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

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

"Whereas Alzheimer's disease and other dementias affect more than 200,000 Ontarians today, with an annual total economic burden rising to \$15.7 billion" this year;

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

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

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

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

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

I agree with this petition 100%. I'm going to sign it and pass it along to the desk.

LONG-TERM CARE

Mr. Jamie West: I want to thank Kenzington Boucher from the riding of Sudbury for collecting the signatures for this. The petition is:

“Time to Care.

“To the Legislative Assembly of Ontario:

“Whereas quality care for the 78,000 residents of (LTC) homes is a priority for many Ontario families; and

“Whereas the provincial government does not provide adequate funding to ensure care and staffing levels in LTC homes to keep pace with residents’ increasing acuity and the growing number of residents with complex behaviours; and

“Whereas several Ontario coroner’s inquests into LTC homes deaths have recommended an increase in direct hands-on care for residents and staffing levels, and the most reputable studies on this topic recommend 4.1 hours of direct care per day;

“We, the undersigned, petition the Legislative Assembly of Ontario to amend the LTC Homes Act (2007) for a legislated minimum care standard of four hours per resident per day, adjusted for acuity level and case mix.”

I agree with this petition, will affix my signature and will give it to the page.

LONG-TERM CARE

Ms. Sandy Shaw: I have a petition entitled “Temperatures in LTC Homes.

“To the Legislative Assembly of Ontario:

“Whereas the province of Ontario requires a minimum but no maximum temperature in long-term-care homes;

“Whereas temperatures that are too hot can cause emotional and physical distress that may contribute to a decline in a frail senior’s health;

“Whereas front-line staff in long-term-care homes also suffer when trying to provide care under these conditions with headaches, tiredness, signs of hyperthermia, which directly impacts resident/patient care;

“Whereas Ontario’s bill of rights for residents of Ontario nursing homes states ‘every resident has the right to be properly sheltered ... in a manner consistent with his or her needs’;

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

“Direct the Lieutenant Governor in Council to make regulations amending O. Reg. 79/10 in the Long-Term Care Homes Act to establish a maximum temperature in Ontario’s long-term-care homes.”

I fully agree with this petition. I will sign my name and give it to the page to take to the table.

LONG-TERM CARE

Ms. Teresa J. Armstrong: I’d like to thank the Family Council Network 4 Advocacy for sending in this petition, “Time to Care Act—Bill 13.

“To the Legislative Assembly of Ontario:

“Whereas quality care for the 78,000 residents of (LTC) homes is a priority for many Ontario families; and

“Whereas the provincial government does not provide adequate funding to ensure care and staffing levels in LTC homes to keep pace with residents’ increasing needs and the growing number of residents with complex behaviours; and

“Whereas several Ontario coroner’s inquests into LTC homes deaths have recommended an increase in direct hands-on care ... and the most reputable studies on this topic recommend 4.1 hours of direct care per day;

“We, the undersigned, petition the Legislative Assembly of Ontario to amend the LTC Homes Act (2007) for a legislated minimum care standard to provide an average of four hours per resident per day, adjusted for acuity level and case mix.”

I fully support this petition and give it to the usher to deliver to the table.

PUBLIC SECTOR COMPENSATION

Mr. Jamie West: I want to thank Olivia White from Sudbury for collecting signatures for this petition. This petition is for “Pandemic Pay.”

“Whereas the pandemic pay eligibility needs to be expanded as well as made retroactive to the beginning of the state of emergency; and

“Whereas Premier Ford stated repeatedly that the workers on the front lines have his full support but this is hard to believe given that so many do not qualify; and

“Whereas the list of eligible workers and workplaces should be expanded; and

“Whereas all front-line workers should be properly compensated;

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

“To call on the Ford government to expand the \$4-per-hour pandemic pay to ... all front-line workers that have put the needs of their community first and make the pay retroactive to the day the state of emergency was declared, so that their sacrifice and hard work to keep us safe is recognized.”

I support this petition, will affix my signature and provide it to the Clerk.

LONG-TERM CARE

SOINS DE LONGUE DURÉE

Ms. Sandy Shaw: I have a petition entitled “Time to Care Act—Bill 13.”

“To the Legislative Assembly of Ontario: / À l’Assemblée législative de l’Ontario »—

M. Gilles Bisson: Excellent, madame.

Ms. Sandy Shaw: Merci.

“Whereas quality care for the 78,000 residents of (LTC) homes is a priority for many Ontario families; and / Attendu que des soins de qualité pour les 78 000 résidents

des maisons de SLD est une priorité pour les familles de l'Ontario; et

“Whereas the provincial government does not provide adequate funding to ensure care and staffing levels in LTC homes to keep pace with residents’ increasing needs and the growing number of residents with complex behaviours; and / Attendu que le gouvernement provincial ne fournit pas un financement adéquat pour assurer un niveau de soins et de personnels dans les foyers de SLD afin de répondre à l’augmentation » des besoins « des résidents et du nombre croissant de résidents ayant des comportements complexes; et

1310

“Whereas several Ontario coroner’s inquests into LTC homes deaths have recommended an increase in direct hands-on care for residents and staffing levels and the most reputable studies on this topic recommend 4.1 hours of direct care per day / Attendu que plusieurs enquêtes du coroner de l’Ontario sur les décès dans les maisons de SLD ont recommandé une augmentation des soins pour les résidents et des niveaux du personnel. Les études des normes minimales de soins recommandent 4,1 heures de soins directs par jour;

“We, the undersigned, petition the Legislative Assembly of Ontario to amend the LTC Homes Act (2007) for a legislated minimum care standard to provide an average of four hours per resident per day, adjusted for acuity level and case mix. / Nous, soussignés, pétitionnons l’Assemblée législative de l’Ontario de modifier la Loi sur les foyers de SLD (2007) pour un minimum de quatre heures par résident par jour, ajusté pour le niveau d’acuité et la répartition des cas. »

I fully agree with this petition in English and French, and I’m going to affix my name to it and send it to the table.

LONG-TERM CARE

Mr. Percy Hatfield: I have a similar petition.

“To the Legislative Assembly of Ontario:

“Whereas quality care for the 78,000 residents of (LTC) homes is a priority for many Ontario families; and

“Whereas the provincial government does not provide adequate funding to ensure care and staffing levels in LTC homes to keep pace with residents’ increasing needs and the growing number of residents with complex behaviours; and

“Whereas several Ontario coroner’s inquests into LTC homes deaths have recommended an increase in direct hands-on care for residents and staffing levels and the most reputable studies on this topic recommend 4.1 hours of direct care per day;

“We, the undersigned, petition the Legislative Assembly of Ontario to amend the LTC Homes Act (2007) for a legislated minimum care standard to provide an average of four hours per resident per day, adjusted for acuity level and case mix.”

Speaker, I fully agree. I’m going to sign it and make sure it gets down to the table.

LONG-TERM CARE

Mr. Jamie West: I would like to thank Ashley Van Wetten from Sudbury for collecting signatures for this “Time to Care” petition.

“To the Legislative Assembly of Ontario:

“Whereas quality care for the 78,000 residents of (LTC) homes is a priority for many Ontario families;

“Whereas the provincial government does not provide adequate funding to ensure care and staffing levels in LTC homes to keep pace with residents’ increasing acuity and the growing number of residents with complex behaviours;

“Whereas several Ontario coroner’s inquests into LTC homes deaths have recommended an increase in direct hands-on care for residents and staffing levels and the most reputable studies on this topic recommend 4.1 hours of direct care” per day;

“We, the undersigned,” petition the Legislative Assembly of Ontario to “amend the LTC Homes Act (2007) for a legislated minimum care standard of four hours per resident per day, adjusted for acuity level and case mix.”

I agree with this petition, will affix my signature and provide it to the Clerk.

SOCIAL ASSISTANCE

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

“Whereas” the government “eliminated the Basic Income Pilot project and slashed the new social assistance rates by 1.5%, and did so without warning;

“Whereas cuts to already-meagre social assistance rates will disproportionately impact children, those with mental health challenges, persons with disabilities, and people struggling in poverty;

“Whereas the decision to cancel the Basic Income Pilot project was made without any evidence, and leaves thousands of Ontarians without details about whether they will be able to access other forms of income assistance;

“Whereas the independently authored Income Security: A Roadmap for Change report, presented to the government last fall, recommends both increases to rates and the continuation of the Basic Income Pilot project as key steps towards income adequacy and poverty reduction;

“Whereas the failure to address poverty—and the homelessness, hunger, health crises, and desperation that can result from poverty—hurts people, families and Ontario’s communities;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately reverse” the “callous decision to slash increases to social assistance rates by 50%, and reverse” the “decision to cancel the Basic Income Pilot project, decisions that will undoubtedly hurt thousands of vulnerable people and drag Ontario backwards when it comes to homelessness reduction and anti-poverty efforts.”

I support this petition and give it to the usher to deliver to the table.

CORRECTION OF RECORD

The Speaker (Hon. Ted Arnott): I'm going to recognize the member for Sudbury on a point of order.

Mr. Jamie West: Just a point of order to correct my record: On Thursday, I had asked for support for the Sudbury YMCA, and I had some stats on the number of people they help and members. I had made an error. They were the Sudbury YMCA for 85 years. This year, they blended with North Bay YMCA, so they're now the YMCA of Northeastern Ontario.

ORDERS OF THE DAY

MOVING ONTARIO FAMILY LAW
FORWARD ACT, 2020LOI DE 2020 FAISANT AVANCER
LE DROIT DE LA FAMILLE EN ONTARIO

Resuming the debate adjourned on October 1, 2020, on the motion for second reading of the following bill:

Bill 207, An Act to amend the Children's Law Reform Act, the Courts of Justice Act, the Family Law Act and other Acts respecting various family law matters / Projet de loi 207, Loi modifiant la Loi portant réforme du droit de l'enfance, la Loi sur les tribunaux judiciaires, la Loi sur le droit de la famille et d'autres lois en ce qui concerne diverses questions de droit de la famille.

The Speaker (Hon. Ted Arnott): Further debate?

Ms. Teresa J. Armstrong: I left off on Thursday. It was my opportunity to speak to this bill, the Family Law Act, Bill 207. I had mentioned a story about a family responsibility situation where the father paid the support, but when they went to court, unfortunately, he wasn't informed that he had to make sure that he filed his payments with the FRO, and it turned out to be a good thing. But in the end, everything was resolved.

So I noticed under schedule 3 of the bill that we are, again, making some technical changes. Definitions are being changed so that the paternity agreement part is now under the Family Law Act. The definition is under that portion of it. And then striking out "death"—instead of "death," they've substituted the word for "estate." Then the certified copies in this part of the act, section 3: Certified copies of a recalculation notice would then be provided by the Minister of Finance if a party asks for them so that way they're all up to date and there's no dispute.

In my example where the young man wasn't made aware of that, if this was in place, he could have gone to the Minister of Finance and asked for a certified copy, and then it would have provided that parent or the authority at the time that documentation, and then he would know. He would have known what he owed and he would have said, "Hey, this order right here—I have all the cancelled cheques," and he wouldn't have had to have guesswork. Did it go through the court system and through the Family Responsibility Office? Because his licence was in

jeopardy. They claimed that he didn't make a payment. Unfortunately, the ex-wife didn't file those payments with the Family Responsibility Office, so it looked like he was derelict, and he wasn't.

But many times that is the case. We get single parents coming to our office and the support payments are in a derelict state. We have to help the constituents through the FRO process, and it's not an easy process. It's hard for us to get information, so it's good to see that some of these definitions are being cleared up.

Again, it's a procedural piece, I guess, that will assist in some ways. It's certainly not going to hurt the situation when it comes to Family Court. We all know it's a very sensitive topic when families are ripped apart for different reasons and they have to come to negotiations, and we want to make sure that that process is as—I think it should be as smooth as possible for everyone involved.

Especially when we look at this act, when we talk about the best interests of the child, that process should be in the best interests of the child. Because in the end, the person who's going to be affected the most and impacted the most is the child. Their home isn't going to be the same. It's not going to look the same. There's going to be perhaps sole custody or shared custody. Their whole world's going to be turned upside down.

1320

So when they're going through this court process, let's make that something that is going to seem like it's not going to be so combative. The parents are already in a situation that could result in that, and so that's why I think this bill is—we are cautiously supporting it, and I look forward to continuing debate on it.

The Speaker (Hon. Ted Arnott): I thank the member for London–Fanshawe for her contribution to the debate. I'll ask for questions to the member for London–Fanshawe.

Mr. Will Bouma: It's a pleasure to rise in the House today and debate this important piece of legislation. I always appreciate listening to the member from London–Fanshawe. When she speaks in the House, I always make a point of listening, because she brings up some very interesting points. It is very good to hear the support that she has for this.

Just to quote here, when asked about the Moving Ontario Family Law Forward Act, Kathy Dunne, president of the Ontario Association for Family Mediation, said "The OAFM is pleased to offer our support of the proposed amendments to the Children's Law Reform Act and other Ontario statutes as a result of the changes to the Divorce Act. We support the update to the parenting terminology and believe that changing 'custody' to 'decision-making responsibility' is more representative of the responsibilities of parenting, and the proposed term refers to"—and then the quote goes on. But I was wondering if the member might be able to speak a little bit more to her support of some of the changes that we're making to that language.

Ms. Teresa J. Armstrong: Any language change is welcome because, first of all, we want to make it where

it's a norm. I worked in the insurance industry, and all the language and the terms—people didn't understand what they were. So to make them more mainstream absolutely is a good thing for everyone involved. Of course, that helps lawyers, helps courts, and it also helps the people involved. But we also want to make sure we talk about accessing justice, because changing all the words and definitions is a good step forward, but if people can't access that justice so that they can come out of it in, hopefully, a collegial situation—which generally isn't the case—then that's going to be difficult, especially single parents.

So having the terms and technical things changed, yes, that's going to help courts and lawyers and help people navigate it, but also the access to justice is a really important piece that I think we should be looking at as well.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Sandy Shaw: I'd just like to pick up from where you've left off. The issue of access to justice is so important, especially when we see during the COVID pandemic that women have been particularly hard hit economically by the impacts. We have a government that did cut \$133 million at least from legal aid.

I know of a young woman who was seeking some legal counsel for a divorce and had to provide an upfront payment of \$3,500 before they speak to a lawyer.

So while these changes are welcome, I personally don't think they go far enough to ensure access to justice. I'm wondering if you could speak a little bit to that and how that would impact women and especially lower-income families.

Ms. Teresa J. Armstrong: I thank the member for bringing that up, because we have talked about recovery after the pandemic, and the member from Kitchener-Waterloo often says the “she-covery,” and we know that economically, women have been hit the hardest demographically around the pandemic.

To the member's point, access to justice, back in 2013, the average cost for a basic family law case—basic—was \$12,000, while the income cut-off for a single person for legal aid was \$10,800. So the numbers don't add up when we're talking about access to justice, when the minimum case, basic, just to get your foot in the door and the retainer you spoke about—not everybody can come up with that kind of money. So you're really left thinking that there is no justice. Economic justice has to happen for justice to happen.

So I say to the government, absolutely, some of this—it's going to clean some things up. But the core piece of it, access to justice, needs to be re-looked at and strengthened.

The Speaker (Hon. Ted Arnott): The next question.

Mr. Stan Cho: Bill 207 proposes a number of common-sense changes. One of them is our changes to the online child support service so that parents can request and receive certified copies of support payment notices directly from the service without actually having to go into a courtroom. Obviously, in the middle of a pandemic, this

helps single parents drastically. So my question to the member opposite is: Will you support measures like this in Bill 207, common-sense changes that help the single parents out there?

Ms. Teresa J. Armstrong: When I debated, and I believe the member who did the lead, the member from Hamilton Mountain, did—there is no disputing that we welcome the definitions and technical updates in this bill. But we also want to advocate and bring stories to this Legislature, like about single parents who don't have access to justice.

Yes, online: Again, that's a piece that could benefit some people—most people, perhaps—but we have to remember that not everybody has equity to access to justice and that could be a barrier, when you don't have Internet because you have such low income.

The parts about the definitions and technicalities and making it easier for courts and getting through the system are good. But getting to the system needs to happen, and that means—the government cut \$133 million from legal aid. That's a barrier. That's a problem. That's an issue around access to justice.

The Speaker (Hon. Ted Arnott): The next question.

Mr. Percy Hatfield: I guess the way I look at it, at first glance, is that the most important part of this bill may well be not what it contains but what is missing. For example, as I recall, back when the government held consultations on this last summer—so it was 2019—it explicitly stated that submissions were not to consider expansion of the unified Family Court system or the level of funding provided to legal aid. We know that the government cut legal aid. We know they're in a watering contest with the federal government. They said, “We're not going to cover any more immigration problems or issues with legal aid,” and that caused a big brouhaha at the time. I'm just wondering if the member from London–Fanshawe can tell us what she thinks the limitations on the consultation have led to, that result in this bill.

Ms. Teresa J. Armstrong: I thank the member from Windsor–Tecumseh for that observation because that is actually the case. We did have proposals put forward to strengthen the bill, and unfortunately they're not in here.

He did talk about the unified Family Court system. That is currently operating, but it's missing out of the GTA, where—now, again, that could be something that could strengthen the court system, when people are talking about expanding access to the court system.

The other piece that the government is talking about in this bill is strengthening counsel to encourage mediation, encourage negotiations before getting to the actual court case, but that also costs the person involved. Encouraging that is good, but where is the financial aid for that, and making sure that those supports for people accessing mediation are available?

The Speaker (Hon. Ted Arnott): Once again, the member for Brantford—oh, no; Mississauga–Malton.

Mr. Deepak Anand: Thank you, Mr. Speaker. As we know, the family is an integral part of our society. When asked about the Moving Ontario Family Law Forward Act,

David Field, the CEO of Legal Aid Ontario, said, “Legal Aid Ontario recognizes that access to family justice is promoted through clarity and consistency between federal and provincial family legislation. That is why LAO fully supports the Ministry of the Attorney General’s proposed amendment to the Children’s Law Reform Act as part of the new Moving Ontario Family Law Forward Act, and in particular, LAO applauds expanding the definition within the CLRA, and we welcome the necessary steps the ministry is taking to align the CLRA with the recent changes to the Divorce Act. All of these promote a greater understanding of the best interests of the child and the family.”

The question to the member would be: Can the member advise if you will acknowledge the comments from LAO and support Bill 207?

1330

Ms. Teresa J. Armstrong: I have just a snippet of time to answer that question.

I did read the schedule pieces of the act. It is a supportable thing because there’s really nothing here that can make it unsupportable. But what we are saying on this side of the House is, in order to get justice, we need economic justice. We need to make sure there’s access. Everybody knows it costs a lot of money to get into court, so for people who are on lower incomes—racialized populations, single parents, single women—it’s difficult to access justice.

The point is, we need to make it more accessible, but yes, we are supporting it cautiously because of the definitions that are being cleared up.

Ms. Lindsey Park: Point of order, Speaker.

The Speaker (Hon. Ted Arnott): Point of order, the member for Durham.

Ms. Lindsey Park: I just want to make sure that the House hasn’t been misled here. The unified Family Court mention in the notice about the consultation—

The Speaker (Hon. Ted Arnott): It’s not a point of order to debate another member on a point that has been made.

Further debate?

M^{me} Lucille Collard: I haven’t had a chance to speak to this bill yet, so it’s my pleasure to rise in the House today and to begin by thanking the Attorney General for seeking to modernize Ontario’s family law legislation, and I applaud the very good start that Bill 207 represents.

Barriers to accessing justice come in many forms. From structuring legal aid services to best provide communities with appropriate and affordable legal services, to protecting crown civil liability as a means to hold our government accountable when it’s negligence hurts its people, we have not always been on the same page with the government these past few months. However, Bill 207 represents an area where our priorities are highly aligned. In our family law system, barriers to accessing justice have come from its complexity to navigate, the adversarial nature of proceedings and inadequate protections for partners fleeing familial violence.

Family law disputes represent some of the most challenging and heartbreaking moments in many Ontarians’ lives, and we should be very mindful to ensure that navigating our courts for these matters is not adding difficulty to these already challenging experiences for people. This is especially relevant given the current context. Amid the COVID-19 pandemic, I think we can all agree that there is reason to be extremely concerned about the resulting increase in domestic violence. We know that intimate partner violence can affect anyone, but we also need to recognize the unique gendered and intersectional considerations of family violence. Women and gender non-conforming individuals are disproportionately affected by intimate partner violence: seven in 10 people who experience family violence are women and girls. Further, transgender individuals are almost twice as likely to report experiencing intimate partner violence compared to their cisgender counterparts. This form of violence is uniquely gendered, and we need to address that to protect the victims.

In 2019, the federal government moved to address many of these barriers through amendments to the federal Divorce Act, which applies to family disputes within married couples seeking a divorce. However, couples who are not married rely instead on our provincial Children’s Law Reform Act to resolve similar family disputes at the time of separation. With the federal amendments coming into effect early in 2021, it is the right time to ensure that there is coherence between these two pieces of legislation so that we are not enforcing one standard for married couples and another standard for everyone else.

The federal Divorce Act amendments were the product of extensive public consultations with the family law bar and with women’s and family welfare groups, and produced many needed updates to the federal Divorce Act. These updates include incorporating considerations surrounding the presence or risk of familial violence in determining whether parental access is in the best interests of a child.

They also include a new and expanded definition of “familial violence,” which is being incorporated into Bill 207. This new definition appears to represent a substantial improvement, and will now include “any conduct ... towards another family member that is violent or threatening, that constitutes a pattern of coercive and controlling behaviour, or that causes the other family member to fear for their own safety or for that of another person.”

Bill 207 will also include the Divorce Act’s amendments which shift towards less adversarial language surrounding the resolution of family law disputes. These changes include “custody orders” being rephrased as “parenting orders,” and “custody” and “access” being rephrased as “parenting time” and “decision-making responsibility.” Not aligning the Children’s Law Reform Act with the federal Divorce Act changes would leave our family law system as a whole more difficult to navigate and create a double standard for unmarried couples, who deserve the same protections and dignity that married couples are afforded under the federal Divorce Act changes.

The presence of a child in an abusive relationship can make it very hard for a spouse to safely leave while protecting their child. The Divorce Act amendments which are being included in Bill 207 will help ensure that our family law system does not discourage a spouse to leave such an environment where their safety is at risk.

Firstly, by incorporating the risk of familial violence or abusive behaviour into the best interests of the child test, our family law courts will be better equipped to prevent abusive spouses from accessing children by determining whether such access is in the child's best interests.

Secondly, while the bill includes requirements that a parent disclose their intention to relocate 60 days beforehand to their child's other parent, there is a built-in capacity to waive this requirement if the presence or risk of family violence exists in the opinion of the court.

While these are strong first steps in terms of protecting vulnerable spouses that I applaud the government on, I would also like us to take this opportunity to imagine further reforms to protect vulnerable spouses as we move into the committee stage.

Firstly, there are several ways in which this bill might better encourage spouses to remove themselves and their children from unsafe family environments. For example, presently there is a risk that a parent's decision to relocate to an emergency shelter or transitional housing might factor against them when a court considers the best interests of a child, given the child's need for stability. It would be a small step to ensure that there is an exception included which states that a court should not consider a parent's residency at a shelter for abused women when determining a child's best interests. I would encourage us to include this in the legislation.

Secondly, while Bill 207 does not mandate that spouses should seek mediation out of court to resolve familial disputes, it does encourage it at several points. While mediation is appropriate for many disputes and can help relieve the demand on our courts, it can go wrong if a mediator does not have the appropriate training to identify the presence of family violence in a relationship.

As a trained mediator myself, I am particularly aware that the signs of abuse and manipulation can sometimes be hard to detect without having gone through the proper training to do so. Abusive partners often master the ways of hiding their actions from the public eye and they have abilities to manipulate their partners. Typically, abused spouses don't speak up, so we need to raise our ability to hear their silence.

If one of our priorities is to reduce barriers for spouses seeking to leave abusive relationships, we must be mindful of how we are encouraging mediation. Ensuring that there is a mechanism for a spouse to explicitly express consent after being clearly informed on the mediation process doesn't seem unreasonable.

If we are going to suggest that spouses seek out-of-court mediation, there should be included some standard of training for mediators in identifying the presence of abuse or familial violence in a relationship so that mediation is not keeping spouses in unsafe relationships.

To ensure that no spouse feels pressured into pursuing mediation as an alternative to court-ordered protections, it may also be valuable to include a stipulation which states that refusing to either participate or continue participating in mediation will not influence or impact a court's determination of a family law matter.

1340

While these are amendments that I look forward to discussing with my colleagues across the floor as we move towards the committee stage, I would again just like to state that while there are some areas where Bill 207 might further improve protections for vulnerable spouses, generally speaking, Bill 207, as it stands, is a very welcome improvement to the status quo. Making a family law system which is both accessible and responsive to the complex needs of family and children is no easy task, and we must all work together to ensure that justice in Ontario is as fair, simple and accessible as possible. With the stress and precarity that the pandemic has brought into the lives of many people, resulting in an increase in domestic violence generally, now is the time to act to protect the victims of family violence, and I'm very encouraged by this development.

I look forward to discussing this further over the coming weeks.

The Speaker (Hon. Ted Arnott): I thank the member for Ottawa–Vanier for her presentation.

Questions to the member for Ottawa–Vanier?

Mr. Rick Nicholls: To the member opposite: The previous government—coincidentally, it was the Liberal government—introduced an unnecessary burden on families in Ontario when they required law arbitrators to file their reports to the Ministry of the Attorney General. Not only does the government not regulate arbitrators, but Ontario is the only jurisdiction in Canada that requires these reports. This unnecessary requirement went unchanged for, count 'em, 10 years.

Can the member explain why they allowed this costly requirement to get introduced in the first place and not looked at again for a decade?

M^{me} Lucille Collard: Thank you for the question. I'm sure it's an excellent question, except I don't have the ability to really respond in an appropriate manner because I was not part of the government that made those decisions.

However, I want to point out that I'm really happy to see that Bill 207 is moving in the right direction and bringing very important change to improve the system, to make sure that we are protecting the vulnerable people in our communities. Like I mentioned earlier, more often than not, we're talking about women, girls and transgendered people who are mostly affected by family violence.

Again, as a whole, I don't see any problem with this bill, which I said at the outset that I would support. It could be improved at the mediation front, but at the same time, I'll be supporting the bill.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Percy Hatfield: I listened intently to the member from Ottawa–Vanier.

I've only been here seven years, but off and on, the whole issue of grandparents' rights comes up. It just seems to me that if we're working on a bill called the family law reform act, this would be an ideal bill to put in something to protect the rights of grandparents when families split up. I think it would be a very popular addition at committee—to look at that and try to somehow allow grandparents to have either visitation rights or some other mechanism in cases of a family split-up. I just wonder if you agree or disagree, or if you have any opinion on such a case?

M^{me} Lucille Collard: Thank you for the question. While I haven't turned my mind specifically to that particular question, I think it's pretty relevant to actually consider these possibilities.

I think that grandparents can be great support for children, especially when the child doesn't have happiness in his home setting. We also have to be mindful that grandparents are secondary and that parents are usually the primary caregivers and are best placed to look after the interests of the child. But in terms of secondary support, I think we should look at allowing some rights to grandparents.

I'll be happy, if we get to work on this at committee in the coming weeks, to explore this question further.

Thank you very much for the opportunity to speak on this.

The Speaker (Hon. Ted Arnott): The member for Scarborough–Agincourt.

Mr. Aris Babikian: Our government is proposing changes to the online child support service so parents can request and receive certified copies of support payment notices directly from the service without having to go into a courtroom. These are common sense changes that help modernize our very outdated and complex justice system.

Will the members support Bill 207 so that single parents don't have to go into a courtroom in the middle of pandemic to get the documents they need to enforce their child support orders?

M^{me} Lucille Collard: Thank you for the question, which I heard earlier. I didn't speak specifically to this matter because I don't have a problem with that. I think it's one of the good changes that Bill 207 presents.

I think the important aspect of Bill 207 is that it does align with the changes that will be in effect that are part of the federal Divorce Act, that have been the object of several consultations and that are bringing really important change. The fact that our provincial legislation will align with the federal act is actually welcome news because all those changes are very positive for the family settings that are protecting our vulnerable people.

Thank you for the question.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Sandy Shaw: Thank you to la députée d'Ottawa–Vanier. C'est la première fois que je vous pose une question. Bienvenue.

This bill is a small step in the right direction. You seem to be very informed in talking about vulnerable people in

the system, and that's something that we're very concerned about. I would say that there's a lot still to be added to this bill, or to be worked out. My experience with this government is that they have closure on debate, they rush things through committee and they don't necessarily take into account the opinions of experts at committee.

I would like to hear your opinion on how important it would be for this government to take the time to get this important bill right and to make improvements, because it clearly needs improvements. What would your suggestion be for a committee process that would make sure that we do make sure that this bill meets the needs particularly of vulnerable families in this province?

M^{me} Lucille Collard: Merci beaucoup pour la question. Ça me fait plaisir de pouvoir vous répondre—et très bon français, en passant. Excellent. On devrait en faire plus dans la Chambre, du français, d'ailleurs.

I've said a couple of times I look forward to further discussion at committee. I'm hoping that it will get there, that we're not going to rush this through, even if the changes are positive. I did acknowledge that. I still think that there are some areas where we can improve.

I think that our family law has evolved over the years and I think we're going in the right direction because we are recognizing that vulnerable people have not been protected appropriately in the past. Certainly the pandemic has brought forward those inequities, and I think it's important that we make sure that we seize the opportunity to address all of this.

One thing that's really dear to me is the mediation process. I have concerns that just encouraging mediation is not protecting everyone. I speak from personal experience. I come from a family where my father was abusive toward my mother and toward his children. My mother could never have exposed what she was going through because my father was excellent at hiding the truth from the public eye. Everybody around, all the neighbours, even family members, thought he was an exceptional, caring father.

We need to protect those people. We need to protect those women to make sure that mediation is not forced, that it's not manipulated, and that they are protected in our system.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Lindsey Park: I have appreciated the comments from the member from Ottawa–Vanier. I think they've been productive and it's a great conversation we're having here.

I wanted to get your perspective because there are provisions in this bill to encourage mediation, but I think I heard from you—this is some of what I heard travelling the province—that mediation isn't always appropriate in every situation, particularly where family violence is present. We need to make sure there's protection of people where there's a different level of power and a power dynamic in the relationship, and mediators aren't always capable of dealing with that. I just wanted to know if you were supportive of the mediation provision, as written, to

encourage it but to not make it mandatory in every situation.

1350

M^{me} Lucille Collard: Thank you for the comments and the question. Of course, if the mediation would be mandatory, I would strongly oppose the bill on that single provision. The fact that it encourages it—I still have some concern. I would like to discuss one way of improving it, maybe by making sure that mediators are trained appropriately to detect those signs of family violence or abuse that are not necessarily apparent from a simple look.

Like I said, I'm a trained mediator myself, and I don't think I would be able to detect, just through a normal process, if there's hidden abuse. I think some training for mediators who have to deal with a family situation like that, with separation that involves family violence, would be an improvement to the act and not something unreasonable.

The Speaker (Hon. Ted Arnott): Further debate?

Ms. Natalia Kusendova: It's an honour to rise today to speak to Bill 207, the Moving Ontario Family Law Forward Act, 2020, which holds tremendous weight in the lives of millions of parents and children across our province.

We all know that childhood is a critical and formative time in our lives. Every child deserves to experience a childhood that is full of the love and care of parents, a parent or parental figures. Every child deserves the opportunity to learn, to grow and to work towards a bright future for themselves. Every child deserves these things, regardless of the marital status of their parents or legal guardians.

Child custody and access issues, as our government sees it, should not be a burden that impedes the ability for a family to love and care for their children and not a burden that impedes the ability for children to fully enjoy their childhood. It is every child's God-given right to grow up, to learn and develop, and to achieve a rewarding, fulfilling and successful future. This is why our government has introduced the legislation I rise to speak on today.

Bill 207, the Moving Ontario Family Law Forward Act, will make it easier, faster and more affordable for individuals and families to resolve legal matters within their families. The streamlining of this process will simplify an outdated and complex system of family law through three major reforms: (1) by modernizing its language; (2) by simplifying its appeal routes; and (3) by improving online child support services. I'd like to speak to each of these three major reforms individually and touch on important details that members of this assembly can benefit from hearing in consideration of this bill.

Reform 1, modernizing the language of current statutes: Let us first look to how our government plans to modernize the language of current family law statutes to streamline the process for Ontario families who may come to interact with the court system at some point in their lives.

Our government is working for Ontario families and their children by moving family law forward in our province. The changes we seek in existing family law statutes

are being enacted to ensure an accurate reflection with the recent modernization of the Divorce Act undertaken by the federal government.

This raises the question: How will we update our laws to better reflect those at the federal level? Well, our government will adopt similar terminology and provisions relating to factors, such as parenting, the best interests of the child or children, family violence, family dispute resolution processes and procedures relating to child relocation. By ensuring that the provincial terminology is more aligned with federal terminology, we will streamline the legal process for families, make it less confusing by eliminating variance of legal terminology or jargon, ensure timely results for families and reduce hearing burdens on the courts.

I think a fair question that may arise with this proposal is: Wouldn't changing the existing terminology create confusion itself as old words, terms and concepts become obsolete? The answer is simple. With the incoming federal legislation coming into effect on March 1, 2021, our province will lag behind the modern terminology instituted at the federal level if we do not put forward these changes. In other words, by not keeping up with federal statutes, we will create even greater and lasting confusion and unnecessary duplication.

The Attorney General has consulted widely—widely; maybe wildly too—with many family and legal stakeholders to ensure that these changes do not come as a surprise, and has timed this so that all relevant groups, including the courts, the rules committee and the bar, will have time to grasp, adopt and start using the new terminology as of March of next year.

We are a government that will always be committed to hearing the perspectives and concerns of all relevant stakeholders in any piece of legislation that we present to this assembly. We are a government for the people, and as such we take committee hearings very seriously. The feedback that we receive in these sessions, from both supporters and those opposed, is always thoroughly considered and analyzed as a means to making our laws even better and reflective of the collective will of the people. Furthermore, our government will engage with schools, government offices and medical professionals so that they too are well aware and well informed of terminology changes coming into effect in March.

This move is in the same direction as other reforms proposed by our provincial counterparts across the country. For example, Alberta, British Columbia and Nova Scotia have all introduced similar changes to post-divorce parenting, while Saskatchewan has passed amendments to its own Children's Law Act to align it with changes to the federal Divorce Act.

The second reform that we are proposing is simplifying the appeals process, and boy, is this very confusing. Let's move to speaking on how Bill 207 will simplify the appeals process. With this legislation, we are working for Ontario's families and children to ensure that family law is brought into the 21st century. The current status quo is such that all three Ontario courts—the Ontario Court of

Justice, the Superior Court of Justice and the unified Family Court—hear cases relating to family law matters, and this means that the appeal process is different depending on what court hears the case. It's obvious that this can make things very difficult for people in understanding the avenues for appeal, especially in communities like mine in Mississauga where there are a lot of single-parent families, a lot of newcomers and people who have language barriers. The appeal process is confusing for us, who actually speak English and understand, let alone how confusing it can be for those families who really need the support of the legal system at that time.

For instance, without getting into too much detail of current routes, the avenue of appeals for family law in the province is different depending on whether the person seeking appeal lives in a community with or without a unified Family Court. Currently, we have 25 unified Family Court locations in Ontario, and thanks to the work of our Attorney General and our government, this 25 includes eight new locations as of 2019. These eight new locations are in the communities of Belleville, Picton, Pembroke, Kitchener, Welland, Simcoe, Cayuga and St. Thomas.

This is a very complex process, and this has already been talked about today, but to enact more unified Family Courts in this province, we actually need to work with the federal government, and our Attorney General is advocating for this every single opportunity he gets to sit down with his federal counterparts. This is something that we are currently working on that cannot be accomplished simply in the legislative process, as we are doing today.

As things stand now, the discrepancy in appeal routes between communities with and communities without a unified Family Court is not only confusing, but it impedes the ability for the courts to expeditiously deliver justice. With our proposed changes, the government will make the system easier to navigate by streamlining where appeals are directed, helping reach final decisions faster in cases dealing with children in difficult circumstances and, importantly, guaranteeing a higher level of consistency and fairness of process, regardless of where the trial is being heard. In other words, we are ensuring that whether you live in a community with a unified Family Court or without one, the process is as straightforward as possible to make justice as accessible as possible. Our proposed changes are supported by the offices of the chief justices of all three courts for this very reason. Making the appeals process easier means more Ontarians will feel more confident in the verdicts of cases that are often very, very personal and very, very emotional.

1400

With that said, we know that a unified Family Court is absolutely the ideal place for dealing with family legal matters. This is why our government is currently in discussion with our colleagues in the judiciary about planning for future expansion of the unified Family Courts in other communities across the province. We see this expansion as important to making it even simpler and faster to come to resolutions in family legal matters. To support this ambitious expansion of the UFC, our government will

continue to seek a commitment from our federal counterparts, as we see a co-operative effort to make this a reality integral to the success of this process.

The third reform, improving the online Child Support Service: This resource is undoubtedly one that has become more important, given the pandemic we currently find ourselves within. As things currently stand, parents and guardians can set up and alter child support payments without physically going to the relevant office, thanks to the online Child Support Service. However, should parents or guardians, for instance, want to register, enforce or change child support amounts outside of the province of Ontario, they may need to obtain a certified paper copy of a notice issued by the service. Given the current situation of the pandemic, this can no doubt be a challenge. That's why, with Bill 207, we're proposing changes to the online Child Support Service so that parents and guardians can both request and receive copies of support payment notices directly through the service itself. By doing this, we're making proceedings easier and more affordable for families who rely on the service to manage or enforce child support amounts outside of the province. With COVID-19 as a factor, our government recognizes that issues surrounding child custody and access, as it's currently known, can become even more challenging. Throughout the current pandemic and on our path forward to recovery, our government has been steadfast in our focus on keeping Ontarians safe, while at the same time maintaining the administration of justice. By providing certified copies of notices through our online support service, we are removing unnecessary hurdles that stand in the way of families maintaining court-backed arrangements that might otherwise hinder benefits being paid to the people who need them the most, our most vulnerable.

These changes were the result of consultations with several other ministries who collaboratively worked to ensure that these changes would be to the benefit of Ontario families and their children who routinely interact with the family legal system. The Ministry of the Attorney General worked in partnership with the Ministry of Finance, which is the ministry tasked with the administration of the online Child Support Service and producing certified copies of all notices of calculation and recalculation. The Ministry of the Attorney General also engaged with the Ministry of Children, Community and Social Services and, as these changes deal with families surpassing interprovincial boundaries, the federal Interjurisdictional Support Orders Unit.

The inter-ministerial collaboration that made these changes to the online Child Support Service a possibility speaks to the fact that our government is willing to do what it takes to ensure that legislation works for all Ontarians who need it. We are not working in silos; we are working in collaboration. We realize that aspects of familial law and the province often cross ministerial lines, and so we are always willing to collaborate where needed to ensure that solutions can be legislated.

Mr. Speaker, it would also be beneficial to briefly discuss the ways that family arbitration will be reformed—

a regulation that is being changed to align with the passage of Bill 207. In order to make the important work family arbitrators do easier, and in the process make government more efficient—which is what we're all about—we are eliminating the old requirement mandating family arbitrators to submit detailed reports on every single arbitration decision they come to. By doing this, family arbitrators will be able to process more cases, which means timely access to essential arbitration services for the families who need them the most. This will also make government more efficient, as government employees tasked with processing these reports will save time, processing reports for arbitration cases that actually warrant them and not all of them. This will also save the taxpayer money—as our Premier says, there is only one taxpayer, and we respect every single dollar—as saving time by no longer requiring government employees to regularly maintain, update and receive submission forms and arbitrator reports means less expenditure is needed to uphold an outdated practice. This is yet another way our government is reducing unnecessary and burdensome red tape, and our ministries are committed to doing this wherever possible to ensure both a respect for the taxpayer and a commitment to efficient government.

This move will in no way reduce the accountability of Ontario's family arbitrators as, according to the provincial law, the government does not regulate them to begin with. The purpose of these reports—mind you, we are the only province in Canada to require their submission—was to provide the ministry a view as to what sort of arbitration rewards were being made in Ontario. By scrapping these reports, which served the original intention of the requirement but did little else, we are helping to modernize our provincial judicial system and bring it into the 21st century.

Mr. Speaker, in conclusion, Bill 207, the Moving Ontario Family Law Forward Act, is part of this government's mandate of reducing red tape and building a justice system of tomorrow. Child custody and access is never an easy process, but reducing the burden it has on families through the proposed modernization will allow families to actually focus on what is important, namely the care of their children. These changes are in line with changes in the Divorce Act, as well as changes already taking place in other provinces.

Professionals and leaders in the legal field have been calling for years for clarity and consistency in appeal routes, so our government has listened and acted. With the same bodies handling appeals, this will result in greater fairness and swifter rulings. Faster decisions lead to closure and the chance to move on with life, and allow parents to shift energy from litigation to making decisions that will benefit their children.

Greater digitalization is something we have been pursuing in all aspects Ontarians interact with government services and resources, and the changes proposed here will result in real benefits for the parties involved. An expansion in the Child Support Service will mean less time spent in the court while still giving access to the needed

paperwork. There are better ways for parents to spend their time than to pull numbers at their local courthouses and wait for hours until they can approach the window. I've heard from countless families that they would be waiting and they would not even get the process that they wanted. Fewer trips to the courtroom or government offices translates to more time with their children.

In addition to changing language to meet the federal Divorce Act, I am glad we are modernizing it in general and updating terms such as “custody.” As a nurse who has experience working in corrections, I associate that term with inmates, and feel “decision-making responsibility” is a better reflection of the parent-child dynamic.

I am grateful to all stakeholders, both in the family law profession and in the legal community more broadly, for the numerous round tables, review of proposals submitted, and discussions with legal professionals throughout the province. The hard work and dedication shown by all stakeholders means that the end result is bettered through this invaluable feedback and alterations.

Thank you again to our Honourable Attorney General for his hard work, as well as his PA, in spearheading this legislation, and for allowing me to speak to my support of this bill today.

And finally, thank you to all of the families of Ontario for your support. Our government is always committed to making life easier and better for you.

The Speaker (Hon. Ted Arnott): Questions to the member from Mississauga Centre?

Interjections.

The Speaker (Hon. Ted Arnott): The member for Sudbury.

Mr. Jamie West: Sorry, Speaker, I thought you were naming another member.

I want to thank the member from Mississauga Centre for her debate. As we've said several times, we're supporting this.

While you were speaking, I was looking at the eagle head. Our role is to look for suggestions on ways to improve it, and one of the ways that you had said was that it makes it more affordable. There's a quote here we have from a researcher, Dr. Julie Macfarlane, who is the director of the National Self-Represented Litigants Project, and she's also law professor. It says family courts are very complex to navigate without a lawyer. However, more than 50% of family litigants now come to court without a lawyer across Canada, and the most important reason is lack of funds.

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As a result, court outcomes are significantly worse, less favourable for those without legal representation. This leads to a vicious cycle whereby those who have means are able to access legal counsel and achieve far greater legal outcomes which, in turn, lead to greater advantages compared to the disenfranchised.

My question, in terms of being more affordable and providing greater fairness to parents and families is: Would you agree that it would make sense for the government to improve funding for legal aid?

Ms. Natalia Kusendova: Thank you very much for the question. I have a quote here from Legal Aid Ontario: “Legal Aid Ontario recognizes that access to family justice is promoted through clarity and consistency between federal and provincial family legislation. That is why Legal Aid Ontario fully supports the Ministry of the Attorney General’s proposed amendments to the Children’s Law Reform Act as part of the new Moving Ontario Family Law Forward Act. In particular, Legal Aid Ontario applauds expanding these definitions within the CLRA, and we welcome the necessary step that the ministry is taking to align the CLRA with recent changes to the Divorce Act.”

As you see, Legal Aid Ontario is fully in support of this legislation, and it’s really great to see for a change that there’s support on the other side of this House for this legislation. It’s great. When we work together, we can achieve better results.

The Speaker (Hon. Ted Arnott): The next question.

Mr. Rick Nicholls: To the member from Mississauga Centre—first of all, I want to congratulate her on her wonderful debate and how she brought forward very clear and decisive points in support of our bill. But to the member: Our government is reducing red tape in the justice sector by removing an old reporting system, or requirement, rather, for family law arbitrators to submit a report to the Ministry of the Attorney General about the family arbitration award they decided. Can the member please explain how, just by removing this unnecessary administrative burden, this will make it easier and cheaper to resolve family legal matters?

Ms. Natalia Kusendova: As you know, Mr. Speaker, our government is all about reducing unnecessary red tape and unnecessary duplication and streamlining processes, and simply making life easier for all Ontarians. This common sense change to remove the arbitration report filing requirement not only saves time and increases efficiency for family arbitrators and staff who have to process all of them but, ultimately, families and children benefit from a family law system that is easier to navigate and more affordable.

The Speaker (Hon. Ted Arnott): The member for Parkdale–High Park.

Ms. Bhutla Karpoche: I’d like to thank the member from Mississauga Centre for her presentation. For families going through a challenging time, access to fairness and justice, particularly when it comes to the safety of children, is critical. I agree with many of the points that she’s made during the presentation, but we have to ensure that families have access to justice, and under this government, we’ve seen deep cuts to the legal aid system.

This is from the Toronto Star: “Legal Aid Ontario Facing Up To \$70 Million in Funding Drop.” They’re experiencing a crisis. Many people are not going to be able to access legal aid services, won’t have access to justice. And so my question to the member is: What is this government doing, apart from the technical definitions, to help people access justice, to help families, to help children have access to justice?

Ms. Natalia Kusendova: Thank you so much for your question. I just wanted to let the member know that, actually, the eligibility threshold for legal aid has consistently increased every single year in Ontario. She spoke about protecting our most vulnerable and our children, and she’s asked what else is our government doing to protect children.

One file that I’m extremely passionate about is human trafficking. Our government, for the first time, has introduced our strategy, which includes a \$307-million investment to combat human trafficking to protect vulnerable children in Ontario, which includes also modernizing the legal system for the victims of human trafficking. So that’s one concrete example where our government is working hard to protect our most vulnerable, namely our children.

The Speaker (Hon. Ted Arnott): The member for Burlington.

Ms. Jane McKenna: I want to again thank the member for Mississauga Centre. It was well put together, and I appreciate all your hard work—also again to the Attorney General and the PA for all their hard work guiding us along with this.

I have a question, and my question is: Our government is proposing changes to online child support services so parents can request and receive certified copies of support payment notices directly from the service without having to go into the courtroom. Can the member explain how the proposed changes to the Family Law Act will make it easier and more affordable for families to manage or enforce child support during COVID-19?

Ms. Natalia Kusendova: Thank you very much for that important question. As we have seen throughout this pandemic, accessing governmental services has moved online where possible. This is the new normal, and it’s not just government; businesses are also catching up. Where we can provide a service online which will benefit Ontarians and keep them safe, that’s what we’re doing. This includes amendments to this bill and what we’re putting forward in this legislation.

We recognize that issues around child custody and access can become challenging during circumstances of the pandemic. By providing certified copies of notices through these proposed changes, parents would not have to face unnecessary hurdles in obtaining their certified documentation online and they will not have to enter a courthouse, thereby mitigating the risk of potentially contracting the virus in order to enforce their child support amounts outside of Ontario or the like.

The Speaker (Hon. Ted Arnott): The member for Windsor–Tecumseh.

Mr. Percy Hatfield: Let me say at the outset I have great respect for our Attorney General and his parliamentary assistant, the member from Durham.

My question pertains to what I see as a glaring oversight in this bill. I listened intently to my friend the member from Mississauga Centre, and she started off by saying what she believed in. I believe every grandparent should have a role to play in the lives of their grandchildren. Sometimes a fragile marriage may collapse, and not

always in an amicable fashion, and one spouse may be vindictive enough to deny access between a child or children and the parents of a former spouse.

This is a modernization—an overdue modernization—of the Family Law Act. Would not this be an ideal time and place to put into law the rights of the grandparent for access to the grandchildren in the face of a collapse of a marriage?

Ms. Natalia Kusendova: Thank you so much for the question, and it's a very important one, because, in today's day and age, the definition of "parent" or "legal guardian"—it can be anyone surrounding a child, and it could be definitely a grandparent.

There are already existing provisions in the Family Law Act to allow other members of a family to take legal custody over a child. However, this bill will be going through the committee process, which is a wonderful cornerstone of our democracy, and I encourage the member opposite to submit this as an amendment for our consideration.

I think grandparents and, in general, seniors who have built our province deserve our respect, and this is something that we should definitely look into in the committee process.

The Speaker (Hon. Ted Arnott): The Member for Brantford—Brant, quickly.

Mr. Will Bouma: In the dying seconds, I'd like to thank the member for Mississauga Centre for her addition to the debate this afternoon on this important bill.

First, I have to say that we don't have a unified Family Court in Brantford. To the Attorney General and his parliamentary assistant: the sooner, the better. Thank you.

I understand that we're proposing changes to the Family Law Act so they are more consistent with recent revisions of the Divorce Act, federally. I was wondering if the member could comment on that a little bit further.

Ms. Natalia Kusendova: In my community in Mississauga we also do not have a unified Family Court, but, hopefully, with the wonderful work that our Attorney General and his PA are doing, perhaps we can see one in the future.

I think words matter and definitions are important, so by aligning the definitions of the provincial mandate to reflect the ones at the federal level, we will eliminate confusion across the board and will ensure timely results for families and children, and help reduce the burdens on—

The Speaker (Hon. Ted Arnott): Thank you very much.

Further debate?

Ms. Catherine Fife: It's a pleasure to join the debate this afternoon on Bill 207, the Moving Ontario Family Law Forward Act, 2020. I actually really enjoyed doing the research on this particular piece of legislation, for a number of reasons. Of course, as many of will know, MPPs receive requests for assistance from constituents on a regular basis, for family members—in my case, primarily women—who are trying to navigate the court system. Those are very complex issues. They bring a lot

of emotion to them, so I was very interested to see how Bill 207 would be helpful in that instance.

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Also, as a child who went through the court system on a personal basis, I put a lens of how children view the courts and the role of children within the court system, particularly in family law. I think all of us know that by the time a marriage either falls apart and there's financial issues, children get caught up in that emotion, that tension, in that strain, in that stress of the court system because it's not designed to be very family-friendly on the whole, and I'm going to talk about that in a second—and we need to put children at the centre of that discussion. So I brought that lens.

Also, prior to coming to Queen's Park, I served as a researcher at Wilfrid Laurier University. In particular, I was assigned to the family violence project, as well as the transformation agenda—and that was prior to many of you being here. But the Liberals brought in a piece of legislation and had a three-year pilot study that I was very much involved in, which looked to family members—just as my colleague from Windsor—Tecumseh was saying—where you have the kinship model. So when you have violence in the family, and there's often historical cycles of violence in families, the transformation agenda looked to interrupt those cycles. At the end of the day, the research found that it was a very emotionally heavy, very financially heavy project, but it actually worked. However, it was one of those pilot projects that sort of fizzled out.

I was actually a field researcher and so I was in one particular town—I won't say what it was—but there was an issue of violence happening behind the door. I did the cop knock, I ran and then I called the police. That's the lens that I brought to this particular piece of legislation because it's important to get it right.

So I appreciate the fact that the parliamentary assistant and the Attorney General went through a consultation process. I will comment that the consultation process, of course, was very important. Every government is very good at consulting and not always listening to everything. So I was asking the parliamentary assistant if this piece of legislation will in fact go to committee and if we will get a chance, a sincere and earnest opportunity, to perhaps make this piece of legislation stronger, and I hope that happens.

Obviously, we have briefing notes—our researchers are great and your researchers are great—but I wanted to get an actual family lawyer's perspective on this piece of legislation, because obviously the goals are to align and to have more consistent legislation between the federal and the provincial levels.

I read the Lawyer's Daily because I clearly need to get a life:

"Proposed legislation in Ontario will align family law in the province with the revamped federal Divorce Act and will benefit families by creating a level playing field for the families of married and unmarried parents...."

I think that's an important piece, because there are many couples these days who are choosing not to get

married. They've haven't bought the love-and-marriage storyline, and they're not going to go down that route. But of course, relationships break up and so often the children of the couple find themselves being torn.

"Bill 207 ... promises to make family law easier to navigate by modernizing language, simplifying appeal routes, and improving the online child support service...."

"The proposed legislation will not replace the Family Law Act (FLA), but will amend parts of the FLA, the Children's Law Reform Act, the Courts of Justice Act and some other parts of legislation related to family law."

It's messy, but it's simple all at the same time.

These are two particular lawyers—one is Julia Vera, and she's a Toronto-based sole practitioner in family law. She's also chair of the Family Lawyers Association of Ontario, so I want to thank her for sharing her thoughts in here. She says, "We believe that the same laws should apply to children of married spouses as they do to non-married spouses, so really there shouldn't be any distinction between the two, especially when it concerns children and their rights." I think all of us in this House would agree with that.

"Frances Wood, a founding partner with Peel region-based Wood Gold LLP and chair of the Ontario Bar Association's family law section, said family law organizations have long advocated for matching legislation and consulted extensively with the provincial and federal governments," and while it has taken a long time, they are of course encouraged that it's actually here.

"In Ontario, she noted, matters involving legally married couples typically come under the federal legislation, while couples who are not legally married would move for relief under the equivalent provincial legislation."

One of the reasons I think that these lawyers—obviously, they have the lived experience, but it comes down to language. All of us in this House now have a full understanding of how important it is to get the language right.

"Both Vera and Wood celebrated the introduction of new language in the provincial and federal legislation, shedding old terminology like 'custody' and 'access' in favour of more modern terms such as 'parenting decision-making' and 'parenting time.'

"The whole goal of legislation is to do two things,' said Wood. 'Number one is to really codify that the children's best interests come first and foremost, and second, to try to reduce litigation and conflict.'

"There's also codification with respect to mobility. Mobility is when one parent wants to move away. And we've had a lot of case law about that. But now the federal legislation and now the provincial legislation actually has specific codes that govern how those decisions are approached.'

"Vera said some of the old language was so emotionally loaded that, in many cases, it simply added to the tension between separating couples. The new language will help defuse that.

"For a practitioner,' she said, 'I view this as incredibly beneficial because sometimes we see that parents become very fixated with the words themselves, like custody and access'" because it is so emotionally charged.

"Despite our best efforts to explain what those terms mean in terms of the realities of a day-to-day parenting arrangement' she added, 'it's still sometimes hard for people to let go, especially in family law, with a word like custody in relation to their children. And often, in principle, they have no issue with what that arrangement would actually look like behind the terms sole custody or joint custody, but it's just like a fixation with that word and whatever emotion that brings up for the individual.'"

So the language has been neutralized. I think that's important. I think that the language being consistent between the federal and the provincial legislation is also important.

"The proposed legislation also goes some way towards simplifying the perennial problem of family law appeal routes—but more progress needs to be made, she said. One way to do that, she suggested, would be for the province to commit to continuing to roll out unified Family Courts...."

This is something that we feel strongly about. It is a model that has worked. It obviously streamlines the appeal routes situation, ensuring that rights that are provided to children of married couples are now provided equally to children of non-married couples. Let's be honest, we live in a day and age when the modern family does not look like it used to, so I think legislation has to acknowledge that.

Just to go back to the piece around what we hear locally and how this relates to our local ridings: We all have constituency assistants. I have hired two social workers. They do a great deal of casework every day. That was the model that I embrace, as an MPP, because I think that that is some of the most important work that we do as MPPs. In my riding, I have Sydney Piatkowski and Suzie Taka, and I asked them about it because they have a unique perspective. They say that we often hear from parents who are trying to secure child support and spousal support. The program this government has in place to help them—which is the Family Responsibility Office, which also needs a huge amount of work in here—often proves more onerous than helpful. We have constituents in my office who are waiting for over \$20,000 in support from their payer, yet the current regulations mean that this agency still tells us they cannot act. So the agency that is in charge of trying to deal with this issue tells us that they can't do their job. This is not uncommon. It's not a one-off situation, and we hear from parents in situations like this weekly.

It's great that we can agree on the language in this piece of legislation, but there are bigger issues at play, I think, in order to make sure that justice happens for families.

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They go on to say—this is from my office—a system that allows people to go \$20,000 into arrears is a broken one. The reality is, single parents across this province are

bearing the brunt of this failure. Child support and spousal support are in place for good reason, because single parents need it to make ends meet. Children are living in poverty because of this failure.

Waterloo is a very wealthy riding, but poverty hides very well in my riding, I would say. I would say that the churches and social agencies really try to hold that fabric together, but when things fall apart, they fall apart very quickly for some of these families. And there's often a power imbalance in the relationships, with one spouse earning the vast majority of the money. That becomes the power that that individual holds over the other spouse, and that spouse is often the woman, in our experience.

The system particularly fails survivors of intimate partner violence, as it gives power to abusers and allows them to continue to impact their ex-partner's life through financial abuse. In Ontario, women should feel empowered when leaving their abuser, but our current family law system only further victimizes them. I want to see this government putting forth legislation to strengthen the rights of survivors of intimate partner violence and prevent ongoing abuse. I hope that as this piece of legislation moves its way through the committee system here at Queen's Park, perhaps this could be that door that opens up and we can actually make some fundamental changes to the Family Responsibility Office—which I have always thought sounds like something right out of Harry Potter, right? There's a disconnect between the name of that office—and I know there are good people in that office, but it has never been fully realized to actually follow through on the goals that were originally sold to us.

The other piece around Bill 207 is that the consultations, as I mentioned, were held during the summer of 2019. There are things that are missing from this piece of legislation that we need to address. Stakeholders made specific asks. There are four that I know of. One was a removal of the matrimonial home exception in property division. This was designed to protect women but operates erratically. It also doesn't always protect the financially weaker party, whether they are a woman or not. There is consensus on this among family lawyers, from certificate lawyers to lawyers who represent high-income individuals. So the matrimonial home exception in property division is an ongoing issue.

The provision of mandatory parenting coordinators is also very complex. In BC, a court can impose a parenting coordinator. This is somebody who comes in with a very emotionally laden couple who are going through a divorce, and is supposed to be the voice of reason and help them with decision-making in high-conflict parenting situations. That was a direct ask for stakeholders with regard to Bill 207.

Expanding the unified Family Court so that a single court can deal with divorce and property division: These exist in some GTA regions, but Toronto has yet to receive one.

And then, finally, there's reversing cuts to legal aid, expanding access to duty counsel and fully funding a functional legal aid system.

The intentions of the Attorney General and the parliamentary assistant with crafting this piece of legislation—we're not going to call that into question at all. But the other major piece to access to justice is having the financial wherewithal to access that system.

Again, back to my Lawyer's Daily that I've been reading off and on: "Two of Ontario's top judges have urged the provincial and federal governments to reinvest in legal aid at a time when the COVID-19 pandemic has left many Ontarians at their most vulnerable." This just came out Wednesday, September 23.

I know that the lawyers in the room will be very impressed with these justices of the peace: "It is, quite frankly, a false economy to think that cutting these vital services saves money." This is from Ontario Court of Appeal Chief Justice George Strathy. He said it "during the annual Opening of the Courts of Ontario ceremony, which was held virtually." That was held two weeks ago.

"When litigants are unrepresented and unsupported," he added, "the justice system slows to a crawl, valuable resources are drained, and other cases are held back. More important, the most vulnerable members of our society, those whom our justice system purports to protect, are further victimized because their playing field is uneven." So this is a major factor in access to justice.

"Chief Justice Lise Maisonneuve of the Ontario Court of Justice echoed that call. 'Even more than before the pandemic arrived,' she said, 'legal aid in this province needs to be properly funded to ensure that the most at risk in our society are served, particularly in light of the move to virtual proceedings, which many vulnerable litigants may be challenged to access due to limited access to telephones or Internet. Without the support legal aid is intended to provide, justice may be out of their reach in this new reality.'"

So when we are talking about the importance of access to family law and clarity around that, legal aid funding is key. And my counterparts here who have already spoken to this have already indicated that qualifying for that legal aid is very difficult, accessing that legal aid is very difficult as well, given the cuts that were made to Ontario's budget last year of 30%, or \$133 million. Legal Aid Ontario "has warned that the economic impact of the pandemic and interest rate cuts could leave the organization with as much as a \$70-million hole in its 2020-21 budget due to reduced funding from the Law Foundation of Ontario."

This is one of those areas, including the four that I mentioned, which if we get to committee—we want the dialogue on access to justice to be expanded. We want it to be an inclusive process, because all of us, in our respective ridings, are encountering citizens in the province, particularly women, who—that barrier is just a brick wall to access to justice.

Chief Justice Morawetz says, "COVID-19 has shone a bright light on the frailties of the current model of courts administration, the absence of sufficient technology and the overly bureaucratic nature of government that inhibits the effective operation of the courts." He noted that five out of six reports since 1973 have recommended that Ontario abandon its current model of executive control.

“This reform is necessary to ensure the court remains independent of government and has the resources it needs to function effectively.... This issue remains a top priority for the court.” And of course the Attorney General was present at this particular event. He goes on to say, “I am eager to have further discussions with” the Attorney General “so that meaningful, transformative and permanent change can occur, in keeping with the constitutional and institutional independence of the court, and which will extend beyond your term” and his term.

I raise that because when the Ontario chief justices call for reinvestment in legal aid and massive reform, I think that those are voices that we should pay attention to. I think they should inform the legislation that is before us, as we have already stated.

I think our critic from Hamilton Mountain on Thursday did a very good job of highlighting what motivates us as legislators on this side. As well, she mentioned, of course, that we are going to be supporting it but are always very interested in making it better. I did consult with one lawyer from my riding, who described a couple of issues that he sees with the system. He says, “It is also good to see more of a codification of what the definition of family violence is, but we will always have to be mindful of the fact that violence can shift, and our definition of family violence will as well. So we will have to be vigilant that the law reflects this.” I think that’s an honest reflection of what someone who navigates the court system sees on a regular basis.

As I mentioned, we will be supporting Bill 207, we hope it goes to committee, hope we can make it better and hope that there is a sincere effort around collaboration in that regard.

The Speaker (Hon. Ted Arnott): I thank the member for Waterloo for her contribution to the debate. Questions to the member for Waterloo?

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Mr. Aris Babikian: Thank you very much to the member from Waterloo for her presentation. My question is related to the Ontario Bar Association comment.

When asked about the Moving Ontario Family Law Forward Act, Frances Wood, chair of the Ontario Bar Association’s family law section, said, “The Ontario Bar Association has been a strong advocate for changes that streamline and remove barriers to the family law system to increase the public’s access to the help they need from lawyers. We commend the Attorney General for offering clarity and equal application of laws to married and non-married spouses by responding to our call for consistency between provincial and federal laws following changes to the Divorce Act.” We look forward to working with the Attorney General to strengthen access to justice as these and other amendments introduced today move forward.

Can the member advise whether they will listen to Ontario’s largest legal organization?

Ms. Catherine Fife: Thank you for the question. Well, of course. I was quoting chief justices, who are also very much informed by the law society.

I’ll match a quote with you. Chief Justice Strathy says there is “a growing openness to law reform” that is “cause for optimism.... ‘There is increasing recognition that we, as a society, need to reconsider how we define ‘crime,’ he noted, ‘and whether some offences, labelled criminal, should be regarded as health-related matters and addressed therapeutically.’”

“The judicial branch can play a vital role in creating a just society that protects the rights and freedoms of all people ... but only if it is strong and vibrant.”

I believe that that work is at the core of what we’re trying to accomplish here today.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Ian Arthur: Thank you to the member for Waterloo for her contribution to this debate. In the vein of providing constructive criticism to the government, I have a couple of points here mostly about what is missing from the bill. I was very surprised—and I would love to know the member from Waterloo’s opinion—on the point where there wasn’t investment in technological solutions that would provide increased access. This is the government of websites and portals and, “We’ve got a website for that.” That’s one of them.

Also, I want to touch on the need to pair strong pieces of legislation with adequate funding. Because you can create a framework and a system all you want; unless you provide the supports into that system that allow people to interact with it and access it in a meaningful way—and that requires money—then the framework, the legislation won’t have its intended effect.

If the member could comment on those, that would be fantastic.

Ms. Catherine Fife: Thank you to the member from Kingston and the Islands for that question. I dedicated a good portion of the 20 minutes that I had on Bill 207 to access. Access is determined, in many instances, by financial ability. Quoting from the Toronto Star, this is Lenny Abramovicz, head of the Alliance for Sustainable Legal Aid:

“There could be anywhere from a \$60- to \$70-million shortfall....

“On top of the (30%) budget cuts that happened last year, if that is what we are facing this year, my understanding is that we will be looking at a significant decrease in services across the board. There will be less access to justice across the province if both levels of government don’t step up and deal with this COVID-related emergency. There will be people going unrepresented across courts and tribunals across Ontario.”

If the goal is to ensure that access to justice happens in the family law sector and also in the criminal law sector, then we must address the financial ability of folks accessing that money. Right now, that is a major barrier in Ontario.

The Speaker (Hon. Ted Arnott): The member for Mississauga–Malton.

Mr. Deepak Anand: It is refreshing to see that our government is working for Ontario’s children and families to move family law forward in our province. As we know,

the Attorney General and Parliamentary Assistant Park travelled across the province consulting on family law matters, including the overly complex and inconsistent appeal route. It is refreshing, even, to hear from the member, who indicated that she will be supporting this bill.

Our government is proposing changes to the online Child Support Service, so parents can request and receive certified copies of support payment notices directly from the service, without having to go to a courtroom. These are common-sense changes that help modernize our outdated and complex justice system. I want to ask the member: Will the member support Bill 207 on this, so that single parents don't have to go into the courtroom in the middle of a pandemic to get the documents they need to enforce their child support orders?

Ms. Catherine Fife: Thank you for the question. Obviously we've indicated that we're going to support Bill 207, but we want to get it to committee. Having single parents navigate the system when they are financially pressed and financially disempowered is a huge challenge for folks. That's why community legal clinics have played such a huge role, particularly for women who are fleeing domestic violence.

“The need for support for clinics has never been more acute, in the aftermath of cuts from last year”—this is from legal aid—“and ... we are going to be in a recession if not a depression.” Legal aid clinics help with issues including evictions, unemployment, discrimination, denial of disability claims, domestic violence and criminal charges.” If the government is looking to streamline and reduce costs, community clinics are a good place to invest.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Bhutla Karpoche: I'd like to thank the member from Waterloo for her presentation. She raised the issue of the problems within the Family Responsibility Office. I think that it's something that we clearly need to debate a bit more about, because I certainly see it in my own riding, in my own constituency office. We have many, many cases where, again, it's the children and mainly women who are not getting the help they need through the Family Responsibility Office.

If I recall correctly, this has been a long-standing issue. Successive governments have not taken action on fixing the Family Responsibility Office. When it comes to complaints to the Ombudsman's office, again, successive Ombudsmen have highlighted or flagged to the government that this is a problem. I believe that when it comes to complaints to the Ombudsman's office, the Family Responsibility Office is always near the top, because people are not getting the help that they need. I ask the member from Waterloo if she could, in the next minute, just explain a little bit more about what we can do to fix the Family Responsibility Office.

Ms. Catherine Fife: There's no way I can answer that in one minute, because it's a huge issue. With the Family Responsibility Office, the example that my staff sent to me is that we get calls from women who are owed \$20,000 in child support and arrears. The reality is that single parents

across this province are bearing the brunt of the failure of this office.

If you want to invest anywhere, if you want to strengthen family access to justice and equality, fixing the Family Responsibility Office, or at the very least giving it a new name—the fact that this office is failing to secure that support for children means that children are living in poverty because of this failure. This is certainly an issue that we should be able to work together on, and it is long past due, as the member from Parkdale–High Park has mentioned.

The Speaker (Hon. Ted Arnott): The member for Brantford–Brant, quickly.

Mr. Will Bouma: Thank you, Mr. Speaker, and thank you to the member from Waterloo for rising and speaking about the bill. I was curious, because I've had some of the same concerns as she has, but obviously she has done a lot more research than I have, because she has been talking about access to justice and some of the changes that we made to the funding model to Legal Aid Ontario in response to a report by the Auditor General. Because if you're talking about justice funding—

The Speaker (Hon. Ted Arnott): Question?

Mr. Will Bouma: —the people of Ontario should have access to a fair system that is good value for money.

When we had the justice policy meetings this summer, there were a bunch of legal aid clinics—

The Speaker (Hon. Ted Arnott): I apologize, but I'm going to give the member a chance to respond.

Ms. Catherine Fife: I feel like I know where he was going, so I'm going to say that one of the requests was that we expand the unified Family Court system, which would actually save money and be a more compassionate and humane model going forward. Perhaps this is something that the government would consider.

These children and families have experienced trauma. Let's give them the best option of finding a resolution.

1450

The Speaker (Hon. Ted Arnott): Further debate? I recognize the member for Etobicoke–Lakeshore.

Ms. Christine Hogarth: Thank you very much, Mr. Speaker, for the opportunity to join today's debate on the Moving Ontario Family Law Forward Act, 2020. I feel that this legislation is good for Ontarians, it's good for families, it's good for individuals and, most important, it's good for children. In short, it's good for society. This legislation fits with our mandate of creating a leaner, more efficient government, one that serves all Ontarians better.

Speaker, in my many years of working in public service, including my years served in this building as a political aide, I believe that no matter which side of the House you sit on, we can agree that our collective role here is to help make life better for people. If passed, the Moving Ontario Family Law Forward Act will do just that.

This legislation to simplify Ontario's family law system will allow for parents and guardians to spend less time and money on paperwork and in courts, which will allow them to have more time to spend with their children. At the same time, these changes will go a long way to shield children

from the most difficult part of a family separation and custody.

I have heard from many of my constituents in Etobicoke–Lakeshore that they're relieved to know that our justice system remained open, and we're able to provide essential legal services throughout the emergency shutdown in Ontario. It is thanks to their front-line workers, as well as the Ontario Court of Justice, Superior Court of Justice and the Court of Appeal, that our courts were able to operate during these unprecedented times. I'd like to start off by saying a heartfelt thank you to everyone who made this possible.

As we've heard from the Attorney General, the Moving Ontario Family Law Forward Act proposes to make the family law appeals process clear and easier to navigate; harmonize Ontario's family laws with federal legislation to make it easier for Ontarians to navigate the system and understand their rights; allow parents and caregivers to request certified copies of child support notices made by the online Child Support Service so child support accounts can be more easily managed or enforced outside the province; and through regulation remove the requirement for family arbitrators to file arbitration award reports with the ministry, saving both time and money.

This legislation is comprehensive and compassionate. Obviously countless hours of consultation, research and outreach went into this bill. I want to congratulate and thank Attorney General Doug Downey and his parliamentary assistant, Lindsey Park, MPP for Durham, and their team for their efforts in putting together this bill in the middle of a global pandemic.

When the Attorney General spoke on this bill last week, he advised the House that this bill is a response to the amendments in Bill C-78, known as the Divorce Act. Bill C-78 was passed on June 21, 2019, and is scheduled to come into effect on March 1, 2021. Today's provincial bill that we're discussing today builds on this federal legislation.

Speaker, if ever there was a system that was severely in need of modernization and reform, it is the family law system, and we've heard a lot of comments about that from both sides of the House today. I've heard from so many of my constituents, friends and family members the horror stories about the difficult, confusing, cumbersome, bureaucratic and multi-layered process that defines our family law in Ontario, because the majority of us are not lawyers and it makes it difficult for everybody.

As Attorney General Doug Downey noted, families encounter the family law system in some of life's most difficult moments, and of course he's right. There is very little in this life that is as tragic and traumatic as a marriage breaking down, especially when there are children involved. This is simply one of the most stressful times in someone's life, as stressful as losing one's house, losing one's job or a loved one, and the people who are affected are the children.

Many people remember their wedding day as being a joyous day in their lives. Marriage is a commitment to each other, but it's also the beginning of a life together for

two people who want to buy and build a home and start a family. Unfortunately, many marriages fail. In Canada, almost 40% of marriages won't last 30 years. Marriage breakdowns bring with them loss and division—division of feeling, division of assets—and uncertainty over the future. Dividing the financial assets that you and your soon-to-be ex-spouse have spent your days building is heartbreaking and financially devastating. In fact, divorce is probably the quickest way to achieve wealth depletion.

On top of that, families have to litigate child custody and access issues. It is in this context, the custody and access issue, that families have to face the next hurdle, the provincial family law system and appeals system. Having to navigate the Family Court system at this point in their lives can put on an enormous amount of strain and anxiety in an already difficult situation. The goal of this legislation should be to construct a justice system that adds as little stress and emotional pain as possible, and I sincerely believe this bill goes a long way in doing just that.

Among other things, the Moving Ontario Family Law Forward Act is designed to reduce the burden on the court system by encouraging the use of alternate dispute resolution processes outside the courts. Examples would include negotiation, mediation or collaborative law. Indigenous communities, for example, have been using alternate dispute resolution processes for some time. This allows Indigenous communities to tailor a dispute mechanism designed specifically for them. We have learned a lot and duplicated from their experiences of using these alternate processes.

Another example of an alternate dispute resolution would be the introduction of a neutral third party who would provide an early evaluation of a family's case. This neutral third party is a family lawyer appointed to conduct family case conferences. By introducing this measure, families would be able to identify and narrow the issues of their case and perhaps achieve earlier settlement. This measure will go a long way to ease the stress of the people involved and the strain on the system, and I don't need to tell that you this is actually better for everyone involved.

One of the things I found most appealing about this bill is the change in language we use in family law and in our daily discussions about relationship breakdowns. This bill replaces antiquated terms like "custody" and "access" and replaces them with words such as "decision-making" and "contact." I agreed with my colleague the parliamentary assistant when she said that by changing our language we can "move away from the idea that there are winners and losers in a custody dispute." This is better for the people involved, and hopefully this will go a long way to reduce the combative nature of a divorce and make the whole process easier on children, because we need to put the children first.

Another aspect of family law that I wish to highlight and that is certain to make it easier to navigate through the justice system is our expansion of the unified Family Court model. The proposed changes to Bill 207 complement our province's move towards unified Family Courts. Unified Family Courts streamline Family Court processes to ensure Ontario families only have to go to one court to

resolve their legal issue. They don't have to know which court they're going to; they just need to know they're going to a court. I'm hopeful that the federal government will quickly honour its commitment to getting Ontario to 100% unified Family Courts as soon as possible. I know that that was mentioned earlier today, and the majority of us concur with that statement.

I mentioned earlier that we were able to keep our courts open during the emergency shutdown due to the COVID-19 pandemic. How they were able to do this was by introducing online filing. When the emergency shutdown was declared, we moved quickly to introduce technology into our court system. Online filing sounds so simple; however, these are actually ground-breaking measures that go to incredible lengths to reduce the burden and cost of the court cases in making the system more user friendly, and really, it is about time.

Throughout the COVID-19 emergency, we worked with our partners to move Ontario's justice system forward decades in a matter of months. I think we can all agree that despite some drawbacks, technology has changed our lives for the better. It is only logical and sensible to take today's technology and apply it to the judicial system. As one example, these new measures mean that lawyers no longer have to travel to courthouses or wait to have their court cases heard. Lawyers, in turn, would not pass these unused billing hours to their clients. How can anyone say this doesn't make sense?

1500

We have had six months to monitor and measure the effectiveness of this online system. We have seen that the outcome is more efficient, more effective and a better system that is much easier for us all to use. What's more, since we started to modernize in March, as a reaction to the state of emergency, over 600 teleconference lines have been installed in our courts. That measure has enabled the Superior Court of Justice to hold over 50,000 virtual hearings.

We have also updated and expanded our justice system online platform so that people are able to submit almost 400 more documents online. People can do this in the comfort of their own homes without stepping into the courthouse that is intimidating to many. These are just some of the steps to make a family justice system more accessible and easier to use. Of course, I want to add that these measures make the courts compliant with the safety measures that we've put in place to combat COVID-19. We are all able to keep people safer while at the same time making our system better.

I listened to the debate on this bill from across the aisle and I heard very little criticism of the bill itself. Instead, I did hear that this may be harmful to people who rely on legal aid. Speaker, I have to challenge that statement. Why would we put in jeopardy a system that we created? Many people may have forgotten that it was a Conservative government under Mike Harris that introduced the Legal Aid Services Act, 1998, to create Legal Aid Ontario. If this bill passes, we will have a more streamlined and user-friendly justice system than the one that we inherited. It

would only follow that there would be a decrease in demand for legal aid, and not being able to afford a lawyer would be a non-issue if the judicial system were easier to navigate. As we've said, the majority of us are not lawyers.

Just like many people have to hire an accountant to do their taxes—well, if we made the income tax reporting system easier, people wouldn't need to hire that accountant in the first place. Legal aid is not the problem here. Navigating a complicated, burdensome legal system is the problem.

I want to reiterate what my colleague from Oakville North—Burlington said when she spoke on this topic, because it's very important. She cited an endorsement from the CEO of Legal Aid Ontario, David Field. He had this to say about the Moving Ontario Family Law Forward Act: "Legal Aid Ontario recognizes that access to family justice is promoted through clarity and consistency between federal and provincial family legislation. That is why LAO fully supports the Ministry of the Attorney General's proposed amendments to the Children's Law Reform Act (CLRA) as part of the new Moving Ontario Family Law Forward Act. In particular, LAO applauds expanding the definitions within the CLRA, and we welcome the necessary steps the ministry is taking to align the CLRA with recent changes to the Divorce Act. All of this promotes a" clearer and "greater understanding of best interests of the child."

Mr. Speaker, this bill was put together over eight months, and acted on the advice and recommendations of many stakeholders, including Ontario's chief justices, law professors, the Ontario Bar Association, the Federation of Ontario Law Associations and many rural Ontario law associations. But of course, the most important stakeholders are the people of Ontario that we consulted with and whose opinions and recommendations we used to create this law.

Currently, we have three courts in Ontario, each with a different appeals process. This complex system is confusing for anyone encountering the family law system. What's more, for most people who find themselves in the middle of a separation, this will be their first time accessing the justice system. I understand that as high as 70% of people accessing family courts are self-represented. Imagine how difficult it would be for those people to navigate through a system that sees three courts, each with its own appeal process. If passed, this legislation will make these distinctions and appeal routes much easier to understand and to navigate. This is of benefit not only to the people using them, but for lawyers as well. Additionally, allowing for a second right of appeal on a judge's discretion will speed up decisions and help prevent abuse of power.

I saved what I believe to be the most important part of this bill to last, because it fuses on my role as parliamentary assistant to the Solicitor General with responsibility for community safety. This is a section of the bill which deals with the cases that involve the Hague Convention on the Civil Aspects of International Child Abduction. These are children who have been removed from the jurisdiction

in which they normally reside. Changes to this bill will allow that to occur in Canada.

Canada is a signatory to the Hague convention, which seeks to protect children and their families against the risks of illegal, irregular, premature or ill-prepared adoption abroad. It puts safeguards in place to make sure inter-country adoptions are in the best interests of the child and respect the child's human rights. It also creates a system of co-operation among countries to help ensure these safeguards are respected and to prevent the abduction, sale or trafficking of children.

The work at the Solicitor General's office in combatting human and sex trafficking is significant. We have invested \$307 million in a comprehensive anti-human trafficking plan. Just this year we launched two new educational resources to help prevent human trafficking by teaching kids how to recognize the signs if they're being targeted by a trafficker and making sure they know where and how to get help. That's what the Ministry of the Solicitor General and our partner ministries have done. This bill will give powers to the courts to do their part in combatting the heinous crime of human and sex trafficking.

The goal of the proposed Moving Ontario Family Law Forward Act is to support Ontario's families and protect vulnerable children. If passed, these common-sense changes would build on our government's commitment to simplify and modernize a complex and outdated justice system by making the family justice system easier to navigate.

Families do not need and should not need to spend weeks and months or even years tied up in the court system. What they need is guidance and support to resolve their issues simply and quickly, and to move forward with their lives. That means access to family law services regardless of where they are; access to out-of-court dispute resolution tools and resources, such as dispute resolution officers, family arbitrators and mediators; and access to a family appeals process they can understand and actually use, no matter where they are or what court is dealing with the matter.

This is only the start of what needs to be done to move family law forward. Ontario families need to know that their government is working to make the family law system more responsive in their time of need. This bill is an important step forward to move family law into the times.

Speaker, to echo the statements of the Attorney General and the parliamentary assistant to the Attorney General, we cannot go back to the way things were. This is just the beginning. Bill 207, if passed, will help simplify an outdated and complex family law system by modernizing language, simplifying appeal routes and improving the online child support services. It's proposing common-sense changes, allowing parents and guardians to spend less time on paperwork and court appearances, and more time where they should be: with their children.

I want to thank both the parliamentary assistant and the Attorney General for bringing forward this bill today. Let's get this act passed so we can protect the children's future of tomorrow.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Percy Hatfield: I can identify with the member from Etobicoke–Lakeshore. Like her, I'm not a lawyer and I have limited legal training, so I don't have all the answers when we're talking about trying to perfect a bill dealing with legal issues.

1510

I did hear the member start off her dialogue this afternoon by saying that she has heard from many members in her constituency, as we all do, and I'm just wondering: When she's talking to her constituents, how many of them have a problem with the Family Responsibility Office? And is there anything in this bill that is going to correct the problems and the imperfections with the Family Responsibility Office that lead to so many people to call our constituency offices with problems that fall under that act?

Ms. Christine Hogarth: I just want to thank the member opposite. You know, you're right: That, to me, is a number one issue. We do hear a lot about FRO—we call it FRO, the Family Responsibility Office. We did bring some changes in. There was a model that was brought in, so I'd like to take your experiences back. I think it's something that we need to get right. It is a problem. You hear it all the time, and it's a different point of view from everyone; you have one spouse or another spouse making a debate. Now, that's not what this legislation is actually about today, but I would like to take your experiences back. Please continue to share those as we continue to build and fix changes that have been made in the past. I thank you for sharing those experiences, and please keep them coming.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Randy Pettapiece: Thank you to the member from Etobicoke Centre for her well-researched speech.

I'd like to ask this question: Our government is making it easier, faster and more affordable for vulnerable Ontarians to resolve their family law matters. Family law arbitrators play an important role in appropriately diverting people from an adversarial court process and help bring resolution to difficult family disputes. Can the member please explain how the government removing the requirement for family law arbitrators to submit a report to the ministry maintains accountability in the family arbitration system?

Ms. Christine Hogarth: Thank you to the member for the question. This change is part of the government's commitment to positioning Ontario at the forefront to building a modern justice system for the future.

I just want to be clear that the government does not regulate arbitrators in Ontario. This reporting requirement was, unsurprisingly, introduced by the previous Liberal government, who added unnecessary burdens to the system—and we talked about that we're not all lawyers, and any of these additions make it harder for people to navigate any system, so this is one thing that we wanted to change—that meant adding costs and time to families at a time when it's most difficult in people's lives.

This red tape requirement has now been in place for over 10 years, resulting in a decade's worth of reports that

have been piling up at the Ministry of the Attorney General—who, once again, does not regulate arbitrators. Ontario is currently the only jurisdiction in Canada that requires these reports, so removing this requirement is common sense, and will save time and reduce the burden on family law participants.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Sandy Shaw: Thank you to the member for Etobicoke Centre for your presentation. I was struck by the fact that you said that up to 70% of people in Family Court are self-represented. My question to you would be: Why do you think that is? Because people don't end up in this kind of situation in a vacuum, and what we've learned, if nothing, from COVID is that we have lifted the cover on some of the inequities that had already existed. I hear it in my constituency, about people who are staying in untenable family situations now because they've lost their job, because they don't have child care or, perhaps, to begin with they were earning less than their counterparts.

While there are some good things in this bill, it still doesn't go far enough and it doesn't address in any way the underlying inequities, primarily faced by women, in accessing justice. You're sloughing off the idea that the legal aid cuts were substantial and impact women, and you're not addressing the fact that there were cuts to women's services and cuts to women's access to shelters.

My question to you is: Do you know the representation of the 70% of people who showed up in court who were self-represented, and what do you think those reasons are?

Ms. Christine Hogarth: Well, we should probably talk about what's actually in the bill. People have a choice if they want to go and be represented or not. You may choose to represent yourself. The thing is to make the system easier for people to navigate through for themselves, because as we said, we're not all lawyers and we don't all have the answers.

I can't tell why one person chooses to have a representative and others do not. That's a personal choice. But again, it's about making the system easier for all of us to navigate without legal help.

Interjections.

The Speaker (Hon. Ted Arnott): Order. Questions?

Mr. Jim McDonell: Ontario is proposing legislative amendments that would make the system easier to navigate by clarifying where and how to appeal family law cases that involve children in difficult circumstances, and increase consistency and fairness, regardless of where the trial is heard. Can the member advise why changes to the family law appeal routes are so needed and overdue?

Ms. Christine Hogarth: Thank you to the member for the question. Currently, all three Ontario courts hear family law matters and the appeal process is different for each. This can make it difficult for people to decide where to appeal their matter. I mentioned that a little bit in my speech. In some of the research I did, I couldn't believe all the hurdles people have to go through to figure this all out.

Neil Maisel, who is a chair of the Family Dispute Resolution Institute of Ontario, said, "The Family Law Dispute Resolution Institute of Ontario welcomes the

bundle of family law amendments in the Moving Ontario Family Law Forward Act. These changes will directly benefit family mediators, arbitrators and parenting coordinators and their clients. These changes will facilitate the timely resolution of family law cases both within and outside the court system and align the provincial legislation with the recent amendments to the federal Divorce Act." And I also mentioned that, so you must have been listening intently to my speech.

On this side of the House, we are very proud of our Attorney General for standing up for families and vulnerable children by fixing and modernizing a justice system neglected by the previous government.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Bhutla Karpoche: I'd like to thank the member from Etobicoke-Lakeshore for her contributions to the debate. As she noted in her presentation, there has been support from various stakeholder groups for this legislation, which is also one of the reasons why we are supporting this bill.

I'd like to draw her attention to not what's in the bill but what is missing and what stakeholders are asking for. They have been very quick to point out that we really need to ensure that there's proper funding for legal aid in order for this system to be able to carry out and ensure access to justice, particularly for those who do not have the choice of hiring a lawyer or will be able to represent themselves in Family Court.

Ms. Christine Hogarth: I just want to remind the member that the threshold for the eligibility for legal aid has gone up every year.

But that's really not what this bill is about. This bill is about modernizing a system, making it easier to navigate. It makes it easier for anyone: those people who are not lawyers, those people who do not have a legal background. It also avoids duplication and time. At a time when it's most stressful in people's lives, the last thing you want to do is try to figure out a court system when you're going through a divorce and you want to make sure your kids are okay. Because, as a parent, the number one thing is, "Are my kids okay?"

I know the member opposite talked earlier about being a grandparent, and think about the process that grandparents go through as well, which is a very important point. We have to make sure the kids are okay.

This bill is about modernizing, making things a little bit easier so we can spend our attention on the children, which is where the most important part of our time should be spent, not filling out paperwork and not sitting in courts.

The Speaker (Hon. Ted Arnott): I don't think there's enough time for another exchange. Further debate?

Mr. Peter Tabuns: Thank you, colleagues. It's an honour to be able to stand in the House and speak today to Bill 207, the Moving Ontario Family Law Forward Act, 2020.

Speaker, you're well aware, and I think everyone in this House is well aware, that families in this province are going through a challenging time. I'm not even talking just about those families who are having to deal with family

law courts. The reality is that parents and children all over Ontario are struggling with the impact of COVID, and it's our responsibility, I believe, not only to defend them from that particular risk, but also to recognize that on top of COVID, many individuals, many families, are having to deal with family disputes and the requirement to enter into a relationship with the legal system.

1520

We need a system that provides people with access to justice. We need access to fairness. That's in the best interest of those families and those children. It's critical. The matters that are dealt with, with this bill, are substantial and critical to those families who are caught up in in the whole cycle of family law and those sorts of decisions. We're talking about the safety of children. We're talking about family dispute resolution and much more.

Speaker, on a regular basis—and it must be true with your constituents as well—I deal with families who are unfortunately and, in many cases, tragically, in a state of conflict over what their future is going to be. As hard as it is on the adults in that situation, there's no doubt it's far harder on the children, so it's very appropriate that this act, this legislation which has had very little change for a long time and needs change—it's a good thing that we do have a bill before us.

Now, Speaker, I'm concerned the bill doesn't do as much as it needs to do, and I'm concerned that there's a context within which the bill will operate that has not been addressed adequately. That being said, even small steps forward are better than steps backward. That's the situation we find ourselves in. What's really unfortunate is that for decades now, both Liberal and Conservative governments have not been making it easier for people to access legal aid, legal assistance. They haven't had the support in Family Courts that they need to actually ensure that there's a fair decision for them, for their children and for their future. That means that we see delays which increase the tension that families are dealing with. We see inequities that mean many people don't get the justice and fairness that they deserve. It's unfortunate that this bill doesn't address many of those issues.

This government has made sweeping and painful cuts to legal aid. In his budget, the Premier took away one third of legal aid funding in a system where people already face challenges getting the help that they need. I don't understand quite how you do that, Speaker, because we know that the need is profound. We talk to those who provide help in community legal clinics. They are swamped. They do the best they can. I talk to a lot of them, and I know that they recognize that there are people falling through the cracks and families not getting the attention or assistance that's absolutely necessary.

We know that legal aid provides help to families, assistance to families, in times of great need, sometimes the greatest need. Unfortunately, because of this government and the government before it, more people have to face this complex system of family law on their own, which means worse outcomes for the family as a whole, and worse outcomes for children. It's not something that

anyone in this chamber right now as an individual would stand up and endorse, because we know we don't want people to be in a situation—we particularly don't want children to be in a situation—where their lives are so much more difficult.

Changes in this bill are overdue, no question, but we do need to see more done to ensure access to justice and equity in the family law system. As my colleagues have said before me, we're supporting this bill cautiously. We recognize its flaws, and we hope that in committee hearings there will be an opportunity to actually address a number of those flaws—obviously, not the flaw of inadequate funding for the legal aid system—so that families, so that children will get the support, the fairness, the equity that they deserve.

It has been said earlier today in this chamber that in 2006, almost 7% of Ontarians over 15 years old had gone through a divorce. That's an awful lot of people. That's an awful lot of families who deal with what can be very bitter, very rancorous, very difficult situations. And even for those—I've been around for a while and I meet a lot of people—for whom things have gone relatively well, there's no doubt that there's an awful lot of difficulty. For many, many people in those situations, the family law courts will play a central role in determining whether or not their lives stabilize, whether or not children are properly looked after, whether there's fairness in that divorce, so that the partners who have separated—they may not ever feel good about it, but they may, hopefully, feel less bitter than they otherwise would have if they're dealt with fairly and they feel that they were dealt with fairly.

Speaker, determination of who has custody of children, determination of how much time the adult without custody or primary custody has access to their child, how much child support is paid—all critical questions that, in part, this legislation will address. But since these life-defining decisions will be made in a court, before a judge, people who appear in those courts and don't have legal representation are at a massive disadvantage. That massive disadvantage can lead to decisions that embitter people, that are clearly and quite obviously unfair, and that are hard on children. That's why those cases have to be resolved equitably and fairly.

Again, those who have spoken earlier today have addressed some of this, but I want to reinforce that the family law system in this province has been in crisis now for more than a decade. As of 2013, the average cost for a basic family law case was \$12,000. That's seven years ago, and I know legal fees have continued to climb. I don't blame lawyers; people have to pay bills. The reality is, costs increase in this society. But if it was \$12,000 seven years ago, one can imagine that it is substantially higher now. At that time, the income cut-off for legal aid for a single person was \$10,800 per year. That is an awfully small amount of money. I can't speak to people from other cities and municipalities and communities in this province, but it would be very, very difficult to survive in Toronto on less than \$1,000 a month. Frankly, it's very difficult to

survive in Toronto on \$20,000 a year. And so the vast majority of people who will need support wouldn't qualify, and that says to me that there is a denial of justice. If you don't have someone with you in court who understands the laws, the procedures, the etiquette, the customs, you are at a huge disadvantage. That is a substantial problem. That means people represent themselves.

I've had the opportunity, from time to time, to talk to judges who have told me how painful it is to watch people who clearly have no sense of the structure of the law and what they have to do in a courtroom, how painful it is to watch them struggle through, undermine themselves, fail to meet deadlines, fail to actually bring forward to the courts those materials, that evidence that would allow a judge to make a reasoned and fair decision. And so what we see are worse outcomes for those individuals and those families. That is a huge problem, in my opinion—a huge problem.

1530

These problems are particularly pressing for mother-led families, who face a high risk of poverty. That risk of poverty is further enforced when they can't secure a decent child support agreement or, in the end, enforce that agreement. The reality is that so often I encounter women on their own, trying to raise one, two or three children, trying to make a go of it on very small, meagre incomes. In this society, the reality is, women make much less than men, and they are put in an impossible position, trying to defend themselves, their interests and the interests of their children.

Now, in the last 10 years, there has been significant study around the crisis in the family justice system, and I'm glad that there has been study. I think it's hard to make a decision about anything without actually assessing the evidence, the facts, and making a decision based on that. The Law Commission of Ontario, the Canadian Bar Association, a variety of academics and legal groups have issued expert reports, which, unfortunately, you can find in the library with a sprinkling of dust on them because they aren't used. That, I believe, is a huge problem.

The Liberal government, prior to this one, commissioned its own review, which was published in December 2016. That resulted in an action plan that was released in 2017. But to my understanding, virtually nothing came of that action plan, which is not unusual for the performance of the past government but is painful and damaging to all those who have to deal with the family law system. The studies were there. The assessment was there. A plan was declared and then simply abandoned. It's probably findable in the library just further down the building.

I see an honourable member nodding, I suspect she may even have read it, and she may have thought, "Hmm, I could have done some of this. I don't know why it was left just to sit in the library."

However, in summer 2019, the MPP for Durham led a review of family and civil legislation regulations and processes. As I understand it, she hosted consultation sessions across the province. The government took written submissions, and it appears that this act is a result of that

consultation that was done. I think that's far better than just bringing forward an action plan that sits in the library. I wish there was more here. I wish the context of proper funding for the legal aid system in Ontario was better set, but that's what we have here.

This bill—this is not a prop; this is the bill—is largely technical. It updates procedures, definitions and alters or codifies legal tests. Those are not bad things. It mirrors some recent changes to the legislation at the federal level. I note a shift in the language of custody and access to parenting orders, contact orders, decision-making responsibility and parenting time; a positive requirement for counsel to encourage clients to try to resolve matters through a family dispute resolution process—that's a good thing; a dispute resolution process including mediation and collaborative practice—also a good thing; a requirement that family violence be considered a matter of the best interests of a child as well as the positive obligation of parties to protect children from conflict arising from litigation, and there's an expanded definition of "best interests." This is something that has been requested by various law associations, including the Federation of Ontario Law Associations, during consultations that were held in the summer of 2019, and that included more defined and streamlined appeal provisions and standardized access to financial records—all good things.

But there are several changes requested by stakeholders that haven't been made here, and there are a few that are notable: a removal of the matrimonial home exception in property division. This was designed to protect women, but I gather it operates erratically. It doesn't always protect the financially weaker party, whether they're a woman or not. There is consensus among family lawyers that this is an issue and should have been addressed.

The bill doesn't include provision of mandatory parenting coordinators. For the moment it's only voluntary. In British Columbia, the court can impose a parenting coordinator, an independent third party that assists with decision-making in high-conflict parenting situations. Unfortunately, there are high-conflict parenting situations, and there needs to be the ability to reach in and reduce the level of conflict so the best interests of the child are addressed.

Unfortunately, the expansion of unified Family Courts, so that a single court can deal with divorce and property division—these exist in some GTA regions, but Toronto has yet to receive one. That hasn't been addressed.

And not in the bill, but I referred to it earlier: The cuts to legal aid haven't been reversed, there isn't an expansion of access to duty counsel, and there isn't the full funding for a functional legal aid system that's going to be needed if we want to have fairness and equity and Family Court hearings and trials that actually allow every party to be heard by someone who understands the law and can properly counsel those who are involved.

I understand that this has been seen positively by family law stakeholders, and this may be one of the few opportunities we get in many years to actually address these issues in this bill. For that reason, Speaker, I'm very hopeful that when we get to committee, when public

submissions are made, the government will be open to amending, as necessary, to maximize this opportunity.

As you're well aware, Speaker, because you've been around for a few years, the opportunity to deal with substantial issues, unfortunately, often comes very rarely, and we should maximize the opportunity to take advantage of those rare sightings.

There's concern that the cuts to legal aid will further slow down processes in courts, and if I didn't say "justice delayed is justice denied" earlier, I'm going to say it now because that's the reality. Constant delay causes frustration, enhances bitterness and makes it far more difficult to come to an equitable and reasoned solution that people can live with.

One of the things that we all on this side feel—and again, I apologize; I'm repeating myself—the bill is supportable, but it needs improvement and I hope the government is willing, when we get to committee, to make those improvements.

And with that, Speaker, I want to thank the House for their attention.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Will Bouma: It's good to rise again in the House. I really appreciate the comments from the member from Toronto–Danforth. I have to say, I miss when we would normally get to sit beside each other under normal circumstances, and I look forward to continuing our conversations where we left off when we get back to that, hopefully, soon.

1540

You spoke to this, and I find it fascinating. I really love the tone in the House this afternoon as we're discussing this legislation, and the calls from the opposition for going a little bit further. I was wondering, with your obvious knowledge of this, if you could speak a little bit further about some of the changes in terminology regarding family stuff, like "custody" to "decision-making responsibility," and if there's anything further that we need to do on that.

Mr. Peter Tabuns: To the member: I appreciate the question, and yes, at some point, we will get to sit beside each other again and occasionally needle each other. That's just the way life is in this place.

I can speak to a number of changes requested by stakeholders that I referred to—the removal of the matrimonial home exceptions, provision of mandatory parenting coordinators, expansion of unified Family Courts—but this is not my area of expertise, I have to confess, and so I don't think I can speak in any depth to language.

But if I can take my time, I can say that one thing that would help tremendously would be a commitment for the government to put the money back into legal aid, so that people can make effective use of the changes that are presented in the bill today.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Jessica Bell: Thank you to the member for Danforth for your presentation on Bill 207. From the stakeholders that have contacted us, one telling statistic

comes to mind, and that is that 50% of people who go through Family Court do not have access to a lawyer. That's to deal with very important things that affect the future of a family, from how to navigate separations, divorce and custody to determining access and determining how much child support is paid. These issues matter.

To the member for Danforth: I'd love it if you could outline to me what, in your experience, are the consequences of not having access to a lawyer when a family goes through Family Court.

Mr. Peter Tabuns: It's interesting, because although there are things that are unique to Family Court, I think there are problems here that one sees reflected in every other sphere of judicial hearings, and that's that a party that does not have a knowledgeable counsel is not going to take full advantage of the protections that are afforded to them in law and, beyond that, is not going to be fully aware of their limitations.

Sometimes you have to know your limitations if you're actually going to negotiate a fair and thoughtful agreement that will hold up. People get unrealistic senses of what they can secure in a hearing without having trained counsel to say, "You are never going to get that. Don't waste your time there. You can actually get something here that's within the law and within your power. Take advantage of that," so I think the opportunity for settlement is reduced.

I think the other thing that's important is that it slows down and gums up the whole system. I know people express their frustration over delays in court hearings and the delay in the ability to get a hearing. That means that the system overall is undermined and generates more anger than light and agreement.

The Speaker (Hon. Ted Arnott): Next question?

Ms. Lindsey Park: From the first notice we put out of consultations in the summer of 2019, we acknowledged the unified Family Court needs to be expanded further across the province. We actually said, "We don't need to hear that from you. We already know that." That's why we've been working with the federal government on expediting that. We, in 2019, expanded it to eight more locations across the province.

So I just wanted to ask the member opposite, and the whole team opposite: Will you stand with us in working with the federal government to expand Unified Family Court?

Mr. Peter Tabuns: Far be it from me, member, to make up party policy on the fly.

Mr. Wayne Gates: Good try, though.

Mr. Peter Tabuns: Good try. But I can say that it would be good work on the part of the federal government to assist Ontario in expanding the courts.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Jessica Bell: This, also, to the member for Danforth: We've had numerous stakeholders reach out to us to express some of the pieces of this bill that they like and also identify some measures that should be included in the bill, some reforms that should be included in the bill. Can you summarize what you're hearing from stakeholders about what should be in this bill?

Mr. Peter Tabuns: Thank you to the member for that question. It's not just a question of what should be in the bill. It's a question of what supports there should be in society that will make the bill more effective and make this process, which is already very painful for people, less painful than it has to be.

Clearly, as I had said before, removal of the matrimonial home exceptions and property division is something stakeholders are very concerned about, something that could be addressed within the bill.

Provision of mandatory parenting coordinators: again, something that could be provided for in this bill. In those cases where it is very difficult to bring the parties together, to get them to look beyond their own individual, personal interests and think about how to operate in a way that makes things best for children, having a provision for mandatory parenting coordinators could be very helpful.

I have to say, when people are going through these separations, the pain is quite profound and the anger can be quite profound. The ability to reach in and actually help people come to an agreement is something that I believe would make a big difference in this society; not inside the bill but outside the bill—the framework within which the bill operates.

As I've said before, reinvesting in Legal Aid Ontario, upping the limits so that more people can access it, would itself make a huge difference in terms of the operation of the courts and the outcome of decisions.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Lindsey Park: I would like to just put it back to the member opposite. He said he'd like to see some more things in this bill, that he likes what's in here but he perhaps would add some amendments to add some specific things in. I would love to know what those things are. Perhaps he can write to me after our debate today with what those specific items are.

The topic of the parenting coordinator did stand out in the speech to me. I wouldn't say I've made my mind up on that, Speaker. Certainly what's in this bill is what we heard the most from stakeholders as we toured the province. Some did mention this idea of making parenting coordinators something that the courts can mandate in certain circumstances. I am hesitant to force it on people. It does take two willing parties to make that work. But I'm open to the proposal.

Anyway, I just wanted to give the member from Toronto–Danforth the opportunity to speak to what he specifically would like to see changed in this bill.

Mr. Peter Tabuns: My appreciation to the member for asking that question. I had earlier touched on matrimonial home exceptions, mandatory parenting coordinators, and I understand your concern and reluctance as to whether that would work in every case. But giving the courts the power to at least put it on the table and move things forward—I know there would be some cases, unfortunately and tragically, where it will not be able to find a meeting of the minds. But the ability to actually step in, I think, would increase the number of cases where a resolution is found that is less painful.

Obviously, flexible assistance for family litigants: Expanding Legal Aid Ontario is one thing I've referred to, but expanding the access to social workers, paralegals, so that even where the most expensive option isn't available, people have some options.

And you haven't got it in the bill, but investing in more technological solutions to facilitate people's access to the process would be a positive.

The Speaker (Hon. Ted Arnott): I'm going to ask for further debate.

Hon. Stephen Lecce: I rise in this chamber to support my colleague the Attorney General and the parliamentary assistant to the Attorney General and the legislation that they have brought forth, the Moving Ontario Family Law Forward Act.

1550

Speaker, I'm addressing this chamber as the member for King–Vaughan, but in my other role as Minister of Education and the minister responsible for child care in this province, I can tell you that many stakeholders have told me that serious disputes within a family, such as custody battles or fights over child care, can be incredibly damaging to a child's self-esteem and their overall academic performance.

We owe something to the youngest Ontarians. We need to ensure that they are protected, and that starts by simplifying an outdated and overly complex family law system, by modernizing the language, simplifying some of the appeal routes and improving the online Child Support Service experience.

The changes outlined in this act are rooted in common sense. They were developed after extensive consultation with parents, with child protection advocates, family lawyers, arbitrators and mediators.

If passed, this bill will accomplish three fundamental aims: The first is to make the family law appeals process clearer and easier to navigate by clarifying when and how to appeal family law cases and to help families reach final decisions faster, and generally make the appeals process more consistent; the second is to align Ontario's family laws with the federal changes to the Divorce Act; and the third is to allow parents and guardians to obtain certified copies of child support notices from the online Child Support Service so that support amounts can be easily managed and enforced outside of this province, which is critical. If these changes are passed, they will allow parents and guardians to spend less time on paperwork and court appearances, and more time making plans to support and to care for their child.

A good example of this is our government's planned expansion of the dispute resolution officer—the DRO—program. DROs are senior family lawyers appointed by the Superior Court of Justice to hear first-case conferences when a person wishes to change an existing order. They can help people who are involved in family law disputes to narrow the issues in their case, reach or come close to an agreement, and provide an early and neutral evaluation of a case. Clearly, DROs are beneficial for many reasons, the biggest being that they provide families with an alternative to time-consuming and expensive court battles.

The DRO program currently operates in Barrie, Brantford, Durham, Hamilton, London, Milton, Newmarket, St. Catharines and Toronto, and based upon consultation with the Supreme Court of Justice and a consideration of other factors, such as the overall volume of family proceedings, we believe it makes sense to expand the program to Kitchener and, yes, to Welland. Speaker, our government will always put families and children first; expanding the DRO program is part of that commitment.

Another key change the AG is proposing is to the online Child Support Service. Now, currently, parents and caregivers can set up and change child support payments without going to court through the online Child Support Service. However, in some cases, parents or caregivers may need a certified paper copy of a notice issued by the service, particularly if they are trying to register or enforce or change child support amounts within the province or outside the province.

With this change, parents can request and receive certified copies of support payment notices directly from the service. This would make it easier and more affordable for families to manage or enforce child support amounts outside this province. These are just a couple of examples from this piece of legislation.

I'm pleased to inform my colleagues that the Attorney General and the parliamentary assistant's thoughtful and timely legislation has received some extremely favourable commentary from stakeholders in the family law community. For instance, Sam Misheal, the chair of the family law committee at the Federation of Ontario Law Associations, had this to say: "The Federation of Ontario Law Associations welcomes changes designed to simplify and streamline the appeal routes for family law cases, as well as amendments to make the province's ... system more accessible to Ontarians."

Similarly, Frances Wood, the chair of the Ontario Bar Association family law section, said this: "The Ontario Bar Association has been a strong advocate for changes that streamline and remove barriers to the family law system to increase the public's access to the help they need from lawyers. We commend the Attorney General for offering clarity and equal application of laws to married and non-married spouses by responding to our call for consistency between provincial and federal laws following changes to the Divorce Act."

Speaker, I could also quote Kathy Dunne, the president of the Ontario Association for Family Mediation. Ms. Dunne said, "The OAFM is pleased to offer our support of the proposed amendments to the Children's Law Reform Act, and other Ontario statutes as a result of the changes to the Divorce Act. We support the update to the parenting terminology and believe that changing 'custody' to 'decision-making responsibility' is more representative of parenting that the proposed term refers to. Clarity regarding what constitutes violence and the introduction of measures to assist the courts in addressing family violence are much needed and appreciated amendments."

I commend my colleagues the Attorney General and the parliamentary assistant for their thoughtful consultation

with these stakeholders. Quite clearly and quite evidently, those on the front lines of ensuring justice support these measures. The quotations I've just shared indicate that they have listened to the family law community, and this legislation provides some timely and necessary updates to Ontario's system of family law.

If passed, the Moving Ontario Family Law Forward Act will result in a more relevant and accessible family law system for all of us. I'm pleased to offer my support, and I urge my colleagues on both sides of the chamber to do everything they can to ensure justice and access, affordability and dignity for these children who are often put in the middle of very difficult circumstances.

The Speaker (Hon. Ted Arnott): Questions to the Minister of Education?

Mr. Chris Glover: Mr. Speaker, through you: One of the biggest barriers to accessing legal services has been the lack of funding for legal aid. The government's decision to cut 30%, or \$130 million, out of legal aid services in Ontario has made it very difficult for many low-income and middle-income families to be able to afford legal aid services. It's actually causing delays in the Family Court system, because parents come and they don't have the correct documents because they don't have any legal support or advice.

Will the government consider restoring the legal aid cuts that they made?

Hon. Stephen Lecce: Thank you to the member opposite for the question.

Obviously, what the Attorney General has noted is that the government has increased the eligibility threshold for legal aid in each and every year of our government, which I think is important, creating more access to more Ontarians who will need that support in their pursuit of justice.

The second point is that this bill is largely about making the system, from an end user's perspective—for a parent or a guardian—easier to navigate, reducing the complication, duplication and just making the system more responsive to the needs of the child and for the family. That's the basis for these changes, and it's the reason why the government has the support of so many critical stakeholders in the family law community.

The Speaker (Hon. Ted Arnott): Next question?

Mr. Randy Pettapiece: I'd like to ask the Minister of Education this question.

Our government is making it easier, faster and more affordable for vulnerable Ontarians to resolve their family law matters. Family law arbitrators play an important role in appropriately diverting people from an adversarial court process, to help bring resolution to difficult family disputes.

Can the member please explain how the government removing the requirement for family law arbitrators to submit a report to the ministry maintains accountability in the family arbitration system?

Hon. Stephen Lecce: Thank you to the member for the question.

Not surprisingly to this House, the former government introduced unnecessary burdens on the justice system that

just made the cost to these families—it increased the costs, the red tape and the headache at a really difficult time in their lives.

To be clear, the government does not regulate arbitrators in Ontario. The reporting requirement existed from the former government. The red tape requirements have now been in place for over 10 years, resulting in a decade's worth of reports that have been piling up at the ministry, which, again, does not regulate arbitrators. Ontario is currently the only jurisdiction in Canada that requires these reports. Removing this requirement is common sense, as I noted at the top of my remarks. It will save time, and it will reduce the burden and, ultimately, it will improve the experience for family law participants.

1600

The Speaker (Hon. Ted Arnott): Questions?

M^{me} France Gélinas: Mes commentaires sont par rapport aux francophones qui veulent avoir accès aux services en français de « legal aid. » En ce moment, avec les coupures de 130 millions de dollars qui ont eu lieu, plusieurs bureaux n'ont plus l'accès aux services en français. Ils ont perdu leur personnel qui pouvait offrir des services en français.

Est-ce qu'il y a quelque chose dans le projet de loi 207 qui va ramener l'accès aux services en français pour tous les francophones de l'Ontario qui ont droit au système de justice en français dans notre province?

Hon. Stephen Lecce: The bill provides an enhancement to the navigation for English and French for all citizens of this province. We really do believe that the system that supports family law was simply too cumbersome on the end user, on the parent, on the individual going through it. We recognize that every citizen—of course, speaking both of our official languages—needs timely access to justice where we do not create needless impediments and likewise needless burden on the state and on the participants. So these changes benefit all citizens from all regions, speaking all languages. Everyone will be better off as an enhancement to this reform, and that is something that we feel very strongly for young people, for these children who are often in the midst of these great difficulties.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Will Bouma: It's a pleasure to have the Minister of Education speak to this bill today. It's my understanding that many of the changes that we are making here are to bring our laws into alignment with the federal Divorce Act changes that are coming in place in March 2021. I was wondering if the minister could give us any more insights into how these important reforms will make access to justice easier to navigate, from his lens as the minister.

Hon. Stephen Lecce: The government is proposing changes to family law so that they are consistent with recent revisions to the federal Divorce Act—I think that alignment is really critical—such as changing terminology like “custody” to “decision-making responsibility,” changing text like “access to” parenting time or “contact” to decrease conflict in family law matters. These proposed changes will ultimately eliminate confusion across the

board, different levels of government and different systems by which someone has to navigate, and will ensure timely results for those parents and their children, and help reduce the physical burden on the courts as well.

The federal government underwent days of public hearings, heard from dozens of stakeholders across the country, that largely informed where the federal government landed on important issues, like how we define custody and access, best interests of the child and more. These changes align with that reform of the act.

The Speaker (Hon. Ted Arnott): The member for Spadina–Fort York.

Mr. Chris Glover: When this government inherited the legal aid system two years ago, it was grossly underfunded, and then you cut 30%. When I asked about restoring the 30% cut that you made, the response was that we decreased the eligibility criteria every year. So right now, for a single person, if you make \$10,800 a year or less, then you're eligible for legal aid. If you increase that a little bit, that means more people can access legal aid. But you've made the pie 30% smaller, so people who are accessing it get less service. What's happening at legal aid clinics—and you can speak to any in your riding or in my riding—they do not have the capacity to serve the family members and the other people who come to them for assistance.

It's important to provide greater access to legal aid, but there has to be legal aid services supported and funded by the government for them to access. I'll ask again: Will the government restore the 30% cut to legal aid services?

Hon. Stephen Lecce: We're going to continue to ensure that we expand eligibility, making more individuals able to receive the funding. More importantly, in the context of this bill, which is prescriptive to improving the navigation of the law and removing the differences amongst the federal and provincial levels, it's about improving that experience and making it easier for the end user, better for the parent and, really, for the child, who really should not be in a protracted, costly, long experience just to reach a settlement after a long period of time. So the critical elements of this bill focus very much on improving that experience, on making it more nimble, and I believe that is important.

Obviously, all of these issues interrelate, and that's why I think it's quite prudent for the Attorney General and the parliamentary assistant to have announced expansion of the eligibility of legal aid for more Ontarians. That is a positive step towards justice for all Ontarians.

The Speaker (Hon. Ted Arnott): Questions?

Ms. Lindsey Park: Part of our changes in this bill here are having to do with mediation and encouraging that as one of the ways that you can resolve disputes without need for a court system and a long court process that is often costly, expensive and adds unnecessary stress, additional emotional strain, to families that are already going through one of the most difficult periods of their lives. I just wondered if the minister, the member for King–Vaughan, could comment on how encouraging mediation can help

families to respond to their disputes, and particularly some of the stakeholders who have spoken in favour of that.

Hon. Stephen Lecce: I'm always humbled when I get asked a question from an eminent lawyer. I will note that we're working with the courts to expand the dispute resolution officer program, expanding it beyond the municipalities that currently have it, to Kitchener and Welland. That is going to make it more accessible to critical masses of population that are expanding and living in those communities. That's really an important part of access to justice, which is critical. And Speaker, we believe that by utilizing dispute resolution, we really minimize the impacts on the courts and improve the ability to get results for—

The Speaker (Hon. Ted Arnott): Thank you very much. Further debate?

Mr. Sol Mamakwa: Meegwetch, Speaker.

Remarks in Oji-Cree.

I'm happy to rise on behalf of Kiiwetinoong to make comments on Bill 207, the Moving Ontario Family Law Forward Act, 2020.

I'm aware that this act is making a lot of technical changes within family law. It updates procedures and definitions and slightly alters legal texts. I can't help but remind myself when we're making these legislative changes at Queen's Park—I know this is important. Sometimes I wish we were talking about something else. I always talk about as simple a thing as clean drinking water—I wish we were talking about that. But again, we're not here for that. I was mentioning today that I have this First Nation that has had no access to clean drinking water for 26 years. I wish we were talking about that, but we're here, talking about the Moving Ontario Family Law Forward Act.

But one of the things I can say, though, is that some of these changes certainly are welcome. We've been told by legal professionals we've spoken with that they were glad to see some of these changes. But they also tell us that there are missing parts. This bill obviously—again, everybody knows that it has three schedules. The first amendment, the Children's Law Reform Act, to change the definitions and the terminology relating to custody and other matters—but it also adds a few very important amendments, like the statutory definition of “best interests” of a child. We know this bill also requires that family violence be considered as a matter of relevance to the best interest of the child, that the children be protected from conflict arising from the litigation, and that there's a requirement that counsel encourage their client to resolve matters through other dispute resolution processes that are in place, including mediation.

1610

I know that schedule 2 of the bill amends the Courts of Justice Act to clarify the appeals procedure of family law matters. Before this, there was a mixture of legislation and case law. These changes clarify and streamline the appeals procedure. Finally, schedule 3 of the bill amends the Family Law Act to require the Minister of Finance to

provide the court with certified copies of notices of calculation for child support matters.

Many of these changes are aimed at making family law more efficient and streamlined. There is more that could have been done to truly help families.

We have to understand. I come from a very, very unique riding. I have 31 First Nations that I represent in my riding. I have four small municipalities. I represent approximately 33,000 people. When we try to access courts, that requires some flights; that requires organization on access to courts. I know sometimes it does not reflect how it impacts First Nations and Indigenous people off-reserve.

I was listening to this ruling, just on Friday, regarding Pikangikum First Nation from the judge in the Kenora court, which is where everybody goes to jail if you're in northwestern Ontario. When we talk about fairness, when we talk about access to fairness, access to justice—right off the bat, if you're from my riding, if you're from our communities, the fly-in communities, there is no justice because there is no access.

When we talk about the best interest of families and children, that is an issue. Sometimes when we're on-reserve and in fly-in communities—there are 700 people in a community and a flight to Sioux Lookout is \$400 to \$500 one way, and the return flight is \$800. If you want to attend Family Court, that's a very different issue. Again, there's no fairness in that.

But even though section 15(1) of the Canadian Charter of Rights and Freedoms provides—and it says, “Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”

Right off the bat, we're two or three steps behind with any system, any legislation that is in place here. That would be the same with this legislation, with this bill.

I mean, I heard consultations happening back in the summer of 2019. Consultation means a lot of things for a lot of people. There's government that has their definition, and there are organizations that have their own definition of consultation, and then our communities have their own ways of consultation where you actually have to fly up. When we talk about consultation on anything that pertains to Ontarians, and specifically if it is Kiiwetinoong, what is that consultation process, whether it's lands and resources, whether it's family law, whether it's education, whether it's child welfare or also even health?

I know one of the things that happens in this House: We are never, never consulted by this government. One of the things I've realized since I've been here is that we are not stakeholders. Ontario is a signatory to the treaty where I come from, treaty number 9. Ontario does not treat us as partners. Yes, there's funding to communities, whether it's COVID funding—some numbers get thrown around, whether it's \$37 million for First Nations in Ontario, yes, but that kind of funding is—I don't know what to call it. Incremental change in our First Nation communities or funding of programs is—what do you say?—perpetuation

of colonialism on our people. That's the way the system works, and it works against us. Again, when we talk about—I heard one of my colleagues say, “Justice delayed, justice denied.” I know that it keeps happening. It's perpetual.

Yes, I do have concerns about this bill, especially, again, the impact on marginalized communities such as First Nations in my riding. Bill 207 doesn't remedy the need for access to Indigenous justice where systemic issues already exist. I spoke about, you know, that it's two steps back, three steps back on anything that we do.

I don't mean to complain. I feel like a complainer sometimes when I bring issues up, but it's my responsibility to bring up these issues that this system does not acknowledge. This system that's here does not acknowledge the partnership, the true partnership that is required for First Nations that have treaties with Ontario.

I can remember back when the legal aid cuts were made. Again, there was a huge outcry on it. I'm sure we all remember that, Mr. Speaker. The Indigenous people of Canada and in Ontario have inherent rights to justice, but with further cuts to legal aid services, what happened? Our rights slipped further away.

1620

I see things from a very different lens. I see things from a very different view. I see things from a very different angle from where you guys, all the members in this House, see them. We've been here for thousands of years, and with the teachings and how we were brought up, how colonization works, how colonialism works is just in your face.

Again, Bill 207 further strips away our rights, which are internationally recognized and further recognized by the United Nations Declaration on the Rights of Indigenous Peoples. We need to understand. We need for Ontario to uphold the notion, as stated in article 4 of UNDRIP: “Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.”

I think it was in March 2019 I submitted my private member's bill, passed by second reading. Everybody stood up in support. Everybody stood up and supported it, even the other side, the government side. Everybody stood up. I felt good. But it hasn't been sent to committee. That's the way; that's colonization. That's colonialism 2.0 right there, and we've been living through that year after year, government after government, no matter what colour, no matter which party. That's how it works. For me to come and—again, I've been working to bring this UNDRIP to Ontario, but this bill—I'm not sure how the process works on the other side. It has been stuck at the committee stage.

One of the things I ask is if you're working to improve access to the justice system for all Ontarians, why does this government think it's wise to cut funding to legal aid and not make the necessary changes in the great riding of Kiiwetinoong to improve access to justice? Why is the United Nations Declaration on the Rights of Indigenous Peoples not at the committee stage yet?

We need to be responding to systemic racism. It exists here. I see it. It's in my face every time I come in here. We need to be able to respond to it. We have good people here. I talked to some of the fellow MPPs across the way; they're good people, but the systems that they fall under, the policies that they follow with regards to Indigenous people—there's racism there, period. It's the system. The machinery of government that's in place here is racist, systemically.

Again, I want to go back to the ticket I was talking about, the air trip ticket. I said I have 24 fly-in communities. They're not accessible by road. We don't have highways; we don't have roads. I know for every one of you, except for the member from Mushkegowuk—James Bay, there's a payment that you have to do to access these communities. That's the difference between you and I. You have provincial highways. We have airlines; we have airports. That's the difference. There's a community of Port Severn. That's the most northerly community in Ontario. I was talking with them earlier today. A trip from Port Severn to Thunder Bay is around \$2,000 return—\$2,000.

It's not news that northern Ontario lacks access. The communities in the north have very unique needs in the justice system. There are many legal aid services that are delivered with fly-in courts. The judges fly in planes to do day courts. It's a fact. The vastness of our jurisdiction makes it hard to access the usual justice resources. This is why in the north we have Nishnawbe-Aski Legal Services, to have the restorative justice program based on tradition, involving extended families and resolving disputes and incorporating the beliefs, the values, the customs and the practices of our people. We had our own system before. This is a foreign system I'm talking about, the Moving Ontario Family Law Forward Act. This is a very foreign system for me.

That's all for now. Meegwetch.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Chris Glover: I think we're all, on both sides of the House and all of the members here, really privileged to have MPP Mamakwa here in this House to hear his experience. He brings an experience from Kiiwetinoong. He was born in a fly-in community in northern Ontario. He's probably the only member of provincial Parliament in this House that speaks Cree, which is the first language, geographically, in the largest percentage of this province, I would guess. I'm just guessing, but it's certainly in a very large percentage of this province. So thank you very much for your words, and thank you for talking about this.

You were talking about the colonization and how our system is automatically racist in that we don't acknowledge the diversity that we have in this province. You were talking about how there was a consultation here, but did the consultation involve First Nations communities? Did it talk about what First Nations communities need, particularly in the Far North, in order to improve family law services?

Mr. Sol Mamakwa: In our way of life, our elders pass down stories. One of the stories that they have is—I'll talk

about a moose because it's moose season where I come from. So moose are gathering. They have these cows and the calves coming together—no, actually it's the bulls coming together, and they're talking and whatever. This is one of the legends. They come together and they say, "Do you know what?" They were planning an annual meeting. So they're talking about summertime. The bulls are talking together. The cows come in and say, "Do you know what? Why are you guys meeting in the summertime? There are so many bugs. Why don't we meet in the fall, when there's less bugs?" That's why the rutting season is in the fall. That's consultation: You talk to everyone. That's a story I can give that's very unique. That's our culture, to be able to tell those stories.

1630

The Speaker (Hon. Ted Arnott): Questions?

M^{me} France Gélinas: I'd like to thank the member from Kiiwetinoong for sharing his thoughts. I always learn a lot from listening to what you have to say. Something that you were very insistent on is that First Nations are not stakeholders, and the province has a duty to communicate in a way that is respectful of First Nations. And for the members on the other side to stand up and say, "We had a consultation; therefore, all is good"—I want you to share with us in the few seconds that you have the importance of talking to First Nations and the importance of respecting First Nations when the government engages in dialogue with First Nations.

Mr. Sol Mamakwa: Meegwetch for the question. Our communities are very unique. My home community of Kingfisher Lake—in 1976, it had band status, First Nations status. We were a band. We were funded by the government to build schools in the rural community. But before that, we were part of Kitchenuhmaykoosib Inninuwug, which is Big Trout Lake, where all the surrounding communities were there.

With the creation of reserves, the creation of schools, the creation of churches, the creation of welfare programs in our communities, we became dependent on the governments. But not only that, the Ministry of Natural Resources created traplines, and all of a sudden, we're confined to this area whereby we had a system of how we share the land. Again, that's colonization, colonialism 1.0.

The system of conquer-and-divide is there, but I think we just need to talk to the leadership, talk to the communities, at each community, if you want to engage with them. It's really important. Otherwise, we're not going to ever move forward.

An example is the Ring of Fire. Without talking to any other communities, no Ring of Fire; it's as simple as that. You've just got to talk to everyone. We've got to be able to share the benefits of what's happening, whether it's development—and that's what partnership is.

The Speaker (Hon. Ted Arnott): The member for Brantford—Brant.

Mr. Will Bouma: I'm very pleased to be able to ask a question of my friend from Kiiwetinoong today because I'm always so impressed with the perspective that he brings to this place. I always want to learn about those things.

So getting back to Bill 207, the Moving Ontario Family Law Forward Act, I was wondering if he could, from his perspective and from the justice system and how it works in your communities—what are some edits or comments that you could make specifically on how we could do better on family law in relation to your communities.

Mr. Sol Mamakwa: I think one of the ways is, we don't have access to courts. We don't have access to a justice system. Perhaps one of the ways is the 30% cuts to legal aid—because we come from marginalized communities, I think bringing back the 30% cuts to legal aid would certainly really help the First Nations, the Indigenous communities in the Far North.

The Speaker (Hon. Ted Arnott): Questions?

Mr. Wayne Gates: I always am thrilled to listen to my colleague talk about his community and what First Nations go through all the time.

You can't be a partner unless you have a dance partner. Unfortunately, in the province of Ontario, I believe First Nations don't have a dance partner. You can see that over a number of years, when you don't have clean drinking water—we're still boiling water in this province—when you don't have schools that don't have mould in them.

The 30% cuts to legal aid probably hurt your community as much as any community in the province of Ontario, so maybe you can talk about that and give some examples of how hard that is—on getting the justice that they deserve with the cuts to legal aid.

Mr. Sol Mamakwa: Last week, I stood up here and explained, during a member's statement on Orange Shirt Day, when we talked about residential schools, that our families, individuals still feel the intergenerational impacts on our communities. Whether it's addictions, whether it's mental health issues, whether it's other social issues that they face because they were taken away so early in life that they didn't—the teachings that we have, with values about how to love your family, the traditions, the language that we have were lost. The intent was to kill the Indian in the child.

Regular court, whether it's bylaw court or—it's really difficult, under COVID-19, right now, because they cancelled court, because the courts and the judges have to fly in the lawyers—they have day court; you fly in. It's people coming in from the outside—and otherwise, you just stay where you are.

Giving communities equitable access to these services is so important. We're already four or five steps behind, when we talk about justice in Ontario. We're already behind in the systems in this place we call Ontario.

The Speaker (Hon. Ted Arnott): Further debate?

Ms. Peggy Sattler: It is always a pleasure to rise, on behalf of the people I represent in London West, to participate in the debate in this Legislature. The bill we are debating is Bill 207, the Moving Ontario Family Law Forward Act. As my colleagues who have already spoken to the bill have said, and as my colleague the member for Hamilton Mountain indicated, who delivered a very compelling and informative lead on behalf of our caucus, we will be supporting this bill.

It is important to align provincial family law requirements with federal Divorce Act requirements. The reason for that is that people who are married have access to the Divorce Act, but when a marriage breaks down, they may want to discuss parenting arrangements—they have to wait a year for a divorce, for one thing, and they have to pay for a divorce—and so they go through a provincial family law court. People who aren't married don't have access to the Divorce Act, so they also have to go through the provincial family law court. The provisions in those two pieces of legislation, federal and provincial, should be consistent, because otherwise it could well be argued that there is discrimination against people based on the nature of their relationship.

1640

I want to give an example of that. In March 2017, a couple of years ago, I introduced a private member's bill called the Family Law Amendment Act (Support for Adult Children). The reason for this private member's bill was that the Divorce Act required a non-custodial parent to pay support payments for an adult child with a disability for as long as that arrangement was in place. Provincially, that requirement to pay family support was only in effect so long as that adult child with a disability was in school full-time. Clearly, this discriminated against families on the basis of whether they were married or in a common-law relationship, and it denied adult children with disabilities access to the family support payments that they needed in order to live their lives.

That private member's bill was happily picked up by the Liberal government at the time, and that amendment was made to the Family Law Act. So I am pleased to see further amendments being made to the Family Law Act to achieve that consistency that I mentioned is so important, especially around parenting arrangements. This is something that all of us as MPPs deal with on a daily basis. We have constituents coming to our offices who are struggling. Often, they are lone parents, they are single mothers who are raising their children and there is a Family Court support order in place, and they're not getting those payments. They're having to go through the Family Responsibility Office to try to get the financial support that the court has ordered.

Recently, my office dealt with a case through the Family Responsibility Office where the non-custodial parent, the father, had moved to Alberta, owing \$200,000 in uncollected family support orders. Fortunately, we were able to work with that family, work with that mother who was in desperate need of that \$200,000 that was owed to her. Eventually, over the period of a year or more, we were able to track down—

The Speaker (Hon. Ted Arnott): I apologize to the member for London West.

Pursuant to standing order 50(c), I am now required to interrupt the proceedings and announce that there have been six and a half hours of debate on the motion for second reading of the bill. This debate will therefore be deemed adjourned unless the government House leader directs the debate to continue.

Hon. Paul Calandra: I know the member opposite is very passionate about the issue, so it would be in the best interests of the House to continue debate.

The Speaker (Hon. Ted Arnott): Again, I recognize the member for London West to continue the debate.

Ms. Peggy Sattler: Thank you very much, Speaker. I was just sharing the story of a constituent who was owed \$200,000 in outstanding family support orders. Over a period of years, the mother had been trying to deal with the Family Responsibility Office on her own. Then when my staff worked with that parent, we were finally able to get that settlement, the money that was owed to the mother, paid. These are the issues we deal with on a daily basis, and so we welcome any changes that are going to make it easier for families, for parents to navigate the family law system.

But, Speaker, I want to focus the majority of my remarks today on issues relating to family law, the Family Court process and domestic violence or intimate partner violence. I want to give a shout-out to Peter Jaffe, who is an internationally renowned scholar and researcher in my community, who works for the Centre for Research and Education on Violence Against Women and Children, for his remarkable and exemplary work on the impact of domestic violence in child custody decisions. He has been working on these issues for decades. This is not something that is a recent concern that people have just become aware of, the problems with the Family Court system when there's domestic violence involved.

Peter Jaffe and his colleagues have worked tirelessly to make sure judges are aware, that family law lawyers are aware, that mediators are aware, that anybody who is involved in custody disputes understands the essential differences between custody disputes when there is an allegation of domestic violence and custody disputes when there are no allegations of domestic violence. In particular, it's important to understand—and this has all been corroborated in the research on many different occasions—that when there is intimate partner violence in the home, a child is affected. It does not matter whether the child witnesses the violence or not; there is a direct and adverse impact on the child from living in a home in which there is intimate partner violence. That's why it is so important that domestic violence be taken into consideration as a factor in determining the best interests of the child. As Dr. Jaffe has shown, it's also critically important to educate, to do the training that is required for all of those different professionals who may interact with families as they go through the court process, to really understand how you determine the best interests of the child in the context of intimate partner violence.

On that note, Speaker, I wanted to share some concerns that were raised by Pamela Cross, who is the executive director of Luke's Place. I know the member from Durham will be familiar with Luke's Place and familiar with Pamela Cross, who has been an outstanding advocate for women and children in Ontario who have experienced intimate partner violence or gender-based violence. She points out that there are some good things about Bill 207.

She says, “Those of us those who work with women fleeing abusive relationships are pleased that ... the government is moving ahead” with this important bill. Then she also states that, “Many clauses in Bill 207 will significantly increase the likelihood that women with children who are leaving an abusive partner will be able to obtain a parenting order that keeps their children—and them—safe and able to move on to lives free from abuse and threats of abuse.” Certainly that is a goal that we all share. That is an important aspect of this legislation that we welcome.

However, Pamela Cross goes on to raise some concerns, and she does point out how Bill 207 could definitely be better. She notes, “The decision-making clauses ... can order that one parent have primary responsibility for making ‘significant’ child-related decisions ... but that either parent, during parenting time with the child, has ‘exclusive authority’ to make ‘day-to-day’ decisions,” which might create a conflict as to who is making decisions about what, so there are certainly reasons to take a very careful look at the language of the legislation and clarify what is involved.

She is also concerned that the language in the bill is too vague and that it could allow an abusive former partner to manipulate their “exclusive authority” to make decisions about the child and use that in the conflict with the former spouse who is experiencing domestic violence. So it’s really important that we dissect the language of the bill and think carefully about the implications, especially in cases of domestic violence.

1650

Pamela Cross, as my colleague the member from Hamilton Mountain pointed out, also situates this bill in the context of other actions that have been taken by this government that do not support the ability of women who are fleeing abuse and their children to move forward with their lives. In particular, as has been mentioned already this afternoon, the cut to Legal Aid Ontario, the one-third cut in that budget, is devastating. It’s devastating to low-income people, many of them women, who are seeking support from Legal Aid Ontario.

Pamela Cross made a submission to this government when Bill 161, the Smarter and Stronger Justice Act, was taken to committee, and her submission was called “Bill 161: Neither Smart Nor Strong,” because what that bill did was undermine the ability of women who were fleeing violence, who were in a very, very vulnerable position in their lives, whose children were in a very vulnerable position—it undermined their ability to access the legal support, the help that they need to navigate the Family Court process.

The final thing I want to say about Pamela Cross, and this is one of the reasons that she may be known to members of this place, is that in 2011 she and other violence-against-women advocates worked with the Ministry of the Attorney General—at that time it was actually under a former Conservative government—and they introduced the Family Court Support Worker Program. Actually, 2011 was not a Conservative government; it was a Liberal

government. But anyway, they introduced the Family Court Support Worker Program.

That program has really been invaluable for women’s shelters. We have seen in this pandemic an estimated 20% to 30% increase in demand for the services of women’s shelters. But the Family Court Support Worker Program funds maybe a quarter of a position, a half position. It funds some time from a designated worker in the shelter to help clients who come to seek safety to help them navigate the Family Court process. These workers receive specialized training, not legal training. They don’t provide legal advice, but they provide assistance in terms of all of the different processes in the Family Court system. This is the kind of example of a program that would really provide meaningful support to women who have experienced intimate partner violence and who are trying to navigate the support system.

So, Speaker, our support for this bill would be very much enhanced if we saw some meaningful resources put in place to accompany the changes that are set out in Bill 207, and in particular, beefing up a program like the Family Court Support Worker Program. Basically, that program has not received any increase in funding for a number of years, and yet it has really demonstrated how vital it can be to enabling women fleeing violence to navigate the Family Court system.

So we offer that suggestion on the Family Court Support Worker Program, and I hope that when this bill goes to committee, this government will hear more about programs like family support worker and other kinds of resources that can be put in place, particularly to assist families that are dealing with domestic violence, but also the whole legal aid system. I know my colleague had asked the government directly, twice, whether they were prepared to restore that 30% cut to legal aid funding that had been implemented. That would make a huge difference, not just to families who are dealing with domestic violence, but to all low-income Ontarians who are seeking access to justice.

We know in particular with the Family Court system that so many of the people who use the Family Court system end up having to represent themselves. That further clogs up the courts, because they don’t have the knowledge or the expertise that would help them navigate quickly through the process. So restoring legal aid funding would be very helpful for those families for whom mediation or alternative dispute resolution is not an appropriate option, because there will be cases where families continue to have to use the Family Court system and they should not be denied access to justice through Family Court because they can’t afford it.

Access to justice is a fundamental principle of any democratic society. That’s why the legal aid system was established in the first place, recognizing that people who don’t have the financial means should not be denied the opportunity to go through the court system to achieve the restitution and the acknowledgement of the harm that they may have experienced, the injustice that was done to them. So it’s very important that we look at ensuring that those tools remain available to every Ontarian, in order that they

can exercise their democratic rights, which are enshrined in our Constitution and are fundamental to our ability to participate in a democracy.

With that, Speaker, I will conclude my remarks. Thank you.

The Speaker (Hon. Ted Arnott): Thank you very much. Questions to the member for London West?

Mr. Chris Glover: I want to thank the member for London West for her comments. My question is, is there an inequity in this access to justice, particularly the legal aid cuts, for women seeking justice and women accessing the Family Court system? It seems from your comments that women would be more impacted by those cuts and by the lack of access to the Family Court system than men would be. Is that your experience or is that what your understanding is?

Ms. Peggy Sattler: I want to thank my colleague for his question. Certainly the statistics are irrefutable that the majority of people who experience domestic violence are women, and the most lethal violence is also experienced by women.

When women are fleeing an abusive relationship with their children and are having to navigate the Family Court system, they are in a very, very vulnerable situation. We know, in fact, that the most significant violence in an abusive relationship occurs immediately post-separation. So it's directly after somebody is leaving the relationship that she is most at risk.

That's why the program I talked about, the Family Court Support Worker Program, is so essential. It works through the shelter system right after a woman has left an abusive relationship, and it connects that woman with the resources she needs to navigate the system.

1700

The Speaker (Hon. Ted Arnott): Questions?

Ms. Jessica Bell: Thank you to the member for London West, the member for Durham and the member for Kiiwetinoong for the perspective that you're sharing today—the First Nations perspective, your experience with family law and domestic violence, and also your experience, member for Durham, having done consultation on the bill—and having the patience and the thought to sit through the proceedings so that this bill can be the best that it can be. I thank you for that.

My question is to the member for London West. Could you just clarify, given your work on domestic violence: What are the specific reforms that you'd like to see in this bill to keep women and victims of domestic violence safer?

Ms. Peggy Sattler: I did share the caution that was expressed by Pamela Cross, an expert in domestic violence and custody issues, about the division of parenting responsibility and whether that can potentially create conflict between the abusive former partner and the parent who has experienced violence. She also raised the concern that the bill continues to treat maximum time with both parents as automatically good for children, which is not always the case when one parent has been abusive to the other. Again, that reinforces the importance of training for everyone involved in the system, so that they really understand the impact of intimate partner violence on a home and child custody decisions.

The Speaker (Hon. Ted Arnott): Any further questions? Further debate? Further debate?

Mr. Downey has moved second reading of Bill 207, An Act to amend the Children's Law Reform Act, the Courts of Justice Act, the Family Law Act and other Acts respecting various family law matters.

Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

The Speaker (Hon. Ted Arnott): Shall the bill be ordered for third reading?

Hon. Paul Calandra: Referred to the Standing Committee on Justice Policy.

The Speaker (Hon. Ted Arnott): The bill is referred to the Standing Committee on Justice Policy.

ORDER OF BUSINESS

Hon. Paul Calandra: On a point of order, Mr. Speaker.

The Speaker (Hon. Ted Arnott): The government House leader has a point of order.

Hon. Paul Calandra: I seek unanimous consent to make a statement pursuant to standing order 9(f), notwithstanding that the clock has passed 4 p.m.

The Speaker (Hon. Ted Arnott): Agreed? Agreed. Government House leader.

Hon. Paul Calandra: I would just like to indicate that no business is to be called during morning orders of the day tomorrow.

The Speaker (Hon. Ted Arnott): Orders of the day.

Hon. Paul Calandra: No further business.

The Speaker (Hon. Ted Arnott): There being no further business, this House stands adjourned until tomorrow at 10:15 a.m.

The House adjourned at 1704.

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Morrison, Suze (NDP)	Toronto Centre / Toronto-Centre	
Mulroney, Hon. / L'hon. Caroline (PC)	York—Simcoe	Minister of Francophone Affairs / Ministre des Affaires francophones Minister of Transportation / Ministre des Transports

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Natyshak, Taras (NDP)	Essex	
Nicholls, Rick (PC)	Chatham-Kent—Leamington	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Oosterhoff, Sam (PC)	Niagara West / Niagara-Ouest	
Pang, Billy (PC)	Markham—Unionville	
Park, Lindsey (PC)	Durham	
Parsa, Michael (PC)	Aurora—Oak Ridges—Richmond Hill	
Pettapiece, Randy (PC)	Perth—Wellington	
Phillips, Hon. / L'hon. Rod (PC)	Ajax	Minister of Finance / Ministre des Finances
Piccini, David (PC)	Northumberland—Peterborough South / Northumberland—Peterborough-Sud	
Rakocevic, Tom (NDP)	Humber River—Black Creek	
Rasheed, Kaleed (PC)	Mississauga East—Cooksville / Mississauga-Est—Cooksville	
Rickford, Hon. / L'hon. Greg (PC)	Kenora—Rainy River	Minister of Energy, Northern Development and Mines / Ministre de l'Énergie, du Développement du Nord et des Mines Minister of Indigenous Affairs / Ministre des Affaires autochtones
Roberts, Jeremy (PC)	Ottawa West—Nepean / Ottawa- Ouest—Nepean	
Romano, Hon. / L'hon. Ross (PC)	Sault Ste. Marie	Minister of Colleges and Universities / Ministre des Collèges et Universités
Sabawy, Sheref (PC)	Mississauga—Erin Mills	
Sandhu, Amarjot (PC)	Brampton West / Brampton-Ouest	
Sarkaria, Hon. / L'hon. Prabmeet Singh (PC)	Brampton South / Brampton-Sud	Associate Minister of Small Business and Red Tape Reduction / Ministre associé délégué au dossier des Petites Entreprises et de la Réduction des formalités administratives Minister Without Portfolio / Ministre sans portefeuille
Sattler, Peggy (NDP)	London West / London-Ouest	Deputy Opposition House Leader / Leader parlementaire adjointe de l'opposition officielle
Schreiner, Mike (GRN)	Guelph	
Scott, Hon. / L'hon. Laurie (PC)	Haliburton—Kawartha Lakes—Brock	Minister of Infrastructure
Shaw, Sandy (NDP)	Hamilton West—Ancaster—Dundas / Hamilton-Ouest—Ancaster—Dundas	
Simard, Amanda (LIB)	Glengarry—Prescott—Russell	
Singh, Gurratan (NDP)	Brampton East / Brampton-Est	
Singh, Sara (NDP)	Brampton Centre / Brampton-Centre	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Skelly, Donna (PC)	Flamborough—Glanbrook	
Smith, Dave (PC)	Peterborough—Kawartha	
Smith, Hon. / L'hon. Todd (PC)	Bay of Quinte / Baie de Quinte	Minister of Children, Community and Social Services / Ministre des Services à l'enfance et des Services sociaux et communautaires
Stevens, Jennifer (Jennie) (NDP)	St. Catharines	
Stiles, Marit (NDP)	Davenport	
Surma, Hon. / L'hon. Kinga (PC)	Etobicoke Centre / Etobicoke-Centre	Associate Minister of Transportation (GTA) / Ministre associée des Transports (RGT) Minister Without Portfolio / Ministre sans portefeuille
Tabuns, Peter (NDP)	Toronto—Danforth	
Tangri, Nina (PC)	Mississauga—Streetsville	
Taylor, Monique (NDP)	Hamilton Mountain	
Thanigasalam, Vijay (PC)	Scarborough—Rouge Park	
Thompson, Hon. / L'hon. Lisa M. (PC)	Huron—Bruce	Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs
Tibollo, Hon. / L'hon. Michael A. (PC)	Vaughan—Woodbridge	Associate Minister of Mental Health and Addictions / Ministre associé délégué au dossier de la Santé mentale et de la Lutte contre les dépendances Minister Without Portfolio / Ministre sans portefeuille
Triantafilopoulos, Effie J. (PC)	Oakville North—Burlington / Oakville-Nord—Burlington	
Vanthof, John (NDP)	Timiskaming—Cochrane	Deputy Leader, Official Opposition / Chef adjoint de l'opposition officielle
Wai, Daisy (PC)	Richmond Hill	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Walker, Hon. / L'hon. Bill (PC)	Bruce—Grey—Owen Sound	Associate Minister of Energy / Ministre associé de l'Énergie Minister Without Portfolio / Ministre sans portefeuille
West, Jamie (NDP)	Sudbury	
Wilson, Jim (IND)	Simcoe—Grey	
Wynne, Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	
Yakubski, Hon. / L'hon. John (PC)	Renfrew—Nipissing—Pembroke	Minister of Natural Resources and Forestry / Ministre des Richesses naturelles et des Forêts
Yarde, Kevin (NDP)	Brampton North / Brampton-Nord	
Yurek, Hon. / L'hon. Jeff (PC)	Elgin—Middlesex—London	Minister of the Environment, Conservation and Parks / Ministre de l'Environnement, de la Protection de la nature et des Parcs

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

Standing Committee on Estimates / Comité permanent des budgets des dépenses

Chair / Président: Peter Tabuns
Vice-Chair / Vice-président: Wayne Gates
Lorne Coe, Rudy Cuzzetto
Wayne Gates, Randy Hillier
Andrea Khanjin, Jane McKenna
Judith Monteith-Farrell, Michael Parsa
Randy Pettapiece, Donna Skelly
Peter Tabuns
Committee Clerk / Greffière: Thushitha Kobikrishna

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

Chair / Président: Amarjot Sandhu
Vice-Chair / Vice-président: Jeremy Roberts
Ian Arthur, Stephen Blais
Stan Cho, Stephen Crawford
Catherine Fife, Randy Hillier
Mitzie Hunter, Logan Kanapathi
Andrea Khanjin, Laura Mae Lindo
Sol Mamakwa
Committee Clerk / Greffière: Julia Douglas

**Standing Committee on General Government / Comité
permanent des affaires gouvernementales**

Chair / Présidente: Goldie Ghamari
Vice-Chair / Vice-président: Daryl Kramp
Robert Bailey, Jessica Bell
Goldie Ghamari, Chris Glover
Mike Harris, Daryl Kramp
Sheref Sabawy, Amarjot Sandhu
Mike Schreiner, Jennifer (Jennie) Stevens
Daisy Wai
Committee Clerk / Greffier: Isaiah Thorning

**Standing Committee on Government Agencies / Comité
permanent des organismes gouvernementaux**

Chair / Président: John Vanthof
Vice-Chair / Vice-président: Taras Natyshak
Will Bouma, Lorne Coe
Robin Martin, Norman Miller
Taras Natyshak, Rick Nicholls
Billy Pang, Amanda Simard
Marit Stiles, Nina Tangri
John Vanthof
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Justice Policy / Comité permanent de
la justice**

Chair / Président: Roman Baber
Vice-Chair / Vice-présidente: Effie J. Triantafilopoulos
Roman Baber, Will Bouma
Lucille Collard, Parm Gill
Natalia Kusendova, Suze Morrison
Lindsey Park, Gurratan Singh
Nina Tangri, Effie J. Triantafilopoulos
Kevin Yarde
Committee Clerk / Greffière: Thushitha Kobikrishna

**Standing Committee on the Legislative Assembly / Comité
permanent de l'Assemblée législative**

Chair / Président: Kaleed Rasheed
Vice-Chair / Vice-président: Vijay Thanigasalam
Rima Berns-McGown, Michael Coteau
Faisal Hassan, Logan Kanapathi
Jim McDonell, Christina Maria Mitas
Sam Oosterhoff, Kaleed Rasheed
Sara Singh, Donna Skelly
Vijay Thanigasalam
Committee Clerk / Greffière: Valerie Quioc Lim

**Standing Committee on Public Accounts / Comité permanent
des comptes publics**

Chair / Présidente: Catherine Fife
Vice-Chair / Vice-présidente: France Gélinas
Deepak Anand, Jill Andrew
Toby Barrett, Stephen Blais
Stan Cho, Stephen Crawford
Catherine Fife, France Gélinas
Christine Hogarth, Daryl Kramp
Michael Parsa
Committee Clerk / Greffier: Christopher Tyrell

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

Chair / Président: Deepak Anand
Vice-Chair / Vice-président: Will Bouma
Deepak Anand, Toby Barrett
Will Bouma, Stephen Crawford
John Fraser, Laura Mae Lindo
Gila Martow, Paul Miller
Billy Pang, Dave Smith
Jamie West
Committee Clerk / Greffier: Isaiah Thorning

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Présidente: Natalia Kusendova
Vice-Chair / Vice-président: Aris Babikian
Aris Babikian, Jeff Burch
Amy Fee, Michael Gravelle
Joel Harden, Mike Harris
Christine Hogarth, Belinda C. Karahalios
Terence Kernaghan, Natalia Kusendova
Robin Martin
Committee Clerk / Greffière: Tanzima Khan

**Select Committee on Emergency Management Oversight /
Comité spécial de la surveillance de la gestion des situations
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Chair / Président: Daryl Kramp
Vice-Chair / Vice-président: Tom Rakocevic
Robert Bailey, Gilles Bisson
John Fraser, Christine Hogarth
Daryl Kramp, Robin Martin
Sam Oosterhoff, Lindsey Park
Tom Rakocevic, Sara Singh
Effie J. Triantafilopoulos
Committee Clerk / Greffier: Christopher Tyrell