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of Ontario



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Speaker: Honourable Ted Arnott  
Clerk: Todd Decker

Président : L'honorable Ted Arnott  
Greffier : Todd Decker

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Thursday 25 March 2021

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 25 mars 2021

*The House met at 0900.*

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

*Prayers/Prières.*

ORDERS OF THE DAY

COMBATING HUMAN TRAFFICKING  
ACT, 2021

LOI DE 2021 SUR LA LUTTE  
CONTRE LA TRAITE DES PERSONNES

Resuming the debate adjourned on March 2, 2021, on the motion for second reading of the following bill:

Bill 251, An Act to enact, amend and repeal various Acts in respect of human trafficking matters / Projet de loi 251, Loi édictant, modifiant et abrogeant diverses lois en ce qui concerne les questions de traite des personnes.

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

**Mrs. Lisa Gretzky:** It's my pleasure to rise this morning to speak to Bill 251, which is about human trafficking. Speaker, I'm going to spend some time talking about the need for wraparound services.

First, though, I want to start by telling a story. Just a few years ago—I don't remember exactly when it was—my colleague from Windsor–Tecumseh and I contacted the harbour master in Windsor, Peter Berry, to meet with him and talk about the shipping and the trade that happens across the border. He arranged a ride-along of sorts with us. I guess you could call it a ride-along; it wasn't a traditional ride-along. It was on a boat, on the Detroit River, along with the Windsor police. As we were doing this ride-along on the water, we were marvelling at how beautiful our shoreline is. There are obviously industrialized areas where we have all the boats coming and going with various products that are then going to get shipped on from our port to various areas in the province, but there are lots of beautiful, naturalized areas. It's a really nice shot of Detroit, as well, and other areas of Detroit—as you're along the waterfront. We were talking about all kinds of different things. One of the topics that came up, as we got just past the industrialized area into where there is a more naturalized area, was trafficking. The harbour master was telling us about the incredible amount of trafficking that happens across the waterway at night. We're not talking about those who are crossing the border by traditional means. They're waiting until the dark of night, and there is trafficking that's coming across, from

Detroit into Windsor. There is gun trafficking, there is drug trafficking, and there is also human trafficking taking place. Oftentimes, what happens is they come into Windsor in the dark of night, into this naturalized area, and are immediately put in vehicles and shipped up the 401 to different areas all across this province.

What was interesting to me—and I want to recognize the harbour master, Peter Berry. Peter told us that day that oftentimes he'll get a call in the middle of the night because there is some activity along the waterfront, particularly in that one area. He responds to those calls oftentimes on his own. He is not a police officer. He does not carry a weapon. It's just him and his ability to communicate with people and, hopefully, to de-escalate any difficult situations he may find himself in when he has to respond to those calls on his own. Oftentimes he does call the Windsor police—hopefully, they get there in time to support him—but sometimes it's just him on his own. He has seen an awful lot during his time as the harbour master and has put himself at great personal risk in order to try to not only keep the people in Windsor-Essex county safe but those who are being brought into our area in order to be human-trafficked. He has intercepted many of those transactions. It sounds terrible to talk about them that way, but when you're talking about human trafficking, to the people who are doing it, that is what it is to them. This is not a human they are trafficking; this is a transaction. They have put monetary value on someone's life. I want to thank Peter for his years of work as our harbour master, for doing everything that he does—because he does a lot—but especially for that.

I also want to talk about things that I learned from talking to Peter, talking to different organizations within my community and those outside of my community, about trafficking. One of the things that they often talk about is the different kinds of trafficking.

People often get confused when you talk about individuals who will take advantage of other individuals who are looking to come into our country. All they want to do is come and live in Canada and have a good life, but there are individuals out there who will take advantage of that, who will tell them, "If you give me a whole bunch of money, I will get you across the border. You can enter Canada. You can stay there and live that good life." These individuals don't understand that the people they are giving their money to are taking advantage of them. Oftentimes, people think that is human trafficking; that is not. That is a different issue.

But there are those who do indeed bring people across the border with the sole intention of putting them in harm's

way, handing them over to somebody who is then going to sell them to somebody else for sex trafficking.

There's labour trafficking—you will often see migrant workers or others. A lot of women are trafficked for work—not just sex work, but other kinds of work.

So there is a difference, when you're talking about human trafficking—and those coming across the border who are seeking to live here but are being taken advantage of by people who claim to be upstanding lawyers or others.

I went to an event a couple of years ago, when we were able to gather in person, at one of the ONroutes in your riding, Speaker. Yes, Speaker, you were there. I met some incredible people who work very, very hard to not only stop human trafficking but to support those who have been trafficked. I had an opportunity to speak to a young woman who had been a victim of human trafficking. I prefer to refer to her as a survivor of human trafficking, because that's what she is—an incredibly strong young woman. When she and I had a conversation, she talked a lot about the barriers she faced once she was able to exit or escape the situation that she was in. It took a team of people in order for that to happen. One of the things that she mentioned—and many others I've talked to have brought this up, as well—as I referenced at the beginning, is the lack of wraparound supports for these individuals. Oftentimes, what we're finding is that when they are able to exit or escape their situation—whether that is through the intervention of law enforcement or whether that is through the support of friends or family members, if they're able to contact them, or whether they are able to get out on their own—it's often difficult for them to connect with legal support; it's often difficult for them to connect with community agencies to get the support they need, to get the mental health supports.

**0910**

Something I have heard from them is, unfortunately, as a result of trafficking, individuals often will become addicted to drugs. Oftentimes, it is forced on them. It is not something that they choose to do; it is something that is forced on them in order to get them to comply with the wishes of the trafficker or the other people who are abusing them.

They've talked about the lack of connected supports when it comes to their mental health—for them to be able to access mental health supports in a timely manner, and for that support to be consistent, for it to be there the whole way through the healing process. That creates a barrier for them.

Sometimes what happens is, as they're going through this very vulnerable stage, after they have exited or escaped being trafficked, and they're trying to get the mental health support they need—when they're not getting that consistent support and consistent access to mental health supports, they find themselves back in a vulnerable position and that cycle starts all over again, or they find themselves connecting to people who are not good for them and are not safe for them. They end up either back in trafficking, through no fault of their own, or they find themselves in other precarious situations.

I mentioned the addictions support. I can tell you that I have heard heartbreaking stories, in talking to parents of individuals who have been trafficked, in talking to individuals who have been trafficked. They talk about how disjointed addictions services are within the province, how they go and seek help. They can go through withdrawal management with support—in our area, there's a local hospital that does that—and then when they're discharged, it can take weeks or months, in some cases, in order to get connected with rehabilitation services. The problem with that is, oftentimes, while they're waiting for those services, they find that they begin to use drugs again and they start this vicious cycle all over again. That is something that really needs to be addressed.

We need to see real, concrete commitments and actions when it comes to mental health and addictions in general, but specifically, when we're talking about human trafficking.

We need to talk about affordable housing. The wait-list for community housing in 2020 in Windsor-Essex was 5,357 people. When we're talking about helping someone exit or escape human trafficking, we have to ensure that all of the pieces are in place to support them, such as housing. We need to look at the fact that oftentimes they are not ready to enter the workforce. They are certainly in no mental capacity, no mental state, to be able to immediately enter the workforce. Oftentimes, because of what they've been through and their trauma, they go on social assistance. Yet in this province, social assistance keeps people living in deep poverty. It's certainly not enough for someone to get a stable, appropriate, safe home. It is so important, when we're talking about human trafficking, that when someone exits or escapes human trafficking, they have the stability of a safe home; that they know they are safe in their home and are not going to be targeted for human trafficking and go through that cycle again.

Speaker, I think it's also important that we talk about the fact that there are certain demographics that are targeted more when it comes to human trafficking. I want to be clear: Human trafficking can happen to anybody. It can happen to boys, men, girls, women. But there are certain factors that make it easier for those who prey on vulnerable people to bring someone into that situation and traffic them—and I mentioned one of those, which is housing. We have to look at someone's income, which I also mentioned, and their socio-economic background. We have to look at racialized communities. Women and children are largely targeted, as well, for human trafficking. But it can absolutely happen to anyone. It doesn't matter who you are, what your background is or what your socio-economic status is. It doesn't matter where you live. It doesn't matter what job you do. It doesn't matter what your education level is. But some people are more vulnerable to human trafficking than others.

We have to make sure, when someone exits or escapes from being trafficked, that they are not revictimized through the process of escaping trafficking. We have to ensure that we are not revictimizing them through the

justice system. That's why it's so important that our law enforcement, who play a very important role in ending human trafficking, have the training and the understanding, and the empathy and the compassion for the victims and the survivors of human trafficking. We have to make sure that our court system also has the same—because I have read stories about decisions that have been made within the justice system, where the judge decides that the person who has perpetrated the crime should get less of a sentence than what they normally would, and the survivor is treated more harshly. That's not the way it should be.

We need to make a system where it is easier for survivors to come forward and talk about their experiences and to know that they're supported and believed—and that the system that's supposed to support them isn't pointing the finger back at them and saying, “Well, because you did this, you put yourself in that situation. Therefore, you kind of deserved it.” I've talked to survivors who have told me that oftentimes that's the way they're made to feel.

I'm going to go back to where I talked about how it could happen to anybody. I'm going to share a story. Speaker, you'll be very familiar with this stretch of highway—it's in your riding. I drive through it on the way home from Queen's Park and on the way up to Queen's Park. We've heard that that particular corridor, the 401—I don't think it's any secret that that corridor is one of the highest-traffic areas when it comes to any type of trafficking, whether that's gun trafficking, drug trafficking or human trafficking. I was driving home from Queen's Park on a Thursday evening and it was dark. On that particular stretch of the 401, down in your area—and I'm not disparaging the people in that area; it's not them—there was construction, as there often is. Do you ever notice that? There's constant, ongoing construction on that one strip of the 401. It was down to one lane, and there were concrete barriers to block off the other lane. It was probably about 11, 11:30 at night. I was lucky enough—my husband was on day shift, so he was asleep. I was talking to a friend while I was driving. I have Bluetooth, just in case anybody is wondering, so I was hands-free; I was not holding my phone and talking.

**0920**

I'm always very cognizant of who is behind me. I'm always looking in the rear-view mirror to see, especially on the highway. Speaker, as you know, that particular part of the highway has a nickname that's earned, but it's not favourable. It's called Carnage Alley. So I'm always trying to see who's behind me and what's going on. I was actually observing the speed limit. That's important to point out, too. In the construction zone, I was doing the speed limit. All of a sudden, someone was behind me who hadn't been behind me the last time I looked in the rear-view mirror. This car came up on me really fast. Speaker, as you know—you drive that stretch—some people drive very dangerously; that's why it has the name that it has. I said to a friend of mine, “This guy is coming right up on my tail, and he doesn't look like he's slowing down.” Next thing I know, he rear-ended me in that construction zone.

There is nowhere to pull off there. I may have used an inappropriate expletive when he hit the back of my car; I think anybody would. I won't say it here, because it's unparliamentary. You think when you have an accident—they always tell you to pull over, pull over. There was nowhere to pull over. I was in a construction zone. So a friend of mine said, “Wait until you get out of the construction zone and pull over.”

It wasn't until I got further up the road that it dawned on me that I'm a woman, at 11:30 at night on a highway, all by myself, and this person purposefully ran into the back of my car. I called the OPP to report it and to give the licence plate. The first thing the dispatch said to me is, “Do not pull over. You are a woman, you are alone and you are at risk.” I want everyone in this House and everybody listening to remember that. In this province, that is the life of women. That is our reality. Most men would not think twice about stopping and pulling over and exchanging information. It was the 911 operator who reminded me that I am a woman, and it was dark and I was alone, and that was a dangerous stretch of highway—because it is well known that it is a human trafficking corridor—and that I needed to wait until the police came before I pulled over.

**The Deputy Speaker (Mr. Rick Nicholls):** Questions?

**Ms. Suze Morrison:** I want to thank the member from Windsor West for your debate. It was really thoughtful. I have to say, your final comments really got to me—when the dispatcher said that you're a woman, you're alone and you're at risk. That's so true in all of our communities, whether on your stretch of the highway, on the 401, or in my downtown community in Toronto Centre. The experiences of violence against women—I think every woman in the chamber today will have their own stories to share.

What actions would you like to see this government taking beyond what's in this bill to keep women safe in this province? What do we need to systemically end violence against women in Ontario?

**Mrs. Lisa Gretzky:** I appreciate that question.

I think the first thing we need to do, as legislators, who have the privilege—and it is a privilege to be here—is to ensure that when we are bringing forward legislation or we are changing regulations, we are doing that with a lens that focuses on women or girls; that we look at how that affects women and girls in this province

We need to ensure that we are investing in our shelters, so that women and children who are escaping domestic violence have a safe place to go; and that we ensure we have housing within our communities so that when they are able to leave those shelters, they have a roof over their head that is safe and that they can afford and that is stable for them.

We need to ensure that the justice system doesn't revictimize women when they do come forward.

I think those are some very important steps that we need to take—but there is a lot that we could see change in this province.

**The Deputy Speaker (Mr. Rick Nicholls):** Further questions?

**Ms. Andrea Khanjin:** I thank the member for speaking to this bill.

Part of the bill is, obviously, a legislative review. That's also to recognize the fact that things are evolving all the time. I just want to ask, in terms of the overall strategy of the bill and the fact that we are going to be reviewing it every few years to continuously improve it, how that will work with the changing times and how these particular traffickers get more and more evasive and use new techniques to lure more people into the trade, unfortunately.

**Mrs. Lisa Gretzky:** Obviously, I think it's important that any legislation is reviewed on a regular basis to ensure that it is appropriately serving the people in the province and keeping up with the times. But reviewing legislation, having reviews, is not enough. There need to be concrete steps behind that. There needs to be funding behind that.

When we see that the system is not working for those we have put forward legislation to support, then we need to make changes, and they need to happen quickly. More importantly, we need to actually be listening to the service providers; we need to be listening to the people that legislation is meant to support. When we're talking about human trafficking, we need to be having those conversations with the community agencies that support the victims and survivors. We need to be investing in them.

We need to be looking at the fact that with changing times—the fact that there really is nothing in here about short-term rentals like Airbnbs or things you can rent by the day, where many traffickers operate out of with their victims. Stuff like that needs to be worked into the bill.

But, absolutely, I think we need to review legislation on a regular basis.

**The Deputy Speaker (Mr. Rick Nicholls):** Further questions?

**Ms. Jessica Bell:** Thank you to the member for Windsor West for your presentation. It was very concerning to hear your story about what it's like to drive along the 401. It's a feeling that a lot of people, a lot of women, have.

You spoke about survivors of human trafficking and the support that they need to rebuild their lives. Could you elaborate? What kind of additional support should survivors of human trafficking have in Ontario?

**Mrs. Lisa Gretzky:** I'd like to thank my colleague from University–Rosedale for that.

As I mentioned before, there needs to be safe, stable, affordable housing. When you're looking at the fact that many survivors of human trafficking cannot re-enter the workforce or have no skills because they started being trafficked at a very young age—there need to be specific educational programs and training programs so that when they are healthy enough, they can enter the workforce. There need to be those community supports.

In this, they talk about more supports for police, more funding going to police, but we also need to be putting more funding into our community agencies that actually

continue along the journey with the survivors to support them and to get them healthy.

We need to make sure that they have access to food. We need to make sure that their children have access to the education system. They need a justice system that actually works for them.

**The Deputy Speaker (Mr. Rick Nicholls):** Further questions?

**Mr. Sheref Sabawy:** Thank you very much for all the points you talked about. I really appreciate the story about you having some troubles and being afraid to stop and calling 911. I'm glad that they gave you the right advice: that you are vulnerable and you should not stop.

The majority of times, trafficking is very difficult to recognize, and sometimes we don't have that luxury, to call 911 and ask for help. We don't ask for help the majority of times. Do you agree with me that this piece of legislation could enable our enforcement authorities to be able to interfere, and that this legislation can help that goal—to be able to help those victims when they don't ask for help?

**Mrs. Lisa Gretzky:** I'll go back to my previous comment to the member from University–Rosedale, when she asked the question.

We need to not just look at law enforcement as the answer to human trafficking. They are certainly a crucial piece of that, but we need to be looking at actually investing in those wraparound supports and those community supports that those survivors will be accessing in the long term.

**0930**

We have a wonderful program in Windsor through Legal Assistance of Windsor, WEFiGHT, that could use more funding. They are there to help survivors of human trafficking. They represent them in court. Yet this government cut legal aid.

So while I can appreciate the question from the member opposite, I go back to my point that policing is one piece of combatting human trafficking—one piece. There is a much larger piece—when you look at community supports, services and legal support that this government needs to be looking at to actually support survivors.

**The Deputy Speaker (Mr. Rick Nicholls):** Further questions?

**Mr. Wayne Gates:** I thank her for her presentation.

I will touch a bit on her story about not pulling over. I have three daughters, and I have actually advised them that if anybody ever hits them from behind, don't pull over. I also learned with my daughters that you advise them; you don't tell them. That's one thing I have certainly learned.

One thing you didn't put in your presentation—it's something that is very, very surprising to me—is that human trafficking can start as early as 13 years old. Think about that. That's something that, quite frankly, through this bill, we have heard a number of times.

My question is, what are some of the concrete actions government can take with social service agencies, like the YWCA, to combat human trafficking in border towns?

**Mrs. Lisa Gretzky:** I appreciate that question.



There's a lot that can be done. When you engage youth within our communities, when you keep them busy with activities, when you ensure that they have access to sports—and the YMCA looks at youth whose families can't afford traditional sports. They couldn't put their kids into basketball or baseball or hockey, like many of us can afford to. They are putting those services out to lower-income families. So we need to ensure that agencies like the YMCA are able to operate and offer those programs, to keep the youth within the community engaged and involved; to ensure that there are supports within the community where kids—if there's something that doesn't seem right to them, it probably isn't right. If it doesn't seem safe, it probably isn't safe. If someone doesn't seem safe, they probably aren't safe.

They need to be able to go to organizations like the YMCA and feel comfortable coming forward and sharing their stories and their experiences. That's why it's so important, as I said, that the government doesn't just look at policing, but at community supports as well.

**The Deputy Speaker (Mr. Rick Nicholls):** Further debate?

**Ms. Christine Hogarth:** As a wife, as a daughter, as a sister and a friend, as a stepmom of two beautiful teenage daughters, and as the parliamentary assistant to the Solicitor General, it is my honour to speak this morning to support Bill 251, Combating Human Trafficking Act, 2021.

Human trafficking is one of the fastest-growing crimes across the world. It's a vicious and violent crime that preys on the young and vulnerable. It robs those who have been exploited of their health, safety and dignity. The average age, as we just spoke about, of those being lured into human trafficking is 13 years old, an astonishing and disgusting fact.

This is why it is important that Ontario be equipped to fight this crime and support victims and survivors with every tool at our disposal, and that's why I feel so strongly about the subject matter.

I am pleased to continue the debate on our government's proposed Combating Human Trafficking Act, which proposes to open new avenues for Ontario's relentless fight against human trafficking—and I forgot to mention that I will be sharing my time with the member of Mississauga Centre.

Human trafficking disproportionately impacts children and youth, as well as Indigenous women and girls, racialized groups, 2SLGBTQQIA+ persons, those with mental health and addiction challenges, and marginalized youth such as runaways and victims of abuse. The scariest part? Those are only the offences we know about. Data from the Canadian Human Trafficking Hotline suggests that only a small fraction of incidents are ever reported to the police.

As the parliamentary assistant to the Solicitor General, I worry about the number of cases that go unreported. We know that human trafficking crimes are hidden in nature and that for many reasons, including threats and fear of

retribution, it is particularly difficult for victims and survivors to come forward.

This is not a problem that only happens somewhere else. My community of Etobicoke–Lakeshore and the city of Toronto as a whole is right in the centre of it all. In fact, two thirds of Canada's reported cases of human trafficking happen right here in Ontario, with the 401 corridor being a key method of transportation from one region of the province to the next. It could be happening at your child's school, in a local mall, online or even in your backyard. It could be happening to someone you know.

At the forefront of this fight in my community, I have organizations such as the Women's Habitat, the Jean Augustine centre, the Gatehouse and the Jean Tweed Centre all available to assist women and children in crisis. I commend the work they are doing. I had the pleasure of meeting with this group of fine women and other women last week, when we were talking about building a sustainable economy for women—and I was so pleased that yesterday, in our budget, it was mentioned that these conversations are going to be continuing, to discuss women in the workplace, because you cannot have economic growth if women don't participate in the workforce. One of the items that came out of that discussion was to put a strategy in place to ensure that every child has the opportunity for a brighter future.

While we have made tremendous progress, I acknowledge there still remains work to be done. Our proposed legislation does just that and then some.

Unfortunately, while COVID-19 has forced us to put our normal lives on hold, human traffickers are expanding their efforts to exploit those at greatest risk, including our schoolchildren, who are isolated from supports and rely on social media more now than ever before. Recruiters look for various ways to connect with potential victims. In some cases, a victim might not even realize they're being trafficked because of the relationship they have with the trafficker. This is commonly known as the "Romeo effect." The exorbitant reach of social media and the numerous platforms that our young people can access means traffickers can scan for young, potential victims without leaving their living room or their basement. And once recruited, tracking devices on mobile phones allow captors to track and monitor their victim's every move.

COVID-19 has laid bare the social and economic divide that has long been a breeding ground for human traffickers. The victims themselves are more exposed to contracting and spreading the COVID-19 virus and are less able to protect themselves from it, or to seek access to adequate medical care.

This pandemic has forced governments around the world to re-strategize their priorities, which causes us to worry about victims of human trafficking. They are already difficult to identify in normal times, but now they may fall through the cracks even further. But the Solicitor General stated on Human Trafficking Awareness Day that she had a clear message for those who share these concerns: This is not going to happen in Ontario—not here.

Speaker, I am proud to be part of a government that is committed to ending human trafficking. With our government's anti-human trafficking strategy, the first of its kind in Canada, we have made an investment of \$307 million over five years to combat human trafficking and ensure necessary supports for survivors are in place, along with this proposed legislation.

Our proposed act encompasses our anti-human trafficking strategy, and if passed, will unleash the full power and intent of the strategy.

The Ministry of the Solicitor General and the Ministry of Children, Community and Social Services are the two front-line ministries in this government's response to human trafficking. Due to the complexity of this crime and the incredible trauma involved, it is imperative that the social services and justice sectors collaborate. We are very proud of our cross-government approach to tackle this, and many, issues.

But the fight against human trafficking is larger than any one government. Combatting human trafficking takes co-operation and collaboration across governments and many stakeholders, including police, community agencies, families, schools, and most importantly, the youth themselves. More and more, these groups are joining the fight and looking to this Legislature for support and prioritization of this issue. We will not let them down.

As an example of the work that we have already done, anti-human trafficking teams have been established to actively gather intelligence that identifies human trafficking activities and intercepts human trafficking networks across Ontario and Canada. The Criminal Intelligence Service Ontario anti-human trafficking intelligence team enhances intelligence efforts of police services relating to identification and interception of human trafficking networks provincially and nationally.

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An Ontario Provincial Police anti-human trafficking investigation coordination team focuses on investigation, prosecution, education and identifying and supporting survivors. The team also collaborates with municipal and First Nations police services in the fight against human trafficking.

The OPP has opened a Cyber Operations Centre. The Internet and the dark web are helping traffickers to recruit and exploit their victims. It's another example of how traffickers will use every tool to act maliciously.

We must continue to improve our existing and emerging technologies to disrupt and prosecute human trafficking rings, while simultaneously working hand in hand with those who investigate and lay charges against human traffickers, to ensure that survivors heal and are able to move forward. This is such an important part—it's the moving forward for the survivors.

Mr. Speaker, our government's proposed Combating Human Trafficking Act, 2021, reinforces Ontario's commitment to fight human trafficking and demonstrates our ongoing leadership in responding to this very pervasive crime.

I would like to take this opportunity to thank our brave child welfare and social workers, first responders, victim support workers and health and mental health professionals. Their work is critically important for caring for and seeking justice for victims and survivors. You are our front line against human trafficking, and we stand shoulder to shoulder with you in this fight.

Mr. Speaker, our government voiced its commitment to tackling human trafficking early in this mandate—and I would be remiss if I didn't mention the work of the member for Haliburton–Kawartha Lakes–Brock, for bringing this to the attention of the Legislature when she was in opposition. We have collaborated with a wide spectrum of stakeholders to establish an anti-human trafficking strategy, and we will continue to work with those stakeholders. These legislative changes, if passed, would reinforce the strategy's key objectives of raising awareness of the issue, protecting victims and intervening early, supporting survivors and holding offenders accountable. It would also support law enforcement to dismantle criminal networks and help deter human trafficking.

Mr. Speaker, this is not a partisan issue. This affects all of us in one way or another. There are children, young women and families in every part of Ontario who depend on this government and our partners to do everything we can. We all have a role to play, and I am confident that, together, we will do what is necessary to help bring an end to this heinous crime.

**The Deputy Speaker (Mr. Rick Nicholls):** Thank you very much. I recognize the member from Mississauga Centre.

**Ms. Natalia Kusendova:** At its core, human trafficking is a crime that thrives and profits off of vulnerability, off of insecurity and off of our youth. It is a crime that comes to affect us all, no matter what city or town we happen to live in. It is becoming the most lucrative business for organized crime because, as was said many times in this House, you can sell cocaine only once, but you can sell a young girl over and over again.

Human trafficking presents one of the most pressing challenges to our way of life—a new pandemic, if you will—and it is up to us as legislators to rise to the challenge to fight it.

En tant que députée provinciale de Mississauga-Centre, j'ai eu la chance de mener de nombreuses tables rondes et discussions avec des partenaires solides, tant dans ma communauté à Peel que dans d'autres partout dans la province, qui partagent une passion et un engagement à protéger les Ontariens vulnérables contre ce crime. Par exemple, j'ai eu plusieurs occasions de collaborer avec la « Women's Trucking Federation of Canada » et sa PDG, Shelley Uvanile-Hesch, ainsi que d'autres intervenants de l'industrie du camionnage.

L'industrie du camionnage est un allié clé du gouvernement et de notre ministre des Transports dans la lutte contre la traite des personnes, en raison à la fois de sa riche connaissance des autoroutes de l'Ontario et de sa position en première ligne.

Aux États-Unis, l'organisation « Truckers Against Trafficking » connaît un succès croissant en offrant des

formations aux camionneurs pour les apprendre à repérer les signes de traite des personnes et à appeler les autorités. De plus, ils ont une ligne d'urgence téléphonique qui a reçu plus de 2 600 appels depuis sa création au milieu des années 2000. Ces appels de chauffeurs routiers ont signalé plus de 700 cas, impliquant plus de 1 100 victimes.

Au Canada, des organisations comme « the Women's Trucking Federation of Canada » font exactement la même chose, montrant aux membres les signes préalables d'une victime potentielle de la traite, et en leur donnant des ressources pour alerter les autorités. Ce genre d'initiative sauve littéralement des vies, monsieur le Président.

On that note, to those who think they are witnessing trafficking in progress, I implore you to call the Canadian Human Trafficking Hotline at 1-833-900-1010.

I also want to speak a little bit about two other allies in my community I've had the privilege of working extensively with in my time as a member of provincial Parliament.

Peel Children's Aid Society plays a crucial role in the community, working with families to ensure the health and safety of children and youth, and this mandate is no different when it comes to the threat of human trafficking. They have been a leader in both Peel and Mississauga and when it comes to protecting our vulnerable children and youth from falling prey to traffickers.

My Mississauga colleagues and I recently met with Peel CAS, and this is what CEO Rav Bains had to say: "Peel Children's Aid Society is pleased to see the government of Ontario taking a stand against human trafficking and strengthening protections for vulnerable children and youth. We see the devastating consequences of this heinous crime on young victims, and fully support measures aimed at prevention and prosecuting those who exploit children." Quotes like these both inspire me and motivate me, and they show the good that's possible when a government for the people listens to its partners in the community to tackle important issues.

Maintenant, monsieur le Président, je veux parler des changements proposés à la Chambre aujourd'hui, qui comprennent deux nouvelles lois et modifications qui renforcent encore la réponse de la province de l'Ontario à la traite des personnes. Ce travail législatif représente le meilleur de l'Ontario, le résultat d'une étroite collaboration entre les ministères pour relever les défis complexes et importants auxquels notre province est confrontée.

Le projet de loi envisagé aujourd'hui appuiera la réponse du gouvernement de plusieurs manières.

First, this bill will support the long-term focus of the government's response to human trafficking by emphasizing the simple fact that all Ontarians have a role to play in combatting this crime. As my work with community groups and stakeholders has shown me, everyone has a role to play in knowing the signs of trafficking, reporting suspected trafficking to authorities and supporting survivors, because it truly does take a village. This bill will incorporate more community stakeholders,

because a crime of this nature that affects us all must also be combatted by all of us.

Second, this bill will strengthen the ability of our children's aid societies and our brave men and women in law enforcement to protect exploited children. One of the most disturbing facts about human trafficking in Ontario is its disproportionate effect on our children, with the average age of recruitment into sex trafficking being 13—or even 12 years old. This is nothing short of a tragedy. Our plan focuses on equipping those who protect our children with everything that they need to do their jobs effectively.

Troisièmement, ce projet de loi soutiendra davantage de survivantes et de personnes qui les soutiennent, en obtenant des ordonnances contre les trafiquants. Cela comprendra des considérations spécifiques pour les survivantes autochtones, qui ont souvent des circonstances différentes de celles des survivantes non autochtones.

À cet égard, en décembre dernier, le ministre des Affaires autochtones a reconnu que les femmes et les enfants autochtones constituent un nombre disproportionné de ceux qui sont exploités par la traite des personnes dans la province de l'Ontario. Dans cet esprit, la réponse à la traite des personnes par notre gouvernement continue d'inclure des soutiens et des services culturellement appropriés.

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Quatrièmement, ce projet de loi augmentera la capacité du gouvernement à recueillir des données non personnelles pour aider à mieux comprendre l'impact de la stratégie, en veillant à ce qu'elle reste efficace en réponse à la traite des personnes. Guidé par des paramètres clés, notre gouvernement aura le potentiel d'évaluer avec précision le travail que nous entreprenons pour lutter contre la traite des personnes.

And fifth, this bill will empower law enforcement with new tools to both locate victims and charge traffickers. This is so crucial to ensuring that perpetrators of this crime are held accountable to the fullest extent of the law. Survivors and victims of this crime want to see justice served. We hear them loud and clear, and we will make sure our law enforcement has the ability to do just that.

Monsieur le Président, je veux terminer mon temps de parole en réitérant que la traite des personnes est un défi complexe et varié, dont les effets se font sentir dans toutes les collectivités de l'Ontario. Comme a noté la ministre associée déléguée au dossier de l'Enfance et à la Condition féminine, la traite des personnes ne se limite pas à une certaine zone géographique. C'est un crime qui se produit dans nos gros centres urbains et dans nos plus petites villes. C'est un crime qui touche aussi bien les personnes à faible revenu que celles à haut revenu. Pire encore, c'est un crime qui continue de croître et qui s'attaque aux plus vulnérables.

Mr. Speaker, it fills me with great pride that I am part of a government that is pledging and committing itself to doing whatever it takes to fight back, to take a stand against this despicable crime. Though the road ahead will be difficult and challenging, we, along with our community partners and our brave law enforcement officials, will be there to rise to the occasion.

**The Deputy Speaker (Mr. Rick Nicholls):** It's time for questions and responses.

**Mr. Wayne Gates:** Thank you to the two sisters who did the presentation.

What is the province doing to implement the calls to action in the national inquiry on murdered and missing women? The inquiry deals with trafficking of Indigenous women and girls.

**Ms. Christine Hogarth:** Thank you very much for the question.

This is an important discussion, and it has been a long time coming. There were some notes yesterday in the budget—over \$18 million, we're looking at, for this program. But this is not just an Ontario issue. I understand that the minister is going to bring something forward soon, but every single province needs to bring something forward, and we need to discuss this with our federal counterparts. Human trafficking and missing women and girls does not end at the borders of our province of Ontario.

This is an awful, heinous crime. My heart goes out to those moms who have to go to bed every night knowing that their daughter hasn't come home. This is an awful, awful thing, and this has gone on far too long. I believe we all need to take some action.

We will do our part here in Ontario—and I know you're going to hear more from the minister of women's issues—but we also need to talk to our federal counterparts, to make sure that they put some funding in place, as well, to make sure this stops, so there's no mom who goes home at night wondering where her daughter is.

**The Deputy Speaker (Mr. Rick Nicholls):** Further questions?

**Mrs. Nina Tangri:** My question is for the member from Etobicoke–Lakeshore.

I was listening earlier to the member opposite, and I had a very similar circumstance happen to me on that same stretch of highway, when my tire blew. I had no choice; I had to get off to the side. I was very fortunate that an OPP officer stopped very quickly and stayed with me until the tow truck arrived. I want to thank the OPP for keeping me safe that day. It never even occurred to me, at that moment, that potentially somebody else could have come across and I could have been swept away. Who knows, right? You don't know. We talk about that—and I think it comes down to education. Education and training is a great weapon in our fight against human trafficking.

Can the member tell me what Ontario is doing to train or educate people about human trafficking—what it's about and how it can happen?

**Ms. Christine Hogarth:** Thank you to the member for that question.

It is really important that people are trained. You see this in different hotels. They're doing more training with their staff to let them know what's going on. You also see this in condominiums. I have a riding that has a lot of condominiums—you look at the concierges and what they see, who's coming in and out. I went on a drive-along, actually, with one of my police officers, and she pointed out a building where they had an idea that there's human

trafficking in there. They have conversations one on one with the concierges, just so they can notice something that maybe doesn't feel right in their gut—and that they need to report this.

This is all of our responsibility—to make sure that if you see something wrong, let's report it. We have to put an end to this. We can't allow these women to be abused over and over again.

We are putting some standards in place for hotels, for our concierges, for staff, so they know what to look for.

Again, if you see something wrong, please report it. Let's save a life. Let's stop this tragedy that these poor little girls and, sometimes, little boys go through.

**The Deputy Speaker (Mr. Rick Nicholls):** Further questions?

**Mr. Jamie West:** Thank you to the two members opposite for their time.

I'll direct my question to the member from Etobicoke–Lakeshore, although either one can answer.

We had a lot of conversations today about the importance of learning about human trafficking. Lynzy Lalande did a lot of education in Sudbury on this. I reached out to her about the bill and asked, "What does this bill need?" She wrote, "Due to Legal Aid Ontario cuts, legal aid requires assistance in criminal court with human trafficking victims during court processes." Legal aid was cut by 30%, about \$133 million. She said they help with victim impact statements, reviewing testimonies, preparing for trial, court support and post-court support. This is all stuff I'm learning. I can't imagine taking this on to someone who has been trafficked.

I just want to know that if, in this bill—we can also advocate to have those cuts reversed, so that legal aid can really support these people who are being trafficked.

**Ms. Christine Hogarth:** I thank the member from Sudbury for the question.

We have put some funding into the victim/witness support program. That has been increased over time, so they will have those services at their disposal.

**The Deputy Speaker (Mr. Rick Nicholls):** Further questions?

**Mr. Sheref Sabawy:** Again, I appreciate talking about the social support part of it, but I'm going to go back to the policing—how to identify, how to find and how to combat human trafficking.

I would like to ask how this legislation is going to help us to identify human trafficking, with the new era of Airbnbs, social media, and even human trafficking starting in schools at the age of 13. Can the member explain to us a little bit about how this legislation will enable some of the measures to identify that quickly?

**Ms. Natalia Kusendova:** I think it's important to note that we are taking a multi-ministerial and multi-industry approach to combatting human trafficking.

The number one thing we heard in our round tables is that we need to raise awareness, because people simply don't know that human trafficking is very much a Canadian, homegrown problem—with a staggering statistic of 93% of victims being actually Canadian-born.

What we're doing through our multi-ministerial approach is that, for example, we have introduced human trafficking as a component of our curricula in our schools. We are also encouraging school boards to have survivor-led information sessions for our grade 7 and grade 8 students. There is actually a working group that is happening in the Ministry of Education on that.

Another example is how we're working with the Women's Trucking Federation of Canada to help educate our truck drivers in recognizing the signs and symptoms of human trafficking and reporting them to the authorities.

**The Deputy Speaker (Mr. Rick Nicholls):** Further questions?

**Ms. Suze Morrison:** I want to thank both of the members for their comments.

I'll direct my question to the member from Etobicoke-Lakeshore.

In speaking with Indigenous stakeholders about their response to this bill, one of the things that I heard was a concern and a caution to the government that this bill will be used to funnel more resources into policing and not into the front-line, particularly Indigenous-led services that are needed to protect women—and violence against women.

I think a most notable concern in the last week about—why the Indigenous community is so concerned about policing is the active role that policing plays in perpetuating violence against women. Most recently, we've had the OPP kicked out of Pikangikum over those concerns.

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What is your response to Indigenous community members who are deeply concerned about the role of policing in this legislation and about the resources going into the community, not policing?

**Ms. Christine Hogarth:** Thank you for the question. It's a very important part of this.

I want to read a couple of quotes to the member opposite.

"The Ontario Native Women's Association ... clearly understands the necessity and the timely importance of the introduction of the Combating Human Trafficking Act as well as amendments to the Children, Youth and Family Services Act.... Indigenous women in Ontario have been telling us what they need for years to address human trafficking and this multi-pronged approach stands to provide meaningful change." That's Coralee McGuire-Cyrette, executive director of the Ontario Native Women's Association, one of our stakeholders—and very supportive of this legislation.

Another quote: "We applaud the proactive, cross-government approach the province is taking to prevent and address anti-human trafficking across Ontario. This issue disproportionately impacts Indigenous people, and Native Child and Family Services of Toronto is committed to supporting our partners in government to develop and deploy a distinct Indigenous approach to anti-human trafficking." I'll skip through it. This is from Jeffrey Schiffer, who says, "We look forward to working"—

**The Deputy Speaker (Mr. Rick Nicholls):** Thank you. Further questions?

**Mr. Kaleed Rasheed:** First of all, thank you to both of my colleagues for the great work they are doing, especially in this, when we talk about human trafficking.

What kind of partnerships are you guys working on when it comes to our local police?

**Ms. Natalia Kusendova:** Thank you so much for the question.

It's really important to note that our police enforcement and our men and women in uniform have to be part of the response in combatting human trafficking.

In our region of Peel, we have strengthened this response by direct funding of \$3 million specifically to strategies to combat human trafficking. This is a great investment and an important one.

**The Deputy Speaker (Mr. Rick Nicholls):** The time for questions and responses is over.

Further debate?

**Ms. Suze Morrison:** It's an honour to rise today and speak to Bill 251, the Combating Human Trafficking Act.

Human trafficking is a heinous crime that destroys the lives of victims and has deep, long-lasting impacts on survivors. We know that human trafficking often targets women and girls, those who are racialized, Indigenous, queer and trans, and those who are economically vulnerable. It's vital that we stand with victims in calling on this government to take real and meaningful action and steps to prevent these crimes from taking place.

As a member of the official opposition and the critic on this side for missing and murdered Indigenous women and girls, I want to take a strong and comprehensive look at this bill from the perspective of Indigenous women and girls throughout the debate. When we look at what's going on here, we need to make sure that we're responding to issues at a systemic level, including racism and poverty and discrimination, as well as implementing the calls for justice in the National Inquiry into Missing and Murdered Indigenous Women and Girls. If this government is really serious about supporting Indigenous women and girls in this province, we need to see more action to not just prevent human trafficking but to empower women and support victims. There's so much work that we need to do.

Like other forms of violence, sexual violence against Indigenous women and girls is rooted in colonialism and results from the intergenerational trauma that has been caused by the residential school system, the Sixties Scoop, the millennial scoops, and other harms that have been done through the colonial status as an act of assimilation and violence against Indigenous people.

Indigenous women and girls and 2SLGBTQ+ people are significantly more likely to experience violence in their lifetime. Indigenous women are six times more likely to be a victim of homicide than non-Indigenous women, and two-spirit and trans people experience violence nearly five times more often than their cisgender peers.

Indigenous women and girls in Canada continue to go missing, continue to be murdered. Communities and families grieve these losses daily. The government

continues to neglect the systemic nature of gender-based violence, of racism and colonialism in our communities.

It has been almost a year and a half since the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls came out. Thousands of people came forward, through that process, to tell their stories, to share their truths, to share the stories of the loved ones they have lost, with that inquiry. They spoke of their sisters, their mothers, their aunts, their friends who had been murdered, who had disappeared, who never came home. What we heard over and over again was that Indigenous women and girls have been subject to colonial violence for generations. The policies of colonization and genocide that were imposed on Indigenous people are entirely normalized.

It's not enough for the provincial government to accept the report and say that they'll listen; we need action and systemic change.

When the inquiry's final report was announced, my colleague the member from Kiiwetinoong and I called on the province and on the Premier directly to take serious action. We called on the Premier to adopt the United Nations Declaration on the Rights of Indigenous Peoples and to provide funding for prevention programs to counter violence against women. We urged the Premier to recognize Indigenous languages by reinstating the Indigenous Culture Fund, which provided cultural development, including language education—a fund that he callously cut last year, balancing the books on the backs of Indigenous culture.

We asked the Premier to allow all Ontarians to actually learn the true history of this country and to have Indigenous curriculum included as a part of core studies in Ontario schools. But what was one of the first moves that we saw from this provincial government back in 2018? Within days of coming into office, they cancelled the curriculum-writing sessions that had been planned to include reconciliation as a part of our school curriculum.

Speaker, three budgets later, this government has yet to make any of these actions a reality. It has yet to take any meaningful action with regard to education on Indigenous history, with regard to improving supports for Indigenous women, with regard to taking action on the calls to justice in the missing and murdered Indigenous women and girls inquiry. We haven't seen any of this. We need to be taking steps to improve the lives of Indigenous women and girls throughout this province.

In the Ontario Federation of Indigenous Friendship Centres' closing submission to the national inquiry, they specifically referenced why we need to give attention to the experiences of Indigenous women and girls and 2SLGBTQ+ individuals as it relates to trafficking and sexual exploitation. From their submission: "Despite the fact that data is scarce," we know that "Indigenous women and girls are drastically overrepresented in cases of human trafficking. Given this reality, the Indigenous-specific allocation under the provincial strategy in Ontario does not adequately reflect the disproportionate rate that Indigenous women experience human trafficking and

sexual exploitation. There is a clear need for a dedicated strategy to end human trafficking with a specific Indigenous gender-based lens that is appropriately resourced." I think that appropriately resourced piece is the thing that we continue to see missing from this government, over and over again.

Speaker, this bill does not go nearly far enough to respond to the connection between colonial violence and systemic racism and how that interplays with human trafficking. We still need more resources allocated to Indigenous community organizations, and I want to see this government make that a priority. Like I said, we haven't seen any meaningful action.

When this legislation was announced, and as I said in my comments before to the last speaker, I connected with my former colleagues at the OFIFC, the Ontario Federation of Indigenous Friendship Centres. Again, they noted that it's vital that this government commit to a person-centred spirit of this legislation. We need to be focusing on victims—considering how to help them, what they will need to move on with their lives, how we could prevent this from ever happening to them.

My colleague emphasized to me that this should not be used as another opportunity to just invest in police. It's vital that we invest in communities to implement prevention approaches—not just a police response after the fact. The money should be going directly to organizations in the communities that are actually on the ground servicing communities that are impacted by human trafficking, to support those survivors to rebuild their lives, and developing solutions and programs that address the conditions that lead to human trafficking—conditions like poverty and racism. We shouldn't be investing in the structures and institutions that have already failed Indigenous communities for decades. There's no trust in many of those communities with these policing organizations.

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As I said earlier, the most recent example we have is from just in the last week, with the OPP being kicked out of Pikangikum because they don't have trust in that policing service, and because of the harms that—that policing service has actually directly harmed the folks in that community. How do we combat human trafficking and violence against women by investing in policing, when policing is a part of the problem in many of these communities, in terms of perpetuating that harm and that violence?

My caution to the members opposite, and what I have heard from Indigenous stakeholders, is not to use this as an opportunity to overinvest in policing. We need to be investing in Indigenous communities directly and in the Indigenous-led organizations that are doing the prevention and the education work and the programs and services to support women to exit human trafficking.

Speaker, implementation must mean investing in communities to reach victims. This means investing directly in urban Indigenous community infrastructure—like friendship centres, like ONWA, like shelters, and like housing—in order to protect women in the first place. That includes

that people are able to connect with their community, their culture, their languages—that they have access to support networks of people and services. People need access to safe and secure Indigenous housing that's culturally appropriate, and culturally safe health care. All of these social supports prevent human trafficking. We need more investments in culture-based programming that grounds people, specifically children and youth, in their communities, in their cultures and in their languages. This helps build up the necessary skills to address the spectrum of issues, from violence to health care to the prevention of child welfare apprehension and educational achievement.

Speaker, I see I've only got a few minutes left. I had quite a lot I wanted to say.

A few more pieces that I did want to touch on are pieces that my NDP colleagues and I brought forward that would help women in Ontario. This isn't just about human trafficking; it's about the underlying issues of systemic racism and poverty that put women at risk of being pulled into human trafficking in the first place. These underlying systemic issues—poverty, as one example—are getting worse in this province. What have we seen this government do? We've only seen it get worse over the last year under COVID-19. My colleagues and I have brought forward a number of solutions, like rent relief, like an eviction ban, like increased investments in mental health support. This government has repeatedly continued to refuse to take action to address the underlying systemic issues around poverty. The reason that we are seeing a rise in human trafficking is the vulnerability of women and girls, particularly Indigenous women and girls, in this province.

Speaker, in the Ontario Native Women's Association's Journey to Safe Spaces: Indigenous Anti-Human Trafficking Engagement Report, they found that the most pressing issues identified by survivors are safety and discriminatory treatment at the hands of service providers. It found that women need safety—a place to go when they get hurt where they can talk, where they are accepted without judgment, and where people understand and have lived experiences. Finding those spaces of safety provides a pathway to stable housing and to transition services to support the process of exiting human trafficking and stabilizing their lives.

The report heard from survivors who had experienced deeply concerning mistreatment and stigma. They found that survivors had concerns around interactions with front-line workers and first responders, like I said, including police. Survivors often face many barriers when accessing these supports. They feared judgment and they feared mistreatment by professional helpers, which prevented them from getting support and the services that they needed.

I want to quote from the report. "Women shared that sometimes police have preconceived notions that the women are not to be believed and are not worthy of being treated with the same respect shown to others. Due to poor treatment and not being taken seriously, women are afraid to report sexual assaults to the police. Police need to

believe women when they report an assault. We need a way to change how police deal with the women."

They went on to say, "Hospital staff are also problematic. They are often judgmental towards the women and don't treat them as they do other patients. Women mentioned frequently getting 'that look' as if to dismiss the women or to suggest they are less important than others seeking health care."

What we're seeing is—

**The Deputy Speaker (Mr. Rick Nicholls):** Excuse me. Unfortunately, the time for debate has expired. However, when this bill is brought back into the Legislature, you will have time remaining to finish your debate, as well as for questions and responses.

*Second reading debate deemed adjourned.*

## MEMBERS' STATEMENTS

### COVID-19 RESPONSE

**Ms. Jill Andrew:** Yesterday, the government announced their 2021 budget, and the Premier's finance minister said, "It's clear that we are sparing no expense to defeat COVID-19." This is not the case. Conservatives are cutting supports during the pandemic. Nowhere in this budget mentions provincial paid sick days, and there is no new funding to make schools COVID-19-safe. As I speak, classes in St. Paul's are in isolation, sent home, paying the price for a cheap government.

Where is income for our individual theatre, visual, dance, musicians and other creative workers who have lost work due to COVID-19? Local fashion designers have had to stop production. Many comedians aren't laughing anymore. Toronto has the largest number of artists of any city in Ontario, and this government expects them to survive on hope. Hope does not pay the bills.

What about injured workers? Our people in St. Paul's on ODS-poverty and OW are suffering. Rates must increase. They weren't even mentioned yesterday in the speech.

Aging adults are facing evictions.

And this government's grants for small businesses—well, many in St. Paul's can't even qualify.

A Conservative budget that ignores the child care crisis, our demands for supportive housing and provincial direct funding for survivors flowing now, not years from now, removes any chance of women's participation in paid labour.

St. Paul's has put this government on notice: Your time is up.

### HELLENIC HERITAGE MONTH

**Ms. Effie J. Triantafopoulos:** Today is a special day for people of Hellenic descent in Ontario and for Hellenes around the world. March 25 marks the bicentennial of the independence of Greece. On this day in 1821, the people of Greece rose up against the Ottoman Empire in a

revolution that gained them their independence. After centuries of living under Ottoman despotism, Greece, the enlightened land that gave birth to democracy, reclaimed its liberty and was a free nation once again.

I am proud that my bill to proclaim March as Hellenic Heritage Month was passed by our government—the first and only jurisdiction in Canada to do so.

We are proud of our history and the gift of democracy our ancestors gave to the world.

The bicentennial marks the restoration of liberty to the land where Pericles orated to the people of Athens, to the land where Alexander was tutored at the foot of Aristotle, to the land where Hellenes stood for liberty at Marathon, Salamis and Thermopylae, where they rose up in 1821 with the cry, “Eleftheria i thanatos”—“Liberty or death”—and the land that shouted, “Oxi”—“No”—to the armies of the Fascist invaders in 1941.

While Greece is free, all nations can dream of freedom.

*Remarks in Greek.*

Long live Greece, long live Canada.

#### SERVICES FOR CHILDREN AND YOUTH

**Ms. Jessica Bell:** COVID-19 has thrown our education and child care sector into crisis. There are COVID-19 cases in nearly 20% of Ontario’s schools, yet still no adequate mass testing. Women—and it’s mostly women—are quitting or being fired from their jobs because they can’t look after kids and work at the same time, stripping 30 years of gains to address workplace sexism. Child care providers especially are in crisis, and they’re closing down in record numbers. Teachers are getting sick on the job, because this government is not doing enough to protect their health. And very sadly, kids are struggling with mental health.

I want to acknowledge and recognize the parents who have reached out to me to share heartbreaking stories of their kids who are suffering and their loss of children and teenagers to suicide.

And now we get yesterday’s budget. Does yesterday’s budget provide more support to parents, kids and teachers? No, it doesn’t. There are cuts. There’s no commitment to lower class sizes to help us tackle COVID-19. There’s no commitment to continued funding to provide support for COVID-19. There is no real funding for affordable child care. There are a lot of promises about increasing child care spaces, but these promises are false, because this government is doing nothing to help the child care centres right now that are going under and going bankrupt.

**1020**

If this was our budget, we’d have more support for schools and child care, more support for our kids and more support for education workers and families. That is the right path forward.

#### NOWRUZ

**Mr. Michael Parsa:** Speaker, last Friday, I had the pleasure of gathering with members of the Persian

community here in Ontario to host my annual Nowruz celebration—of course, virtually this year.

Nowruz is an ancient celebration that dates back to 3,000 years ago. Although it’s commonly known as Persian New Year, Nowruz is celebrated by millions of people in dozens of countries around the world, including China, Ukraine, Israel, Afghanistan and many more. No more where you’re from, during Nowruz, you’ll always find yourself in warm gatherings amongst family and friends.

I should note that Nowruz isn’t celebrated as a day on its own. Like all grand festivities, there’s a lead-up and a winding-down to Nowruz. I know what you’re thinking, Speaker: “They sure know how to party.” You’re absolutely correct.

The entire Nowruz season kicks off with Chaharshanbe Suri the Wednesday before Nowruz, and it is celebrated by jumping over bonfires—yes, you heard me right: bonfires. This fire-jumping symbolizes the renewal of one’s spirit and the purification of one’s soul before the start of the new year.

After Chaharshanbe Suri, you spend the days leading up to Nowruz shopping for food, desserts, gifts and, most importantly, decorations for the Haft Sinn table. On Nowruz eve, family and friends gather around the Haft Sinn table, which is an arrangement of seven different symbolic items, each starting with the letter S and each with its own unique meaning:

- sprouting grass, the symbol of rebirth and growth;
- coins, representing wealth and prosperity;
- hyacinth flowers, or sonbol, representing spring;
- sumac, representing sunshine;
- vinegar, the symbol of patience;
- apple, the symbol of beauty;
- garlic, the symbol of health and medicine.

Nowruz means “new day,” and it serves as a reminder about the importance of harmony between life and nature—a symbol of renewal and a fresh start. On this new day, let us embrace the spirit of new beginnings by joyously looking forward to this new year.

I’d like to wish everyone celebrating Nowruz here in Ontario and around the world a happy, healthy and prosperous new year.

*Remarks in Farsi.*

#### ANTI-ASIAN RACISM

**Ms. Bhutla Karpoche:** Since the pandemic began, Canadians of Asian heritage have experienced a dramatic increase in racist attacks, from verbal abuse to online harassment, to physical assault.

Just last week, a young Asian man had an egg thrown at him as he left work, not very far from Queen’s Park. A young Asian woman was shouted at and called “corona” as she crossed the street on Bloor. Another was harassed on the TTC and told to go back to where she came from.

Speaker, this happened to people I know. They are our friends, our neighbours, our community members. Canadians of Asian heritage are facing these types of aggressions



every day. It took the murder of eight people in Atlanta and the brutal violence against our elders for anti-Asian racism to get the attention it needs.

But anti-Asian racism did not start with the pandemic. Canada has a long history of anti-Asian racism, from keeping the “yellow man” out to Japanese internment camps, to the Komagata Maru incident, to the Chinese head tax.

We cannot forget this racist history, and we cannot allow racism of any form against anyone.

Speaker, we have been silent on anti-Asian racism for far too long. Silence is no longer an option. I call on all of us to speak up against anti-Asian racism.

### LONG-TERM CARE

**Mr. Kaleed Rasheed:** Late last week, our government announced an historic investment of \$933 million in long-term-care projects throughout Ontario. This funding is in addition to the \$1.75 billion already earmarked towards the modernization of our long-term-care sector. The funding supports the delivery of 30,000 much-needed long-term-care spaces across the province over the next 10 years. With the addition of this new funding, Ontario now has just over 20,000 new and just around 16,000 re-development spaces in the development pipeline.

In my riding, Tyndall Seniors Village is being allocated 73 new spaces and 151 upgraded spaces. The project will result in a 224-bed home through the construction of a new building in Mississauga. I recently spoke with the team at Tyndall, and they are thrilled to be able to move into this next phase of providing care for the people of Mississauga East–Cooksville. We know that the number of individuals and families in Mississauga who will require access to long-term care is expected to rise over the next decade. These 224 new or upgraded beds will make a significant difference in providing that access to those who need it, so that our vulnerable seniors can get the care they need when they need it.

### PERSONAL SUPPORT WORKERS

**Mr. Jamie West:** In 2018, a Sudburian said something to me that has been stuck in my head ever since: “We need to fix long-term care because the workers there are family when my family’s not there.” Think about that: “Those workers are family when my family’s not there.”

During COVID-19, the shortcomings of long-term care have been magnified. There’s a lot to fix, and I want us to start with PSWs, personal support workers. I had a conversation with Darla Fiset. She’s a home care PSW. She told me that some PSWs make as little as \$15 an hour. Darla cares for 10 to 12 clients a day. She used to take the bus, but because of COVID-19, the bus schedules change and it doesn’t feel as safe, and so she walks to those clients.

Tracy Rudiger used to be a home care PSW. She’s now a long-term-care PSW. She loved home care but had to get out of it because of the cost. She said she had to change her brakes every three months. She had monthly oil

changes. She had higher insurance than everybody else, and other yearly maintenance fees.

I want to remind everybody that some PSWs make as little as \$15 an hour. People often say there’s a shortage of PSWs, but there’s not. There’s no shortage of people who want to be PSWs or train to be PSWs; there’s a shortage of good-paying jobs for PSWs.

On Tuesday, I tabled Bill 266, the Support Workers Pay Act, to address this. Bill 266 is an opportunity to permanently raise that wage floor for personal support workers in any sector, and it will also ensure that they aren’t paying out of pocket for the travel expenses of going from client to client. We have pandemic pay, but pandemic pay ends; pandemic pay only applies to some PSWs.

And those workers are my family when my family’s not there.

### DORA SKEEN

**Ms. Mitzie Hunter:** It’s a pleasure to raise on behalf of my constituents in Scarborough–Guildwood. I would like to recognize an outstanding individual, Ms. Dora Skeen, born in 1910. She turned 110 in December. Migrating to Canada from Jamaica in 1980, she has lived in Scarborough ever since. A force of nature who still lives independently, Dora is a true inspiration to all of us.

It gave me great pleasure to be present for Ms. Dora’s vaccination, as she received the COVID-19 Pfizer-BioNTech vaccine at her home on March 16, from the Scarborough Health Network and the Scarborough Centre for Healthy Communities. Ms. Dora is also an important example of how essential it is for all members of the community to receive the COVID-19 vaccine.

The fact that Dora is still able to live independently and spend time with her family at 110 years old is a real testament—following consistent guidelines has kept her safe.

Vaccine hesitancy is an issue that for too many is deeply rooted in a history of racism, and this needs to be addressed. It is also an issue that is rooted in the spread of misinformation. I want to underline the fact that all hesitancy related to COVID-19 is a public health concern and impacts our pandemic response for the most vulnerable citizens.

We should all take inspiration from Ms. Dora, who is in her 111th year, and make sure that this trusted and safe vaccine is given to all when they are offered it.

1030

### HEALTH CARE FUNDING

#### ECONOMIC REOPENING AND RECOVERY

**Mr. Sheref Sabawy:** Health and safety is a concern of every Ontarian, as well as our government, especially during the pandemic. That’s why our government approved the Trillium Health Partners expansion project at Credit Valley Hospital in 2019, as well as the newly approved construction of an in-patient tower at the

Trillium Queensway site and a complete rebuild of Mississauga Hospital, in the 2021 budget.

As part of our government's promise to add 30,000 long-term-care spaces in Ontario, over the last two years Mississauga got 192 beds in Schlegel Villages, 220 beds in Trillium Health Partners, 320 in Indus Community Services, Yee Hong and Trillium Health Partners, 128 in Ivan Franko Homes Village and 224 in Tyndall Seniors Village—a total of 1,084 needed long-term-care beds just in Mississauga, approximately double what the previous government allocated for long-term-care beds for the whole of Ontario in four years.

Our government also values the importance of worship and faith, especially in these tough times. That's why it was my pleasure to support our government's decision to update the framework to permit places of worship to operate at 15% capacity and ease the restrictions on outdoor dining and patios. This will allow residents of Peel region who have been in lockdown for several months to practise their faith safely and enjoy outdoor activities, given this much-awaited pleasant warm weather.

That being said, we are easing restrictions very cautiously. While we would all like to be open, we have to listen to the advice of our health professionals and cannot go against medical advice.

Our government is determined to place Ontario on the path to recovery, and we will do whatever is necessary. We are all in this together.

#### HEALTH CARE FUNDING

**Mr. Amarjot Sandhu:** “Brampton is always ignored.” “Brampton remains underfunded.” “Brampton is never given priority.” “Brampton doesn't get its fair share.” Mr. Speaker, these were the perceptions that were prevailing in the hearts and minds of people across Brampton until 2018.

Those perceptions are now history. Yesterday was a historic day in the city of Brampton. In 2018, when this government was formed under the leadership of Premier Ford, we were working to improve the health care infrastructure in the city of Brampton, which was neglected for too long. I'm honoured to share the great news that the Premier and this government announced a second hospital in the city of Brampton to serve Bramptonians better.

I'm also delighted to share that to support the long-term-care needs of Bramptonians, the province is working with Ryerson University and funding them to build a new medical school in the city of Brampton.

There is so much more to Brampton's support saga. Brampton also received two new long-term-care centres, Guru Nanak Long-Term Care Centre and Indus Community Services long-term-care centre, which will bring 352 new beds to address the long-term-care needs in the city of Brampton.

On behalf of my residents and constituents, I would like to thank Premier Ford, the Minister of Health and the Minister of Finance for giving Brampton its due share, which was neglected for too long.

#### REQUESTS TO INTEGRITY COMMISSIONER

**The Speaker (Hon. Ted Arnott):** I beg to inform the House that I've laid upon the table a request by the member for Peterborough–Kawartha, Mr. Smith, to the Hon. J. David Wake, Integrity Commissioner, for an opinion pursuant to section 30 of the Members' Integrity Act, 1994, on whether the member for Waterloo, Ms. Fife, has contravened the act or Ontario parliamentary convention.

I beg to inform the House that I have laid upon the table a request by the member for Orléans, Mr. Blais, to the Hon. J. David Wake, Integrity Commissioner, for an opinion pursuant to section 30 of the Members' Integrity Act, 1994, on whether the member for Willowdale, Mr. Cho, has contravened the act or Ontario parliamentary convention.

#### WEARING OF PINS

**The Speaker (Hon. Ted Arnott):** I think the member for Oakville North–Burlington has a point of order.

**Ms. Effie J. Triantafilopoulos:** As we all know, this month of March is Hellenic Heritage Month. It also happens to be the bicentenary of Greece's independence after 200 years. I'd like to ask all members of the House for unanimous consent so that we may all wear the Hellenic Heritage Month pin.

**The Speaker (Hon. Ted Arnott):** The member is seeking the unanimous consent of the House to allow members to wear the Hellenic Heritage Month pin. Agreed? Agreed.

#### COVID-19 DEATHS

**The Speaker (Hon. Ted Arnott):** The leader of the official opposition has a point of order.

**Ms. Andrea Horwath:** I seek unanimous consent for the House to observe a moment of silence to pay tribute to the 154 Ontarians who have succumbed to COVID-19 since Thursday, March 11.

**The Speaker (Hon. Ted Arnott):** The Leader of the Opposition is seeking the unanimous consent of the House to observe a moment of silence to pay tribute to the 154 Ontarians who have succumbed to COVID-19 since March 11. Agreed? Agreed.

Members will please rise.

*The House observed a moment's silence.*

**The Speaker (Hon. Ted Arnott):** Members may take their seats.

It is now time for oral questions.

#### QUESTION PERIOD

#### ONTARIO BUDGET

**Ms. Andrea Horwath:** Speaker, my first set of questions to the Premier is regarding the critical pieces that we think were missing from the budget yesterday.

As we all know—and maybe the Premier didn't get the memo—the pandemic is still raging. In fact, today, 2,380 cases are being reported in Ontario. This means people are still hurting. Folks are still in crisis.

Those front-line essential workers, in hot spot communities, particularly, are still facing the third wave of the pandemic—although, those two words, “third wave,” didn't show up in yesterday's budget at all. It's a serious matter, because the budget did not include paid sick days for those essential front-line heroes.

Why would the government not include paid sick days for those workers when virtually every expert has indicated that that's exactly the right thing for Ontario to do?

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Members will please take their seats.

The Minister of Finance and President of the Treasury Board to respond.

**Hon. Peter Bethlenfalvy:** Thank you to the Leader of the Opposition and the member opposite for that question.

There is a program. There's a federal program. This program is working. Some 250,000 Ontarians have benefited from this program. There's over \$700 million still available for that program, and every province in this country is benefiting from this program.

I call on the Leader of the Opposition to join us to make every Ontarian aware of this program so that they can get tested and, if they need to, isolate in one of the many isolation centres that we have put in this province so people can quarantine.

And let me tell you this: The number one combatant against the pandemic is vaccinations. Join us in making sure that every Ontarian who wants a vaccine gets one.

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

**Ms. Andrea Horwath:** They can't take time off to go get the vaccine, Speaker.

The other critical piece that was absolutely shocking when I looked at that budget yesterday was the fact that the survivors of the long-term-care system saw no hope in that budget for urgent action to fix our long-term-care system. This government has shown no urgency whatsoever. In the first wave, there was no urgency to save people's lives and fix long-term care. The second wave came and, again, the government showed no urgency; in fact, more people lost their lives in long-term care—shamefully—than in the first wave, tragically.

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That's what happened here in Ontario. And yet, this budget shows no investment for more RQIs, resident quality inspections; no permanent increase in the salaries of PSWs; no necessity for working conditions to improve to full-time work for PSWs; no getting the profits out of long-term care.

Why did the budget fail our long-term-care system?

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Members will please take their seats.

Minister of Finance.

**Hon. Peter Bethlenfalvy:** Thank you, again, for that question.

When the Leader of the Opposition supported the minority Liberal government, I don't think the word “urgent” was in her playbook, and I'll tell you why. They built 611 beds in that time, over almost a decade.

Mr. Speaker, “urgent” is in our playbook. That's why we're building 20,000—over 20,000 have already been allocated—new bed spaces of the 30,000. That's urgent. In fact, we're doing rapid builds to have some of them built by the end of this year.

In terms of the quality of care, four-hour standard of care—the gold standard in Canada.

We're not waiting; we're already recruiting PSWs. We're having in-class training and training in long-term-care homes so we can retain them, recruit them and motivate them for great careers in the personal support worker sector.

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

**Ms. Andrea Horwath:** Here's the other thing we were really quite disappointed in—in fact, increasingly worried—about what's missing from that budget: the fact that there are hundreds of thousands of Ontarians who are waiting for surgeries, who are waiting for screenings, who are waiting for various procedures. They're worried, and they're in pain. Some of them have cancer spreading through their body. This government, in this budget, did not significantly invest in clearing that backlog—other provinces have. In fact, British Columbia started planning last spring for the clearing of their backlog, and they're actually going to clear their backlog by the summer—not so in Ontario.

Why did the government turn their backs on all of those folks who are suffering and not include in the budget a significant amount of investment and an appropriate plan, with targets, to get rid of the surgical backlog in our province?

**Hon. Peter Bethlenfalvy:** Thank you again to the member opposite for that question.

Number one, all the great people who have supported this province through the pandemic, including our front-line health care workers—nurses, personal support workers, physicians, people who support them—are incredible heroes.

Let me tell you this, Mr. Speaker: I'm not sure the Leader of the Opposition has read the budget, and I'll tell you why. We've put unprecedented amounts, long-overdue amounts, into our health care system—building hospitals, putting money in for long-term care, putting money in for mental health and addictions. In that budget, we also highlight the substantive amount of monies, in addition to the backlog for surgeries that we've put in before—another \$300 million—through the great

leadership of our Minister of Health. We're going to clear up that backlog.

### EDUCATION FUNDING

**Ms. Andrea Horwath:** My next question is also for the Premier.

In that budget is about a third, per capita, of what other provinces are investing in getting rid of their surgical backlogs. So I don't know why this government can't do that math.

The budget also confirmed yesterday that we're going to be seeing more cuts to schools. We're going to be seeing more caring adults removed from our school system in our province—almost \$1 billion in cuts to education.

So my question is, exactly how many educators, how many teachers, how many educational support workers is this government planning to fire this time?

**The Speaker (Hon. Ted Arnott):** Minister of Finance.

**Hon. Peter Bethlenfalvy:** Thank you, again, to the Leader of the Opposition for that question.

If you look at the budget, we increased education spending, and spending is going up every single year through our plan.

Mr. Speaker, we've heard from parents and we've heard from people right across the province that the most important thing is to bring our children back to school safely. We invested \$1.6 billion to do that, and they're very grateful for that. But we're not going to rest. We're going to continue to invest in making sure students can be safely in school.

We've put in additional money so that they can learn online, remotely, in underserved communities. There's nothing worse than, in a lockdown, doing your school online and the bandwidth isn't there. We're making historic, record investments in broadband so we can connect every single student in this province.

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

**Ms. Andrea Horwath:** School boards in our province are already planning for layoffs. In fact, Ottawa's school board just sent a memo that 167 positions are going to be cut. The government sent a memo just about a month ago telling school boards to prepare for cuts and firings of staff.

After a year of upheaval, after the most difficult year our students have ever seen, why would this government think that now is the time to pull supports away, instead of making sure that our kids are shored up and that we have the educational workers, the teachers, the mental health supports every student needs and deserves to get over this nightmare of a year that they've had to endure?

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

**Hon. Stephen Lecce:** Ontario's action plan, which was unveiled by the Minister of Finance yesterday, confirms a \$700-million net increase in public education. There is no government in the history of this province—in the first year of our mandate, in the second year of our mandate,

and in this coming fiscal year—that has invested more than Premier Doug Ford.

We are committed to ensuring investments continue to rise. It's why we're putting more money into skilled trades, more money in summer learning—the largest summer learning program, over \$100 million, to mitigate learning loss. It's why we're supporting Internet connection in every school and right across the province of Ontario, to end the digital divide in this province. We are investing in all realms—in mental health, in learning loss.

I acknowledge to the Leader of the Opposition that we are going to be providing more support through the Grants for Student Needs, which is the principal vehicle of funding to school boards, which will be released in the coming months—a commitment by the government to continue to invest in safe schools and in quality education in Ontario.

**The Speaker (Hon. Ted Arnott):** The final supplementary.

**Ms. Andrea Horwath:** Earth to the government, Earth to the Minister of Education: Schools are still closing, today, in Ontario. We're in a third wave. There are 2,380 new cases being reported today. There is still a crisis upon us. The pandemic has not ended here in Ontario. Students need supports now, probably more than they ever have before in their educational careers. So why does the government just not get it? Why are they so out of touch?

Why is the government firing teachers, educational workers—supports to students—at the very time that those students need the help the most?

**Hon. Stephen Lecce:** What is out of touch is the Leader of the Opposition's dismissal of money directly in the pockets of working parents in this province. To attack the Minister of Finance for believing that a billion dollars in direct financial relief is not a merited investment of tax dollars suggests that you are out of touch, respectfully, ma'am.

The government is fully committed to investing in quality education, to reducing—

**The Speaker (Hon. Ted Arnott):** You've got to make your remarks through the Chair, not across the floor.

Please conclude your answer.

**Hon. Stephen Lecce:** It underscores the truth, that the government is investing in quality learning, in safe schools, while also returning monies directly to moms' and dads' pockets. We're doing this through child care relief—a 20% top-up—in addition to direct supports—\$400 per child, up to grade 12; \$500 per child with special education needs, up to age 21. That is a real commitment to helping taxpayers and parents, and a real commitment to protecting our schools in this province.

### CLIMATE CHANGE

**Mr. Peter Tabuns:** Speaker, this question is directed to the Premier.

Moments ago, the Supreme Court of Canada ruled against the Premier and his Conservative campaign against

action on the climate crisis. To quote the court: “Climate change is real ... and it poses a grave threat to humanity’s future.”

After years of wasted time and millions spent in losing court battles, is the Premier prepared to admit he was wrong, and to stop attacking efforts to fight the climate crisis?

**The Speaker (Hon. Ted Arnott):** The Minister of the Environment, Conservation and Parks to respond.

**Hon. Jeff Yurek:** Thanks to the member opposite for that question.

What we have done since day one of being elected, and which we’ll continue to do, is continue to fight for affordability for families and small businesses throughout this province.

We don’t disagree that climate change is a threat to this province and to this country. We want the same things that everyone wants—to reduce our GHG emissions, to protect our air, land and water. We want a strong climate plan. However, we want to take a different path. We believe there’s a different path, moving forward to achieve our goals, and it’s not necessarily what the members opposite are pushing. We think that we can move forward to reduce our GHG emissions and achieve our targets, and at the same time protect our air, land and water.

I’m proud to say that we have our first-ever strategy on hydrogen going forward with this government. We have our emissions reduction for heavy-duty vehicles going forward. And we have our emissions performance standards, which we are working with the federal government to implement in order to attack those heavy polluters in this province and reduce their emissions.

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

**Mr. Peter Tabuns:** Again, back to the Premier: We need a Green New Democratic Deal to fight climate change and build a sustainable Ontario.

The government lost at the appeals court, and they lost at the Supreme Court. They wasted money putting stickers on gas pumps to show just how angry they were, and those stickers didn’t even stick. But anger won’t address the climate crisis; only real action will.

This is a government that wants to pave over wetlands to build warehouses and that calls carbon pricing a green scam.

When will they wake up, smell the coffee and start tackling the climate crisis the way Ontarians want them to?

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Members will please take their seats.

The Minister of the Environment.

**Hon. Jeff Yurek:** Thanks again for that supplemental from the member opposite.

What we do believe is that we’re able to have a balance between a healthy, strong environment and a healthy economy. Through that healthy economy, we could put

more efforts behind fighting climate change and we could put more efforts protecting our land, air and water.

For the members opposite, just to continue—not only have we introduced Ontario’s first hydrogen strategy consultation, but we have our climate change advisory panel reporting soon. We also are doing an impact assessment across this province for climate change to see how we can build resilience and change through communities throughout the province to prepare for the changes due to climate change. We’ve increased the renewable content of gasoline.

We are going to be moving forward with phasing out the total use of coal within this province—something that wasn’t completed by the previous government, something that was started originally by the previous Progressive Conservative government that is going to be finalized by a Progressive Conservative government.

We are going to continue our investment of \$30 million into wetlands and our \$20-million greenlands partnership program as we move forward to protect our land, air and water and fight climate change.

#### HEALTH CARE FUNDING

**Mr. Aris Babikian:** My question is to the Minister of Finance.

Mr. Speaker, as you know, my community of Scarborough–Agincourt has been hit hard by the COVID-19 pandemic. Scarborough is home to more than 600,000 people, and we need significant investments in health care services to support our community and continue to stop the spread of COVID-19.

Yesterday, the Minister of Finance introduced the government’s 2021 budget. Would the minister please tell this House exactly what our government is investing to stop the spread of COVID-19?

**Hon. Peter Bethlenfalvy:** Thank you to the member for Scarborough–Agincourt for that question.

Mr. Speaker, as I said yesterday, you can’t have a healthy economy without healthy people.

For the past year, we have focused on protecting people from COVID-19, but many challenges still lie ahead. With vaccines being distributed in every corner of the province, hope is on the horizon.

We will continue to take every necessary step to protect the people of this province against the COVID-19 virus. That’s why our 2021 budget, Ontario’s Action Plan: Protecting People’s Health and Our Economy, brings Ontario’s total investment to protect people’s health since the start of the pandemic to \$16.3 billion.

While the Liberals spent 15 years ignoring the health care needs of this province, this government is making the investments that the people of Ontario deserve.

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

**Mr. Aris Babikian:** My supplementary question is to the Minister of Health.

This is great news for my community. I know everyone will be very excited to hear about this investment to keep

Ontarians healthy during the COVID-19 pandemic. Expanded health care is exactly what Scarborough needs.

Would the Minister of Health explain exactly what this year's investments mean for expanding health care in Ontario?

**Hon. Christine Elliott:** Thank you to the member for Scarborough–Agingcourt for his question and for his very effective advocacy for his constituents.

Our government continues to take every action necessary to stop the spread of the COVID-19 virus, while making record investments in the health care system. This means an increase in base funding for health care in Ontario to \$64 billion this year. That's up 4.7% from last year's investment.

Anthony Dale from the Ontario Hospital Association said that he "greatly appreciates the investments announced today and thanks the government of Ontario for providing hospitals with additional financial resources in an effort to maintain stability during this ongoing crisis."

Mr. Speaker, our government will continue to make record investments in our health care system so that patients can receive high-quality care in their own communities.

#### SMALL BUSINESS

**Ms. Catherine Fife:** My question is to the Minister of Finance.

We need to talk about the Ontario Small Business Support Grant. Since it was launched, my colleagues and I have talked to countless frustrated small business owners who never qualified to even apply for the grant. The grant criteria are too narrow. Thousands of businesses have been told, "You're just out of luck." We're talking about family-owned businesses: dry cleaners, brewers, caterers, electricians and more. They were desperately hoping to see expanded criteria for the grant in yesterday's budget—a call echoed by the Ontario Chamber of Commerce and the CFIB—so that all affected businesses could receive some support. Instead, they were left out again.

Will the minister do the right thing and level the playing field so that all businesses can receive this much-needed support?

**Hon. Peter Bethlenfalvy:** Thank you to the member opposite for the question.

The small businesses in our great province are really the economic engine for this province, but they're more than that: They're the identity of many of our communities, and they've suffered quite a lot.

That's why we launched the Ontario small business grant program. That affects over 100,000 businesses that have applied successfully for the grant; we expect 120,000. We're supporting those who were affected by the lockdown and restricted significantly. I was pleased to announce yesterday that we're doubling that, because that's often the difference between keeping the lights on and turning them off for good.

But we went further than that. For those even harder hit in our tourism, in our travel, in our hospitality industries,

we announced over \$400 million of additional supports on top of the over \$200 million.

This government stands behind small businesses. We were there for them before, we were there for them yesterday, and we'll be there for them tomorrow.

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

**Ms. Catherine Fife:** Yesterday evening on The Agenda, a small business owner was asked to rate the Premier's performance on the small business file. She said, "Am I giving him a grade? It wouldn't be a good one." She called the assistance thus far "pathetic."

Today, one in six small businesses is at risk of closing. The average debt that these businesses face is \$170,000. Many need more support than what is being offered to them to get through this third wave.

We have 2,400 cases today in the province of Ontario.

What does the minister have to say to small business owners who are rightfully disappointed by yesterday's budget? What hope can you offer when you failed to recognize the turmoil they have faced during this pandemic?

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

**Hon. Prabmeet Singh Sarkaria:** I appreciate the question from the member opposite.

We have spent the last months listening to small business owners, speaking to them about their concerns. That is why the Minister of Finance initially launched the small business support grant—up to \$20,000 to support their needs. Over 100,000 applications—over \$1.4 billion has been paid out, and yesterday, the Minister of Finance announced that he is doubling that payment.

We are going continue to support our small businesses that have faced significant challenges. We're giving them—100% of their property tax to be covered, 100% of their energy costs that are also being covered. If they go to the federal programs, they can get up to 90% of their rent, and wage assistance up to 75%.

We will spare no expense in ensuring that small businesses continue to receive the support they need to get through this difficult time.

#### CLIMATE CHANGE

**M<sup>me</sup> Lucille Collard:** My question is for the Minister of the Environment, Conservation and Parks.

This government has demonstrated repeatedly that fighting climate change is not a priority. From eliminating powers of conservation authorities to making ministerial zoning orders untouchable, this government continues to put our environment at risk.

Another demonstration of this lies in the budget, which makes no major financial commitments for reducing emissions, with no clear targets and no plans for a green COVID-19 recovery.

Today's Supreme Court ruling on the carbon tax tells us that this government invested millions in taxpayers'

money in a misplaced priority: fighting against protecting the environment.

**1100**

Why won't this government take climate change seriously and proactively protect our environment for the generations to come?

**Hon. Jeff Yurek:** Thanks for the question from the member opposite.

Unlike the party opposite, we believe in affordability of lives for small businesses and people at home. We base our decisions on knowing that we can fight climate change and that we can have a safe, clean environment while also balancing out the economy. That is how we're going to move together as a province. Our goals aren't any different than members opposite—of ensuring that we reach our targets of 30% below 2005 levels.

We have made numerous programs, coming forward, to reduce our greenhouse gas emissions. I know the member opposite wasn't here at the start of the session, and maybe she has missed out on some of those programs that we've put forward, but she has to agree that the hydrogen strategy—the first ever in Ontario—we're coming forward with is a strong strategy that is going to lead to zero-emission vehicles, is going to reduce emissions with our trains and buses, help us store—

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

**M<sup>me</sup> Lucille Collard:** We know this past year has been very challenging for so many Ontarians. What they need right now is for their government to stand for them with needed support. Yet, real investments are missing for much-needed personal support workers; people who depend on the insufficient support of the Ontario Disability Support Program; mothers who were forced to leave the workforce; students; small businesses; and so many more.

Our youth deserve a government that will prioritize fighting for their future and fighting against climate change.

Will the government apologize to Ontario taxpayers for wasting so much money to support an anti-environment agenda?

**The Speaker (Hon. Ted Arnott):** Minister of Finance.

**Hon. Peter Bethlenfalvy:** Thank you to the member opposite for that question.

We're doing a lot to protect the environment. I'll start with some investments that we're making in electric vehicles. We participated in investments at the Ford plant in Oakville—to be the largest manufacturer of electric vehicles in Ontario. That investment will help our critical minerals industry, as well, and battery-operated facilities, because we want to be a leader in electric vehicles in this province.

In addition, I can tell you as the Minister of Finance, Ontario has issued more green bonds to finance more green projects than any other province in all of Canada—in fact, 27 projects, some \$9 billion in green bonds. These are projects that reduce carbon emissions; get cars off the

road, like with transit; invest in new technologies—as the Minister of the Environment said, water, parks and so on.

We'll continue to make those investments.

## EDUCATION FUNDING

**Mrs. Robin Martin:** Yesterday, the Minister of Finance released the government's 2021 budget. The minister has mentioned some impressive investments in health care and for small businesses.

In my riding and across the province, parents and families have been some of the hardest hit by the pandemic.

Over the last year, I have heard from countless parents in my riding who are struggling with the stress and costs of supporting their children's education.

Can the minister tell the House what supports for families and children this government has put forward in our 2021 budget?

**Hon. Peter Bethlenfalvy:** Thank you to the member from Eglinton–Lawrence for that question.

The member is right: Parents and families need our support, especially now, as we continue to fight the COVID-19 pandemic.

The budget is making good on our commitment to do whatever it takes to keep people safe. It also builds on the significant supports for families, workers and employers that have been made available since the beginning of the pandemic.

That is why the government's 2021 budget proposes doubling of the Support for Families and Support for Learners programs. Now every eligible parent could receive a one-time payment of \$400 for children up to grade 12 and \$500 for children up to 21 with special needs.

Hope is on the horizon. It's months, not years, away. Until then, we will maintain our unwavering commitment to protect the people of Ontario.

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

**Mrs. Robin Martin:** This pandemic has been challenging for families and communities across the province. I know our government has provided record investments to school boards, allowing students to be in class safely and helping to keep schools open. We've done this because we know that students need to be in school, learning alongside their peers. This is critical for their development, for mental health and for future success. Our investments have been pivotal in preventing transmission in schools, and they have helped to keep students, staff and families safe.

As our government continues to support school boards, can the Minister of Education please explain why it is so important that we also put money directly into the pockets of parents?

**Hon. Stephen Lecce:** I want to thank the member from Eglinton–Lawrence for her advocacy on behalf of taxpayers.

As Progressive Conservatives, we believe it is critical that we continue to provide direct financial support to the parents of this province, who have worked so hard and sacrificed every step of the way.

Yes, we are providing \$700 million more in the budget specifically for public education. Yes, we are going to be unveiling more supports—mental health supports, learning loss supports, special education supports—specific to dealing with September, to ensure we have the safe restart.

In addition to investing in public education, we also believe in investing in parents, by providing an additional billion dollars in their pockets through the Ontario COVID-19 Child Benefit, as announced by the Minister of Finance—\$400 per child up to grade 12, \$500 per child with special education needs. It underscores our government's commitment to supporting parents to make sure we defeat this pandemic and recover stronger than ever before.

### HOSPITAL FUNDING

**Mr. Gurratan Singh:** My question is to the Premier.

For years now, Brampton has made it very clear: We need a stand-alone, brand new hospital, and we need it to meet the growing needs of our city of over 600,000 and the health care crisis.

Despite years of demanding this, the Conservative government, in the Premier's 2021 budget, has left Brampton behind once again. There is no commitment to build a fully independent hospital; there is no money and no timeline for any work on Peel Memorial and, shockingly, no emergency room; and there is no acknowledgement of any funding for Brampton Civic, Brampton's only hospital, which has been chronically overcrowded and underfunded.

This budget is a slap in the face to Brampton, and it shows something very clearly: that the Premier doesn't care about Brampton.

When will this Conservative government start giving Brampton the respect we deserve? That means making sure our city has three hospitals and three ERs. Will the Premier commit to doing that for our city today?

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

**Hon. Christine Elliott:** The COVID-19 pandemic has exposed many gaps and vulnerabilities in our health care system, caused by 15 years of neglect. This is particularly true for the health care sector in Peel region.

That's why our revised capital plan includes an investment of \$30.2 billion over the next 10 years in new hospital infrastructure to build, expand and renew hospitals across Ontario so people can receive the care they need close to home.

As part of our 2021 budget, we are committed to transforming the Peel Memorial Centre for Integrated Health and Wellness in Brampton from an urgent care centre into a new hospital with a 24/7 in-patient wing. This project will significantly increase bed capacity in Brampton, and by consolidating post-acute in-patient services at the new hospital, we will provide additional capacity for acute-care services at the Brampton Civic—

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

**Mr. Gurratan Singh:** Once again, back to the Premier: People in Brampton have made it very clear that we need investment in our broken health care system. That means funding for Brampton Civic, that means building an additional hospital, and that means converting Peel Memorial from a health care centre into a hospital.

But the Premier's budget has no money allocated for Peel Memorial, no timeline and, most shockingly, no emergency room. The 2021 budget is a disgrace, and it shows how little respect this Premier has for the people of Brampton. The Premier has not got any money committed in the budget towards the construction of a new hospital and gives no details as to when we can expect to see one.

I'm going to be very, very clear in my question to the Premier. Will the Premier commit today to converting Peel Memorial from a health care centre to a hospital with an emergency room? Will he commit to building an additional hospital in our city? And will he commit to properly funding Brampton Civic, a hospital that has been overcrowded and underfunded for years?

1110

**The Speaker (Hon. Ted Arnott):** The Premier to respond.

**Hon. Doug Ford:** It's the most exciting day, for the people of Brampton, in decades. For 15 years, the NDP and the Liberals ignored the people of Brampton. Well, I have a message for the people of Brampton: You don't have to worry anymore. You're going to have a 24/7 emergency room. We're going to have a brand new hospital there.

What bothers me is how that member neglected and ignored his own constituents. The NDP backed the Liberals for 15 years and they put a little clinic there—9 to 5. We're going to have a 24/7 operating hospital, a brand new one. They can spin it any way they want, but I can't wait to get there, get the shovels in the ground and start getting this built, because the people of Brampton have been waiting way too long under the NDP and the Liberals. The PC government is actually building a brand new hospital for the people of Brampton.

### CLIMATE CHANGE

**Ms. Mitzie Hunter:** My question is to the Premier.

Speaker, his government's record on climate change has been costly and destructive: cancelling Ontario's successful cap-and-trade market-driven program; spending \$30 million to fight the federal carbon tax—which the Supreme Court of Canada just struck down—spending \$231 million to cancel green energy projects and jobs; ripping up electric vehicle charging stations; selling off the greenbelt to friends; bypassing environmental protections through the abuse of MZOs; and fining small business owners tens of thousands of dollars for refusing to display anti-climate stickers, which the courts have also deemed unconstitutional and a misuse of a governing party's legislative power.

Speaker, through to you to the Premier: How would you vote? Do the members of your party recognize that climate



change, as an existential crisis that our scientists have described, is real?

**The Speaker (Hon. Ted Arnott):** Again, I'll remind members to make their comments through the Chair.

The Minister of the Environment, Conservation and Parks to respond.

**Hon. Jeff Yurek:** I thank the member opposite for that question.

I stated earlier in question period that we don't disagree that climate change is a serious threat to this province. What we do believe in is the fact that we can move forward to protect our land, air and water and fight against climate change in a balanced manner, protecting the environment and the economy at the same time.

That member opposite and her party's economic policies for 15 years drove this province into the ground. Businesses fled. Some 300,000 jobs left. Small businesses closed. They destroyed farmland throughout this province, and they cut up and sold off the greenbelt. We're not doing that. We have a plan, moving forward, that is going to put \$30 million into our wetlands to restore them and \$20 million to protect more land, working with the Nature Conservancy of Canada. We are expanding the greenbelt through consultation, something that member and that party—

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

**Ms. Mitzie Hunter:** The party I represent, the Liberal Party of Ontario, created the greenbelt, and at a time when we led the OECD countries in economic growth.

Ontario's budget from yesterday was supposed to bring hope for the people of Ontario. Unfortunately, what they got was a budget that fell far short. These are truly unprecedented times, yet this budget is abandoning the people of Ontario. In fact, we don't know what else is hidden in this budget, as we're still going through it. We remember the last time you tabled a budget, you implemented schedule 6, which was a threat to conservation authorities, destroying very valuable wetlands.

Why did this government not include a climate recovery, a green recovery in their budget yesterday? Why did you miss that opportunity—

**The Speaker (Hon. Ted Arnott):** Thank you. The Minister of the Environment.

**Hon. Jeff Yurek:** Ontario has a Made-in-Ontario Environment Plan that's going to protect the land, air and water. At the same time, we're moving forward to fight climate change and reduce our emissions to hit our Paris agreement targets, the 30% below 2005 levels.

**Ms. Mitzie Hunter:** There were no targets in the budget. Why didn't you put it in the budget?

**Hon. Jeff Yurek:** Mr. Speaker, the member opposite continues to shout out to us, but I know she wants to hear my answer. She wants to know that we're moving forward with the first-ever hydrogen strategy in this province, which is going to create a new economy of low-emission energy. It's going to be able to store energy. It's about to reduce our GHG emissions through natural gas with a mixture of hydrogen. It's going to create the ability for

trains and buses and trucks to move towards hydrogen-powered engines.

We are going to finalize the phase-out of coal, something the member opposite's party refused to do in the 15 years that they were in power. We're going to finalize the ending of coal in industry throughout this province.

We're investing \$30 million into wetlands and \$20 million into—

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

## SMALL BUSINESS

**Mr. Stephen Crawford:** My question is to the Minister of Finance.

Businesses in my riding are struggling. Small business owners I have spoken to understand and respect that we need to protect our health care system capacity and save lives, but it doesn't change the fact that many are still struggling to pay bills, pay staff and keep going, with important public health restrictions still in place.

Just yesterday, the Minister of Finance introduced the government's 2021 budget. I would like to know what is in the budget for small businesses in my riding of Oakville and, indeed, throughout the province of Ontario, which continue to struggle financially while doing their part to fight the spread of COVID-19. Would the Minister of Finance please tell us what is in the 2021 budget so that I can take back this information to the hard-working business owners in my riding?

**Hon. Peter Bethlenfalvy:** Thank you to the member for that question.

We have lots of great news not only for the member's constituents, but for the constituents of every single member in this House. Let me tell you.

I want to quote the CFIB, since the member opposite raised it: "CFIB is pleased to see a much-needed boost to the Ontario Small Business Support Grant" program "by adding a second round of funding. This will help thousands of businesses hard-hit by extended lockdowns and restrictions."

The OCC, the Ontario Chamber of Commerce, said, "Ontario's business community welcomes the 2021 budget, which gives businesses much-needed supports to confront the current health crisis while laying the foundation for a strong and inclusive economic recovery." Ontario's 2021 budget will help the hardest-hit sectors, including new funding for "aid for women who have been deeply impacted by the pandemic, and initiatives related to tourism, training and broadband infrastructure that will enable a strong economic rebound."

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

**Mr. Stephen Crawford:** That's great news for all the small businesses throughout Ontario and in my riding.

My second question is to the Associate Minister of Small Business and Red Tape Reduction.

Automatic second payments for small business support grants will provide the support that small businesses in my

riding need. We can't take a one-size-fits-all approach. Some businesses need rent relief, some need help making payroll, and some need help adapting to be open with new restrictions.

Can the minister clarify how this injection of financial support can be utilized?

**Hon. Prabmeet Singh Sarkaria:** Thank you to the member opposite for being a strong advocate for small businesses and to the Minister of Finance for his advocacy and support of small businesses in this budget.

Protecting Ontario's economy starts with protecting our small businesses, and that's exactly what yesterday's budget has done. Ontarians can rest assured that our government has and will continue to be there, to support our small businesses.

This grant is designed with feedback directly from our businesses, to increase flexibility so businesses can use it to meet their unique needs. Whether it's to fund or maintain inventory, an investment in a website or some extra help to cover some wages, we want small businesses across Ontario to decide what they need and what works for them best.

Nobody knows small businesses better than those small businesses. That's why our government is going to double the support through the small business support grant with an automatic payment to respond to small business owners who are struggling and need more help.

1120

#### LONG-TERM CARE

**Ms. Sara Singh:** My question is to the Premier.

The government's budget falls woefully short of what our long-term-care system needs to deliver the quality care our seniors deserve in communities like Brampton and other parts of Ontario. This government is still refusing to institute a permanent wage increase for personal support workers, nor does it commit to reinstating comprehensive resident quality inspections.

As experts indicate, these are both simple and effective ways we can ensure that the horrors that have occurred in our long-term-care homes over the pandemic never happen again. Why is this government refusing to listen to Ontario's long-term-care experts?

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

**Hon. Merrilee Fullerton:** Thank you to the member opposite for the question.

It's undeniable that the cracks in long-term care were exposed by COVID-19, and the many years of neglect of this sector were exposed, but our government is repairing and rebuilding long-term care in Ontario like never before—and we didn't get here overnight. Budget 2021 is a major step forward, with unprecedented investments.

We are spending more than \$9.6 billion in new dollars—dollars that the Liberals and the NDP never spent, and that is what the opposition should be explaining to Ontarians. There's \$4.9 billion over the next four years to reach a standard of an average of four hours per day per

resident in long-term care. This is going to make Ontario a leader in the country. We are committed to doing this, and the budget demonstrated that—\$246 million to improve living conditions in long-term-care homes, creating 27,000 new positions for long-term care PSWs and nurses; \$2.6 billion to support building and redeveloping 30,000 new spaces. All of this is part of repairing and rebuilding and advancing long-term care, something that the previous government, supported by the NDP, never did.

**Ms. Sara Singh:** Speaker, the government is failing to recognize the value of PSWs in our province with a permanent wage increase.

The budget is actually providing cash incentives for these PSWs—and I think this is a really important point—to leave long-term-care homes that desperately need them and move to for-profit providers and retirement homes. Shame on this government.

This government claims it has hired 8,600 workers in long-term care, but it's not clear how and where these workers will be allocated. In fact, what we see this government doing is offering \$5,000 cash incentives for these PSWs to work in those for-profit retirement homes.

Why is this government diverting staff away from long-term-care homes and recruiting them to for-profit care providers?

**Hon. Merrilee Fullerton:** Once again, the staffing crisis in long-term care was many years in the making. It happened under the previous government, supported by the NDP.

It is our government that has over 17,000 workers in the pipeline, including the 8,636 who we are able to hire with the pandemic pay. Then, our monumental, historic commitment of accumulating \$1.9 billion to create the staffing required—27,000 new hires who will be required, and our 24 public colleges with 8,200 positions that are ongoing. Some 2,000 of those are already in the pipeline. This staff will be graduating and ready to work in our sector by the fall. This is a monumental, historic commitment by this government.

It is our Conservative government that will repair long-term care.

#### CLIMATE CHANGE

**Mr. Mike Schreiner:** My question is for the Premier.

This morning, the Supreme Court confirmed what we all knew: The Premier's lawsuit against climate carbon pricing was a complete waste of taxpayer dollars.

Since day one, this government has wasted taxpayer dollars on partisan lawsuits, stickers that don't stick and cancelling contracts.

Even the Auditor General has said that the government's made-to-fail environment plan will not reduce climate pollution.

Will the Premier stop wasting our hard-earned tax dollars sabotaging climate solutions and actually start investing in urgent climate action?

**The Speaker (Hon. Ted Arnott):** Minister of the Environment, Conservation and Parks.

**Hon. Jeff Yurek:** I thank the member opposite for that question.

I've said this from the start: We're not disagreeing that climate change is a threat to this province or this country, and we are taking measures forward with our Made-in-Ontario Environment Plan.

We all want the same results, at the end of the day. We all want a clean environment. We want safe water to drink. We want protected lands. We want air that's of good quality to breathe. We want to make sure that we reduce our emissions to the targets that we set forth as this government and that we signed on with the federal government with regard to the Paris climate reduction. We're doing that. We just don't believe we have the same path as the member opposite has, moving forward. We believe in a balance between a healthy, strong economy and a healthy, strong environment.

I'm looking forward to this year, as we implement our emissions performance standards to those heavy polluters in this province, as have been approved by the federal government. This program is going to move forward to lower their emissions while also keeping them competitive, to keep jobs in this country and to ensure that we can grow our economy and protect our economy, and get our targets down to the levels we need them to be.

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

**Mr. Mike Schreiner:** All day today, the minister has said, "We're about protecting air, land and water." So let's look at the record, and let's look at what citizens of this province have said.

Two and a half years ago, when they tried to open the greenbelt for development, I was a leading voice in this Legislature that got them to back off on doing that.

More recently, when they wanted to pave over the Duffins Creek wetland, citizens spoke out, and I was a leading voice in this House. Now they've backed off on that.

Citizens are speaking out against Highway 413, which is going to supercharge sprawl and pave over farmland and parts of the greenbelt. But we're going to stop that, too.

That is the record.

The government has an opportunity right now to remove schedule 3 from Bill 257 that would allow them to completely disregard the provincial policy statement.

If the minister is serious about protecting land and wetlands and farmland in this province, will they remove schedule 3 from Bill 257?

**Hon. Jeff Yurek:** This government has a proud history on our environment plan going forward since 2018. We moved forward to give municipalities a say again in how they deal with their land in regard to green energy projects, something that member did not support. We moved forward with municipalities having a say in where to site landfills so that they could protect their land locally that they needed to be protected.

We have invested \$20 million in our greenlands partnership program with the Nature Conservancy of Canada to protect and conserve land throughout this

province. We've put \$30 million towards wetlands restoration and protection. And we are now consulting on the biggest expansion to the greenbelt in decades. We are going to protect more greenbelt land.

I am proud of the environment policy that we've put forth, in addition to our hydrogen strategy and our emissions reductions with heavy-duty vehicles, and our emissions performance standards. We are well on our way to achieving our goal of 30% below 2005 levels in 2030.

## CHILD CARE

**Ms. Bhutila Karpoche:** My question is to the Premier.

The Premier knows that we need economic growth in this province, but he seems to have forgotten that without meaningful action on the child care crisis, a full economic recovery is impossible. We're in the midst of a recession, with women suffering the majority of job losses during the pandemic. We don't just need any recovery; we need a she-covey, and we can't achieve that without affordable child care.

Why is this government refusing to increase funding for child care and invest in the system we need?

**The Speaker (Hon. Ted Arnott):** Minister of Finance.

**Hon. Peter Bethlenfalvy:** Thank you to the member opposite for that question.

As I mentioned in my speech yesterday, I've been surrounded by incredible women in my life—I'm very fortunate—including my grandmother who came from Europe during World War II, who came to this country with bombs and bullets overhead, and Ontario has afforded so much to her in her life. She was a teacher.

I really understand, and our government understands, how important the leadership of women has been through this crisis and how women need to be part of the recovery. Child care is an important part of that, and that's why we've struck a task force with the Associate Minister of Children and Women's Issues and myself to hear from all women, to make sure that our economic recovery is inclusive and works with all the incredible women in this province.

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

**Ms. Bhutila Karpoche:** This budget does not solve the problem of Ontario having the highest child care fees in the country. It does nothing for families struggling to find space for their child.

Last year, for the first time in a decade, more child care centres closed than opened in this province—a net loss of 58 child care centres.

**1130**

Why does this budget have no plan to control fees and create the desperately needed new child care spaces?

**Hon. Peter Bethlenfalvy:** Thank you very much for the very important question from the member opposite.

Mr. Speaker, as I outlined in the budget yesterday, we've created the Support for Learners, the Support for Families, the Ontario COVID-19 Child Benefit—immediate money into the pockets of the many families, mothers and fathers in this province with children, zero to

grade 12. That's doubling what we did before. We doubled the child care tax credit to put more money into the pockets of those families for expenses such as child care. We're continuing on our pledge to build 30,000 new child care spaces. We've already announced to build 20,000, including in my riding in Pickering—

*Interjection.*

**Hon. Peter Bethlenfalvy:** And the first public school—thank you, Minister—in 20 years in Pickering, including 85 child care spaces.

Mr. Speaker, this is very important to our government, and it's very important to me. We have a lot more to do, and we'll do it together.

### CLIMATE CHANGE

**M<sup>lle</sup> Amanda Simard:** Mr. Speaker, my question is for the Minister of the Environment. Just a few years ago, I stood with him and many of our Conservative colleagues when the previous leader announced the need to get serious about climate change: "The Ontario PCs will opt in to the federal carbon pricing benchmark, rather than directly impose one of its own"—from the People's Guarantee.

I still believe climate change is real. I still believe a price on carbon, on pollution, is needed.

Mr. Speaker, why does the minister think a carbon tax was the right policy under Patrick Brown, but not under the current leader, the Premier? Why is he letting climate change deniers dictate policy?

**Hon. Jeff Yurek:** Thanks to the member opposite. She also stood with us as a party and was elected on our party's mandate to make life more affordable for families and small businesses—which was to remove the cap-and-trade and fight the carbon tax in this province. We stood by our election promises and our mandate. We didn't walk away from the party on that issue, Mr. Speaker.

We've come forward with a Made-in-Ontario Environment Plan that is going to take a path that we believe will get us towards our targets, which is going to protect the land, air and water. We are going to ensure that we reach our targets on climate change, and we have a number of initiatives that we put forward that that member supported on this side of the House.

I look forward to implementing more measures going forward so that we will reach our target, protect our environment, and at the same time balance out and strengthen and grow our economy in this province—jobs, and make life affordable for—

**The Speaker (Hon. Ted Arnott):** And the supplementary question.

**M<sup>lle</sup> Amanda Simard:** In response to the Supreme Court ruling that the federal carbon pricing scheme is constitutional, the Minister of the Environment said this: "We are protecting our province's land, air and water."

Let's review this government's record on the environment:

- cancelled the cap-and-trade program;
- spent \$231 million cancelling green energy projects and jobs;

—axed the Environmental Commissioner;

—bypassed environmental protections and cut up the greenbelt through MZOs.

I'm not sure how any of that protects our land, air and water.

Mr. Speaker, now that the Supreme Court has ruled against his Conservative government's partisan and costly court challenge, how can he and his government justify spending \$30 million of taxpayer money on defending climate change deniers?

**Hon. Jeff Yurek:** I again thank the member opposite for that question. I of course remind the member that many of the items that she listed out she voted for and supported in this House during this Legislature.

In addition, we are moving forward with a \$20-million investment in the Greenlands Conservation Partnership. We're going to work with Nature Conservancy of Canada in order to preserve and protect lands.

As the finance minister mentioned, we've put a heavy investment into Ford Canada in order to transform their plant to producing electric vehicles, which is going to, in the long term, not only create a lot of jobs and stabilize Ford for Ontario for decades to come; it's also going to provide an opportunity to grow the economy and electric vehicle market, which, at the end of the day, will decrease greenhouse gases, will make our targets achievable, and it will also support the land, air and water we've protected in this province, Mr. Speaker.

I am proud of the budget that the Minister of Finance put forward and our environmental plan. It is for the people of this province, and it's for a healthy economy and a healthy environment.

### COVID-19 IMMUNIZATION

**Mr. Tom Rakocevic:** A survey recently conducted by the San Romanoway Revitalization Association and Black Creek Community Health Centre found that at-risk seniors who were part of a group that meet regularly in the Jane and Finch area—most live in Toronto Community Housing and other nearby buildings—would get vaccinated if it was more accessible. There are many such groups in my community, as well as Toronto Community Housing buildings, each with several hundred seniors living there, that have available space on-site for mobile vaccination.

Time is of the essence and could make a difference in saving lives. Will this government commit today to adequate mobile vaccinations in my community and work with local community partners as soon as possible so at-risk seniors can get vaccinated? Let's get it done.

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

**Hon. Christine Elliott:** I can certainly agree with the member opposite that time is of the essence. Time is of the essence to get more needles into more arms as soon as possible while the variants of concern are still out there and are increasing in our communities.

What we really need is supply right now. We are operating; we're able to do—yesterday, 79,447 injections of vaccines. That's really significant. We have the opportunity to double or quadruple that amount as soon as

we have significant volumes of vaccines. We have received some Pfizer vaccines. We're waiting for another shipment next week. We are going to be operating mass vaccination clinics. We are going to be expanding into more pharmacies. We are going to have more specialty clinics, more in primary care. We have plans to do that. We are ready to do that at a moment's notice, as soon as we receive those vaccines. That is what we are asking for from the federal government. As soon as we have them, we will be expanding into your community and into communities across Ontario, because you're absolutely right, time is of the essence. We need to get it done now.

**The Speaker (Hon. Ted Arnott):** The supplementary? The member for Scarborough Southwest.

**Ms. Doly Begum:** My question is also to the Minister of Health.

I still hear from constituents who have no idea whether or not they're eligible yet for the vaccines; seniors who cannot properly navigate the complicated booking system; and folks having to wait for hours on the phone to register. I hear from families who are beyond concerned—

*Interjections.*

**Ms. Doly Begum:** I'm talking about families across this province. I think the minister should listen.

**The Speaker (Hon. Ted Arnott):** Order.

**Ms. Doly Begum:** The minister of—what—energy should really listen. It's really heartbreaking that we cannot get across the stories of our constituents in this House.

*Interjection.*

**The Speaker (Hon. Ted Arnott):** I apologize to the member who has the floor. I can't hear the member who has the floor. I invite her to place her question.

**Ms. Doly Begum:** Thank you, Speaker.

I hear from families who are beyond concerned that their homebound loved ones or those who have mobility issues cannot access vaccines.

In fact, last week, I heard from a constituent, Alice Walker, whose mom, a senior, had to wait outside in the cold for over an hour to get vaccinated despite having an appointment.

It is clear that this government's vaccine rollout is disorganized and ignores equity needs in communities like mine in Scarborough and in many other parts of the province.

The budget announced yesterday was a disappointment for Scarborough. It ignored Scarborough health care needs, for example. Why wasn't Scarborough mentioned in the health care budget at all? Our infrastructure, our buildings are the oldest in the province—and yet this vaccine rollout is another disappointment.

Can this government commit to a truly equitable vaccine strategy that is not one-size-fits-all and that takes into account the unique and necessary needs of our communities like Scarborough and northwest Toronto?

**Hon. Christine Elliott:** There's a lot there. I'll try to answer in the short time that I have available.

First of all, I would say that no part of Ontario has been forgotten with our budget, including Scarborough. All

hospitals across the province of Ontario have received a 3.4% increase, which has been recognized and acknowledged by Anthony Dale, the head of the Ontario Hospital Association. He welcomes this investment, which will allow hospitals to respond to COVID-19 patients, other patients and vaccine rollouts.

With respect to the vaccine rollouts, our booking system is robust. It has withstood hundreds of thousands of calls. As of yesterday, we had over 551,700 appointments already booked on the system. If people are having problems accessing through the booking system, they are certainly welcome to call our on-call centre. They can receive assistance there for booking.

As for people not being able to receive bookings if they're in-bound or homebound, that is absolutely not the case. We are going to make sure that everyone in Ontario who wants to receive a vaccine will receive a vaccine, whether that's through the assistance of their primary care provider or through their home and community visiting nurse. Everyone who wants one will get one, and our booking system and our customer care system will help them to be able to do that.

## BUSINESS OF THE HOUSE

**The Speaker (Hon. Ted Arnott):** The government House leader has informed me he has a point of order.

**Hon. Paul Calandra:** Thank you, Mr. Speaker. I rise in accordance with standing order 59, I believe it is, just to outline the business for next week and to thank colleagues for what has been a great week, highlighted, of course, by the budget of the Minister of Finance.

We will obviously start next week, Mr. Speaker, on the Monday morning with a PMB; as you know, this government added an extra PMB, and that will take place on Monday morning again, as it has for weeks. In the afternoon, we will continue on with the budget bill. That is on the 29th.

On the 30th, we will again in the morning do the budget bill, and in the afternoon session we will continue with the budget.

Again, on the morning of the 31st, we will continue with the budget, followed by Bill 257, building broadband faster, in the afternoon.

On the morning of the 1st, building broadband faster, and in the afternoon, back to the budget.

**The Speaker (Hon. Ted Arnott):** There being no further business this morning, this House stands in recess until 1 p.m.

*The House recessed from 1141 to 1300.*

## PETITIONS

### INTERNET ACCESS

**Ms. Jill Andrew:** I rise on behalf of BIST, Brain Injury Society of Toronto, in my riding. This petition is called,

“Petition for Internet Access for ODSP and OW Recipients.

“Petition to the Legislative Assembly of Ontario:

“Whereas the CRTC states it is important for all Canadians to be able to connect to quality Internet services at affordable prices;

“Whereas Ontario Works and Ontario Disability Support Program recipients live significantly below the poverty line, a gap that continues to grow;

“Whereas our dependence on the Internet has increased dramatically during the COVID-19 pandemic;

“Whereas free public WiFi access—from libraries to coffee shops—has been severely reduced or completely eliminated due to the pandemic, and even when they are operating in full capacity, these places are not appropriate for confidential or private meetings;

“Whereas lower-cost Internet options may exist in some urban areas, in northern Ontario, Internet prices skyrocket to \$100 a month or more;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately amend the Ontario Works and Ontario Disability Support Program directive to include financial support for the cost of ongoing Internet access.”

I couldn't agree more with this petition. Thank you to BIST for providing this to me. I'm going to affix my signature and table it with the Clerks.

#### INTERNET ACCESS

**Ms. Bhutla Karpoche:** This petition is titled, “Internet Access for ODSP and OW Recipients.” It reads:

“Whereas the CRTC states it is important for all Canadians to be able to connect to quality Internet services at affordable prices;

“Whereas Ontario Works and Ontario Disability Support Program recipients live significantly below the poverty line, a gap that continues to grow;

“Whereas our dependence on the Internet has increased dramatically during the COVID-19 pandemic;

“Whereas free public WiFi access—from libraries to coffee shops—has been severely reduced or completely eliminated due to the pandemic, and even when they are operating in full capacity, these places are not appropriate for confidential or private meetings;

“Whereas lower-cost Internet options may exist in some urban areas, in northern Ontario, Internet prices skyrocket to \$100 a month or more;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately amend the Ontario Works and Ontario Disability Support Program directive to include financial support for the cost of ongoing Internet access.”

I fully support this petition, will affix my signature to it and want to give a shout-out to ACORN, who have been doing really good work on this campaign.

#### SOCIAL ASSISTANCE

**Ms. Jill Andrew:** This petition is to the Legislative Assembly of Ontario. It is titled, “Raise ODSP/OW shelter and basic needs allowances now.”

I would like to thank all of the great activists in Toronto—St. Paul's from the #ODSPoverty activists group, Liza Butcher and Shady Rofaael, for providing all of these petitions from across the province and, of course, in St. Paul's.

“Raise ODSP/OW shelter and basic needs allowances now....

“Whereas the COVID-19 crisis means that more people than ever are relying on support from the government to help pay rent and keep food on the table;

“Whereas most people in Ontario who receive social assistance aren't eligible for the new, \$2,000-a-month Canada Emergency Response Benefit—they're expected to get by on as little as \$650 a month; and

“Whereas affordable, subsidized, rent-gear-to-income housing is unavailable at this time and may be unavailable for the next 10 to 20 years due to a huge waiting list and zero vacancies; and

“Whereas clients need to eat, as well as pay rent, and since clients would still have to dip into their basic needs allowances to cover rent because even doubling the shelter allowance still won't cover all of the rent at today's prices, needed meds and other things not covered by the MSN forms have to be paid for out of basic needs, and some of these items are very expensive,” like “medical cannabis;

“Whereas Bill 47 erased many of the legislative gains achieved through Bill 148, the fair labour laws and working conditions that had a particularly positive impact on women and other marginalized people;

“Whereas statistics show that women, particularly women of colour, are most likely to be employed in precarious work, and the Bill 47 amendments to the Employment Standards Act, 2000, and Labour Relations Act, 1995, create conditions that lead to a growth in precarious employment while also eliminating protections for millions of Ontario workers;

“Whereas Bill 66 further erodes women and marginalized people's social and economic rights;

“Whereas” this Conservative government “continues to remove, cancel or freeze funding for other support programs and regulations that would increase women's equality in the workforce and beyond;

“We, the undersigned, call on the Premier of Ontario to double Ontario disability support ... or Ontario Works rates to bring them in line with the CERB, because if laid-off workers need \$2,000 a month to get by, so do people who receive ODSP and OW.”

Thank you very much, St. Paul's. Thank you so much, #ODSPoverty, for putting this forth. I completely agree, affix my signature, and I will table it with the Clerks.

## SOCIAL ASSISTANCE

**Ms. Rima Berns-McGown:** This petition is entitled, “Raise ODSP/OW shelter and basic needs allowances now....”

“Whereas the COVID-19 crisis means that more people than ever are relying on support from the government to help pay rent and keep food on the table;

“Whereas most people in Ontario who receive social assistance aren’t eligible for the new, \$2,000-a-month Canada Emergency Response Benefit—they’re expected to get by on as little as \$650 a month; and

“Whereas affordable, subsidized, rent-geared-to-income housing is unavailable at this time and may be unavailable for the next 10 to 20 years due to a huge waiting list and zero vacancies; and

“Whereas clients need to eat, as well as pay rent, and since clients would still have to dip into their basic needs allowances to cover rent because even doubling the shelter allowance still won’t cover all of the rent at today’s prices, needed meds and other things not covered by the MSN forms have to be paid for out of basic needs, and some of these items are very expensive,” like “medical cannabis;

“Whereas Bill 47 erased many of the legislative gains achieved through Bill 148, the fair labour laws and working conditions that had a particularly positive impact on women and other marginalized people;

“Whereas statistics show that women, particularly women of colour, are most likely to be employed in precarious work, and the Bill 47 amendments to the Employment Standards Act, 2000, and Labour Relations Act, 1995, create conditions that lead to a growth in precarious employment while also eliminating protections for millions of Ontario workers;

“Whereas Bill 66 further erodes women and marginalized people’s social and economic rights;

“Whereas the Ford government continues to remove, cancel or freeze funding for other support programs and regulations that would increase women’s equality in the workforce and beyond;

“We, the undersigned, call on the Premier of Ontario to double Ontario disability support ... or Ontario Works rates to bring them in line with the CERB, because if laid-off workers need \$2,000 a month to get by, so do people who receive ODSP and OW.”

I completely agree with this petition, will affix my signature to it and deliver it to the Clerks.

1310

## WOMEN’S ISSUES

**Ms. Jill Andrew:** This petition is called, “Fighting for Ontario’s Women.

“To the Legislative Assembly of Ontario:

“Whereas years of Liberal inaction on the things that matter, like child care and closing the gender pay gap, has made life harder and more expensive for women and families in Ontario;

“Whereas Conservative cuts to shelters, transitional housing and supports for women fleeing violence, the rollback of the minimum wage, and the firing of thousands of teachers and nurses overwhelmingly hurts Ontario women;

“Whereas Ontario women and families deserve better than a government that takes things from bad to worse. They deserve a government that’s fighting for them and is on their side;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to call on the government to reverse their cuts to the services that women and families rely on and start putting women at the centre of every decision they make.”

Thank you so much, our friends from Holly Street, for signing this petition. I completely agree, will affix my signature and table it with the Clerk.

## ORDERS OF THE DAY

ACCELERATING  
ACCESS TO JUSTICE ACT, 2021  
LOI DE 2021 VISANT À ACCÉLÉRER  
L’ACCÈS À LA JUSTICE

Resuming the debate adjourned on March 23, 2021, on the motion for third reading of the following bill:

Bill 245, An Act to amend and repeal various statutes, to revoke various regulations and to enact the Ontario Land Tribunal Act, 2021 / Projet de loi 245, Loi modifiant et abrogeant diverses lois, abrogeant divers règlements et édictant la Loi de 2021 sur le Tribunal ontarien de l’aménagement du territoire.

**The Speaker (Hon. Ted Arnott):** Further debate? I recognize the member for Toronto–Danforth.

**Mr. Peter Tabuns:** Thank you, Speaker. It’s very nice to be recognized by you.

I appreciate the opportunity to address the bill. I’m sorry, member; I won’t take the whole afternoon. You will get an opportunity to speak to this bill, and I look forward to hearing what you have to say.

Speaker, this bill, Accelerating Access to Justice Act, 2021, deals with an issue that is critical to this society, not only because we need to have access to justice for everyone, but also because the confidence of the population in the justice system is fundamental to confidence in how disputes are adjudicated, how crime is dealt with, how decisions are made and, in the end, people’s confidence in our democratic form of government.

To the extent that that confidence is undermined, it makes it very difficult for people to act within that legal system. It causes questioning about the validity of the legal system. It causes questioning about the good faith of the government in running that legal system.

There is no question that when it comes to justice, your income, your race, your neighbourhood, the country you were born in—none of that should determine how well the

legal system works for you, and I think everyone in this chamber would agree with that. We all have seen instances where we've seen unfair or discriminatory action. We know fundamentally, deep in ourselves, that that is a principle that has to be preserved.

We do need to make sure that the system works for everyone. But, Speaker, what's unfortunate here is that this bill does not apply itself to or address many of the obstacles that allow people to actually access the justice system—and I have heard this from my constituents directly. It also, in some cases, I think, undermines the credibility of the justice system, and I think that is a profound problem.

There is a crisis in access to justice in Ontario right now, and COVID-19 has made it worse. It has deepened social and racial inequities. It's exacerbating the struggle that people are already having navigating the system. And this government has made it worse and will not be making it better with what we're seeing right here.

I'll give you one example: the online hearings for landlord-tenant matters. My colleague from Toronto Centre attended, for a number of hours—it may have been a whole sitting day—hearings at the Landlord and Tenant Board, hearings about people's ability to stay in their homes: evictions. And what she reported was horrendous.

What she reported was a situation in which many people of very low income did not have an adequate Internet connection to properly follow what was going on in that hearing. Effectively, they were denied the fair hearing that they required to protect the stability of their home and their lives. She saw a system working at a very high speed, churning out eviction notices. What she didn't see was a system where there was a fair weighting of the arguments on both sides and a decision that best served the interests of the participants and the law as a whole.

It was interesting to me when the Minister of Finance, earlier today, talked about the need to improve Internet connection so that students all over Ontario would be able to access classes, access remote learning and get the education that they need. But I want to say to you, Speaker, there are people today who have the most minimal connection to the Internet, whose service could not be described as good quality, who will now be in a situation where they will not be able to fully and properly participate in a legal hearing that affects their future and their well-being.

I'm concerned as well by the fact that this government has been using the current pandemic that we're immersed in, which is putting up a crisis in our daily lives, to overrule local planning without any real challenge, and I look forward to enlarging on that as I go through my presentation.

One of the largest things here that's problematic, I think, for society as a whole is that the bill doesn't mention legal aid, which is the foundation of access to justice. I know I heard the other day the government side saying, "Well, this bill isn't about legal aid. It's about accelerating access to justice itself." If you bring forward a bill that does not address the lack of resources for those without

resources to get into the legal system and be properly represented, then, in fact, you aren't accelerating access to justice. You are neglecting a large part of the population.

It was interesting to me, when the Legal Aid Ontario cuts were made—I guess it was a year and a half ago, roughly—that the Premier himself said, "Really, there are no cuts here. There's no problem. If you have trouble getting legal aid or getting a lawyer, just call me. Here's my cellphone number."

There was a lawyer in Ottawa who took him up on that and would phone every day, because he had clients who needed legal aid, and could not get anything out of the Premier. In fact, at one point, the lawyer went through a freedom-of-information request to see what the exchange was that was going on in the Premier's office about this. There was clear recognition in the Premier's office the Premier had made a commitment that was never going to be met—never, ever going to be met. So those people who were cut adrift by the reductions in legal aid funding—notwithstanding a personal commitment by the Premier in front of the province's media, he was not going to honour that commitment. And this bill today and the suite of actions around it are not going to honour that commitment.

So you can make laws as sweet and as pretty as you want, but if you don't actually put in place the resources for people to access the courts and defend themselves, you aren't accelerating access to justice, you're accelerating injustice, and that, Speaker, is a major problem here.

**1320**

It's interesting to me that the bill eliminates a critical appeal option from environmental and natural resources statutes. That undermines the public interest. That is something that undermines the credibility of the government and of our society. When people lose confidence in the ability of tribunals and the system of justice to actually deliver justice, to be fair and to be seen to be fair, it corrodes people's sense of society as a whole. And that, Speaker, is a major problem. Government may not see it as a major problem but it is. Again, I look forward to enlarging on that as we get further on.

We can make our justice system more accessible to everyone, including people who are marginalized, if this bill was brought in in the context of a larger suite of actions, including the reinvestment in Legal Aid Ontario and, in fact, the expansion of Legal Aid Ontario. Because, as you may well be aware, you don't have to be making much in this society to be deemed to be making too much to access legal aid. Unfortunately, my constituents come to me who are working minimum wage jobs, or maybe working two or two and a half minimum wage jobs, who find that they can't access legal aid because they're making too much. Believe me, when you look into their circumstances, they are not making too much. They are getting by and that is it—that is it. We need to reverse those cuts to legal aid. We need to invest in legal aid.

And one of the things that's really important is to make sure that the system of justice is not politicized. I will be addressing the whole question of judicial appointments as we go further on, but the system that has been brought



forward, although not as bad as was originally proposed, is one that will cause people to question the—what can I say—unbiased nature of the judges that they stand before.

We've seen in the United States, with the very recently departed American president, that he was entirely focused on populating the bench with his partisans all over the country, which I think is bad news for American justice in the long run, not just because I had no respect for him and have grave doubts about the quality of the people he appointed, but also because people will just come to think that the courts are prejudiced, and not seek to use the courts in future to redress wrongs. And used properly, they can redress wrongs; ignored, you open up a whole can of worms that, generally speaking, we in this society don't want to open up.

I'm also concerned by the changes to the environmental tribunals. I am concerned about the ignoring of environmental laws that we actually need to protect ourselves and protect the environment within which we live for the long term.

A little bit of background: This bill comes as the government's response to claims that the justice system is inaccessible—and I have to say, given the cuts to legal aid, there's no doubt in my mind that it's inaccessible for a big chunk of the population—arguments that it's too expensive, that it's archaic and it's built to protect existing interests of the powerful.

It's a big bill—75-plus pages and 11 schedules. There are things in this bill that are benign—effectively, technical changes, clerical changes—and I don't think anyone's going to spend a lot of time on those. But again—and I want to emphasize this—what's missing is the larger context of a package of investments and changes that make the law accessible to common people. They deserve that access.

I am going to quote the Right Honourable Beverley McLachlin, Chief Justice of Canada in 2007, who said, "The most advanced justice system in the world is a failure if it does not provide justice to the people it is meant to serve. Access to justice is therefore critical."

Speaker, without bringing in the other measures necessary to provide access for people to the system, even if this bill was solid gold, it would fail at its purpose of making justice more accessible.

We've heard the stories—and I referred to them earlier with my colleague from Toronto Centre—about people getting evicted in 60 seconds. We know that the government was bypassing planning processes to pave over wetlands and, frankly, when it came to the wetlands at Duffins Creek, was in fact acting outside the law. It had to bring in legislation to retroactively make legal what it had done. Those are the kinds of things that bring justice into disrepute, undermine our whole system of justice and people's faith in society.

So let's look at some of these schedules, Speaker. There's the matter of associate justices. Case management masters will now be known as "associate judges." I don't think anyone has a problem with that technical change. I don't know if it actually is useful, but okay, no point in spending a lot of time working on it.

But the changes to the Judicial Appointments Advisory Committee—that's a matter of substance. The Attorney General will have more control over appointments to the committee. Whereas in the past, the Law Society of Ontario, the Ontario Bar Association and the Federation of Ontario Law Associations got to appoint one member each, now the AG will choose one member from a three-member list provided by each organization. Speaker, those are substantial bodies in this society. They act responsibly. They should not have the ability taken away from them to appoint those whom they consider most qualified. They should not have that undermined by the Attorney General.

The chair of the committee no longer has a three-year term. Instead, the term is for up to three years. Speaker, I've dealt with a number of legislative officers over time—I'm beginning to think I've been around here for a while—and so I've talked to them about their appointments and I've talked to them about their terms. One thing that is very clear is that having a fixed term gives those officers quite a fair amount of independence. They don't worry that they're going to say something that will offend the government of the day and that will result in them being tossed out on a moment's notice.

What this does is, the chair of the committee will effectively be serving at the pleasure of the government. So if the government is upset with something that has been done by that chair, something that is seen by the government as undermining their authority, even if what's done is completely right, then they're out. And that substantially reduces the independence of that chair. That is bad news. That is bad news because you don't want the government directing the appointment of justices in that way. You just don't. And to the extent that you can preserve the professionalism and independence of the committee that makes recommendations for appointments, justice is served. Our society is served.

In the past, the committee that would be bringing forward judicial appointments submitted a list of two qualified applicants. That list is now six. I know that when this whole process was first discussed, and this was before the pandemic started, there were a few people in the justice system who got in touch with me to express their great concern that, effectively, this was setting up a system that would allow the Attorney General to fish for someone who was compatible with their perspective as opposed to the Attorney General having to select between very qualified people who may have no political attraction to that Attorney General at all.

That is a great concern because, again, politicization of the justice system undermines the justice system as a whole. There's a reason we don't jump into legal cases. There's a reason that it's bad news when an MPP or a minister phones the police and tries to direct them, because everyone understands that when you have a politicized judiciary and a politicized police force, justice goes out the window. It just simply does.

**1330**

Now, the initial changes were far more draconian than what's before us today. But I say to you, Speaker, we've

had a system that, I gather, in North America has generally been considered pretty close to, if not, the gold standard. Why you would undermine that is beyond me. I gather there must have been a lot of blowback initially, and so we have a modified version of this judicial appointments committee. But I have to say to you, Speaker, it shouldn't simply be a watered-down version of something that's bad. We should simply retain the system that we have.

I know that there are many out there, the Ontario trial lawyers and others, who are worried about a lack of appointments, a lack of justices being available, and want things to go forward. They may have said, "Well, what we had before is bad. This ameliorates some of those bad elements. Let's see it go forward." I wouldn't be surprised if that was their logic. But I would still say, Speaker, this is not a good system. This is a bad system.

Interestingly, the Courts of Justice Act deals with the use of French in court proceedings. This proposal would amend that section 126 of the Courts of Justice Act so that the right to file documents in French is extended to civil, including family proceedings, in courts throughout Ontario. On the whole, that's headed in the right direction. But, Speaker, there's a problem here with under-resourcing of the justice system, including a lack of resources for French-speaking Ontarians to get interpreters or translation or available French-speaking judges. Again, in the absence of a larger suite of measures that will address the deprivation that people face with regard to access to justice, this bill is very weak and problematic.

Speaker, I know many others will want to speak. I'm not the person doing the leadoff, so I will take my leave. I gather there may be some questions.

**The Speaker (Hon. Ted Arnott):** Questions to the member for Toronto–Danforth?

**Mr. Lorne Coe:** My colleague opposite, in his comments, referred to the judicial appointments process. He talked a little bit about some of the delegations that were made during the committee process, one of which was from the County of Carleton Law Association. My colleague will know that in their testimony, they stated that these changes are needed because there are too many vacancies on the bench that are causing delays. Will the member opposite support these changes that will decrease delays for his constituents and mine?

**Mr. Peter Tabuns:** Thank you very much for that question. I appreciate it. I have noticed that there are vacancies in a variety of situations—vacancies in tribunals, vacancies in the Landlord and Tenant Board. Frankly, after a while, Speaker, one begins to wonder if the lack of appointments is strategic rather than accidental. One has to wonder: Why did the government not keep up with appointments? We had a system in the past that allowed for appointments to go forward. Are we in a situation where people were not appointed as a way of justifying bringing in these large-scale changes?

And so I'd say back to the member, this government has been in power since 2018. It was in a position to move on appointments very steadily. It isn't as though there are a lack of people who are interested in being on the bench.

If it had in fact pursued that, I don't think we would have the vacancies that we have.

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

**Ms. Bhutla Karpoche:** My colleague mentioned something really important, and that is that this bill is titled Accelerating Access to Justice Act and yet does not even mention the words "legal aid," which is a foundation to access justice.

We all remember the legal aid cuts that happened a year and a half ago. In Parkdale–High Park, our local community legal clinic, Parkdale Community Legal Services, was directly attacked with an almost 50% slash in their funding. That is because Parkdale Community Legal Services, in addition to doing the good work they do in representing low-income individuals, also does advocacy work to change the system, to improve access to justice. I have heard from my constituents in Parkdale–High Park how desperately we need more legal aid funding, how we need to reverse the cuts.

My question to the member is: Is that what you're also hearing? What do the people of Ontario want when it comes to accessing justice?

**Mr. Peter Tabuns:** My thanks to the member from Parkdale–High Park for that question because, in fact, I am hearing that from my constituents and I'm seeing that with regard to legal aid and the legal clinics in my riding.

People need to understand that legal clinics provide no-cost service to people with very low incomes, and what they've found, with the restraints on their resources, is that they've had to cut back on their support. This is hugely problematic. The people who come to my office who need access to those legal clinics are on Ontario Works, ODSP, or they are working one or two part-time jobs trying to cobble together enough money to pay the rent. They don't have money, and for them, the idea of strong representation in court is this very distant ideal. It's really unfortunate that what you're seeing is very much what I'm seeing in my riding, and I think it's corrosive.

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

**Mr. Sheref Sabawy:** I thank the member opposite for his debate points.

Speaker, I was really surprised to learn that the Judicial Appointments Advisory Committee does not publish diversity statistics. Talking about improving access to justice and improving representation in the committee, this application form provides the opportunity for self-identification regarding diversity. It's voluntary information the filler of the application can put. By having this information, this accelerating access to justice, can allow us to analyze their presentation and diversity into the committee.

Can the member tell me what he thinks about the changes we are proposing to this advisory to make sure we have good representation for all the people of Ontario?

**Mr. Peter Tabuns:** My thanks to the member from Mississauga–Erin Mills. It's a substantial question. I think that we do need diversity on the bench, and I don't think it's a bad idea at all to publish that kind of information.

What I worry about—and I say this to the member—is that if you're in a situation where, increasingly, decisions about justices are made based on whether or not they have a political affinity to the Attorney General of the day, if you set up a system that makes it far more likely that an Attorney General can game the whole judicial appointment, then even if you have greater ethnic diversity but you politicize the system, you will not actually have gained what you need to gain. I think that—

**The Acting Speaker (Ms. Jennifer K. French):** Thank you.

Further questions?

**Mr. Terence Kernaghan:** I'd like to thank the member from Toronto–Danforth for his excellent presentation. Really, when we take a look at Bill 245, we see part of a continuing disturbing pattern of this government interfering with the various powers that protect our democracy.

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Do you see this bill itself as part of a larger pattern? Do you see this as overstepping the authority of the Legislature and being a dramatic overreach to try to politicize judicial appointments?

**Mr. Peter Tabuns:** First of all, my thanks to the member from London North Centre for asking that question. This government has engaged in some very strange practices with regard to the law, not directly judicial but, frankly, the change to the law that absolved long-term-care homes from liability for negligence, and substantially raising the bar for those who were bringing actions against those facilities for their failure to protect the life and well-being of their residents. That was shocking to me.

I would say that this is a continuation of this government's approach to the law, which has been one that has been very partisan-coloured and, at the same time, very much leaning towards looking after powerful interests connected to the governing party rather than looking after the people as a whole.

**The Acting Speaker (Ms. Jennifer K. French):** We have time for one more question or comment.

**Mr. Vijay Thanigasalam:** One of the people we heard from at committee was Ian Hull, who's recognized as one of the most prominent estate lawyers in Ontario. He applauded many of the changes to the estate sector in this bill, saying that they were allowing Ontario to come out of the Dark Ages when it comes to the estate sector in Ontario. Additionally, he spoke of how the changes increased access to justice and made things easier for his clients.

Will the opposition and opposition member agree to support this bill and move Ontario out of the Dark Ages in the estate sector?

**Mr. Peter Tabuns:** I thank the member from Scarborough–Rouge Park for asking the question. I would be interested in reading the full comments from that person who came forward, but I have to say to the member, if you're in a situation where you have the appointment of justices being more politicized, if you have a situation in which more and more people can't access the justice system, if you have a situation in which the ability of people to defend themselves in front of a tribunal is

substantially undermined, then I don't see that as coming out of the Dark Ages. I see that as a retreat back into practices that undermine society.

**The Acting Speaker (Ms. Jennifer K. French):** I beg to inform the House that, pursuant to standing order 101(c), a change has been made to the order of precedence on the ballot list for private members' public business, such that Ms. Taylor assumes ballot item number 66, Ms. Stevens assumes ballot item number 68, Mr. Bailey assumes ballot item number 72 and Ms. Fee assumes ballot item number 73.

Further debate?

**Mrs. Nina Tangri:** Today, as we know, I'm speaking in support of the Attorney General's bill, the Accelerating Access to Justice Act.

Over the past several years, the Attorney General and our government have already taken significant action in modernizing our justice system and making it more accessible to all Ontarians. We've engaged in meaningful consultation and collaboration to improve accessibility for Ontario's francophones, particularly in Ottawa, Sudbury and North Bay. We passed the Moving Ontario Family Law Forward Act, simplifying Ontario's outdated and complex family law system by updating language, improving the online child support service and providing clarity and consistency in the appeals process. Family law cases are difficult for everyone involved. These common-sense changes have eased some of the burden on all parties.

Last year, the minister brought forward the Smarter and Stronger Justice Act. This legislation recognized that the justice system as a whole has grown too complex and outdated. Ontario's legal aid legislation had not been substantially updated since 1998, and Ontario's class action legislation hadn't been substantially updated for over 25 years.

This legislation enhanced our civil forfeiture laws to ensure that crime does not pay and proceeds of crime are directed where they should be: supporting victims of illegal activity. It prioritized the interest of Ontarians in class action lawsuits to ensure that their access to compensation and justice is more transparent, timely and meaningful. It simplified the process with smaller estates and amended the death registration process in some cases and paved the way to allow for the online verification of identity and legal documents for transactions such as real estate agreements, gifting a used vehicle to a family member or starting a claim in court. Little did we know when the bill was first introduced that a few months later, the courts themselves would be online.

As we all know, COVID-19 has had an impact on every aspect of our lives and every aspect of government, the justice system included. The Attorney General and the courts were quick to adapt to the challenges posed by the pandemic to ensure that justice would continue to be administered with limited disruption.

Amongst these initiatives, we expanded online filing services for civil and family claims—nearly 400 types of family and civil court documents can be electronically submitted, and payment of court fees can all be done

online securely—and the ability to dispute traffic tickets and other provincial offences remotely by audio or video, where available.

An online court case search tool was launched in August, allowing people to remotely conduct province-wide searches of Superior Court of Justice civil and criminal court case information, with certain exceptions. Before this, Ontarians in need of this information would have to physically travel to the courthouse or call the court, costing them time and money, but no more.

Today's legislation builds on the steps already taken and furthers our government's goal of reducing unnecessary burden on the people of Ontario and bringing our province into the 21st century. If passed, the legislation will accelerate access to justice for Ontarians across the judicial system and across this province by breaking down barriers in the province's courts, tribunals, estates law and child protection sectors.

The proposed legislation recognizes the need for our justice system to evolve and be positioned to respond to new and ongoing challenges that Ontarians face. Specifically, we must ensure that justice can be accessed easily and quickly by increasing case capacity and removing impediments that are unnecessary or outdated.

This legislation will reduce the amount of time everyday Ontarians spend waiting for their day in court and save people money by leveraging technology where appropriate. It will also make access easier and fairer for Ontario's northern, Indigenous and French communities.

Actuellement, la capacité de déposer des documents en français est limitée à certains tribunaux de certains domaines.

We're proposing to amend the Courts of Justice Act to extend the ability to file documents in French to all civil and family proceedings. This will make it easier for Ontario's 1.5 million francophones to have a standard and consistent experience with the courts, no matter which level of court or area of the province they are dealing with. Every person in Ontario should have fair and appropriate access to the justice system in the official language of their choice. This will apply to civil and family matters in Ontario.

We're making a number of proposed changes to estate laws to reflect current realities for families and provide increased flexibility for people to address their legal needs, including allowing virtual witnessing of wills and power of attorney documents, if at least one witness is an Ontario lawyer or paralegal.

In April, the government introduced an emergency order to allow for the virtual witnessing and counterpart signing of wills and powers of attorney in response to COVID-19. Before the regulation was changed, lawyers and witnesses went to great lengths to ensure that these documents could be witnessed and signed, standing in yards looking through windows or pulling cars beside each other in parking lots. Obviously, these types of transactions were not sustainable. The change was welcomed, and allowed business to safely continue.

Members of the legal profession have heard how much their clients appreciate the flexibility, and we intend to make this flexibility permanent as an option to lawyers and their clients. This will help relieve the stress on those who want to get their affairs in order as quickly as possible. It will also help address any barriers that may exist for Ontarians who have difficulties travelling to deliver documents in person.

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Potential fraud or undue influence is mitigated by requiring two witnesses already, and virtual witnessing will not change this requirement. The further requirement of at least one witness being a Law Society of Ontario licensee will further ensure the credibility of the virtual witnessing.

To be clear, the permanent allowance for virtual wills and powers of attorney do not in any way limit the ability for this to be done in person. It's just one more option that Ontarians have to use if it works for them.

Our government recognizes that one of the challenges that leads to delays in court dates for Ontarians are judicial vacancies. Ontarians are left waiting far too long for a day in court while judicial vacancies sit unfilled. We're proposing changes that would expand access to justice and support Ontario's recovery by allowing more qualified candidates to be appointed faster. A full roster of judges will benefit Ontarians by reducing the amount of time before their case can be heard. We are not changing the requirement or legislative qualifications to become a judge.

The model we are proposing will:

- require the Judicial Appointments Advisory Committee to recommend candidates who were previously recommended for the same vacancy within the past 12 months, instead of having these applicants go through the entire application process from the beginning;

- increase the minimum number of candidates the JAAC presents to the Attorney General from a minimum of two to six to allow for a larger list of candidates to be considered for appointment. Only these recommended candidates can be considered for appointment; and

- improve transparency—something I know that is extremely important to this Attorney General—by requiring the JAAC to publish diversity statistics in their annual reports at every step in the application process by using information voluntarily disclosed by candidates during the application process.

Keeping in line with our commitment to modernize and leverage the capabilities of technology, we will also expressly permit the JAAC to hold meetings and interviews online, saving time and important resources not just for the committee but for the candidate as well. We've also introduced an online application process for candidates, eliminating the time and cost involved in preparing several hundred pages of documents and mailing them in. This of course also benefits the environment.

We also want to make it faster and easier to resolve land-related disputes, while balancing the needs of environmental protection and conservation. The government

is committed to creating a more accessible, responsive and resilient justice system that resolves disputes fairly and quickly. Our provincial land tribunals are included in this commitment.

If passed, this legislation will merge five land tribunals, the Local Planning Appeal Tribunal, or LPAT, the Environmental Review Tribunal, the Board of Negotiation, the Conservation Review Board and the Mining and Lands Tribunal into a new single tribunal called the Ontario Land Tribunal. The new Ontario Land Tribunal would help to reduce delays and make the land dispute resolution process more efficient by creating a single forum to resolve disputes faster, eliminate unnecessary overlap between cases and make the process easier and less duplicative for those before the tribunals.

In 2020, we created the Ontario Land Tribunals cluster to bring these five tribunals together under the leadership of an executive chair. While this improved coordination between the tribunals, they remained separate entities with separate legislated mandates. But the system is still inefficient, with some parties currently needing to appear before multiple tribunals to resolve their dispute. By consolidating these five tribunals into the Ontario Land Tribunal, we will be able to have a single intake process and case management system, reducing red tape and simplifying Ontario law.

The new single tribunal will maintain the authority and jurisdiction of the consolidated tribunals, for example, on environmental matters that previously would have been heard before the Environmental Review Tribunal.

To ensure that the knowledge and experience of current members are maintained, upon consolidation, members of the five tribunals will continue as members of the OLT. When a vacancy occurs, the process will remain unchanged. Candidates for adjudicative tribunals are selected through a competitive, merit-based process in which their experience, knowledge and training in the subject matter are assessed. The people of Ontario, who rely on these tribunals, deserve nothing less.

We're also proposing the removal of the minister's appeal process from tribunal decisions. What are they? They're appeals of matters that go for a decision in front of the independent tribunal, but then get appealed to the political minister of the day. That's just wrong. Similar to the courts, tribunals exist to provide impartial decision-making that is completely independent from government. Appealing to a minister undermines this goal, prolongs disputes and delays a final resolution.

We've heard from many that the processes related to the applications and hearings from these tribunals were duplicative and confusing, and that the process from start to finish took far, far too long. These changes will address these problems.

Another positive change that our government is proposing is supporting children through amendments to the Children's Law Reform Act. We've heard from parents and guardians that the current monetary threshold for guardianship applications for children's property is too low, forcing parents and guardians to take on additional

legal fees for a small amount of funds. In response, we're increasing the monetary threshold to reduce the number of court appearances families need to make regarding guardianship of their children's property, saving families time and money. Allowing parents to access money owed to their children without a burdensome application more often will give families a quicker and more direct route to resolving their affairs.

This act will amend the threshold so it will apply in circumstances where the court has made an order or judgment requiring money to be paid to a child, such as an award of damages. If that amount is under the monetary threshold, these changes will allow a child's money to be paid directly to a parent or guardian to hold for their child. Children's assets will continue to be protected, and parents or guardians will continue to have the same responsibilities and obligations for the amounts received for these children.

We are also proposing changes with respect to the Voice of the Child Reports prepared by the Office of the Children's Lawyer. The Office of the Children's Lawyer began preparing Voice of the Child Reports at the request of the courts through a successful pilot program in 2016 and 2017, and they have continued to be requested today.

The Children's Law Reform Act states that a court shall consider all of children's needs and circumstances, including the child's views and preferences, when making a best-interests determination. The Office of the Children's Lawyer has been preparing Voice of the Child and focused reports at the request of the court, but currently there is no legislative mechanism to make it clear that they are admissible in family law cases. These changes will clarify that these services are provided by the Office of the Children's Lawyer and that all of these reports are admissible as evidence.

Empowering the Office of the Children's Lawyer will expand access to justice for children who rely on their services to protect their rights. Codifying the place of Voice of the Child Reports will give children a stronger, more prominent voice in the courts process. Expanding the role of children and those who amplify their voices in the courts will help ensure that their voices are heard and that their interests are protected.

One of our government's top priorities continues to be the elimination of duplication and streamlining of regulatory requirements, to make life and business in Ontario easier. This legislation proposes changes to the Public Accounting Act that will transfer the authority of the Public Accountants Council for the Province of Ontario to the Chartered Professional Accountants of Ontario. The proposed changes would eliminate unnecessary duplication and oversight, while ensuring Ontario's accounting standards continue to align with other Canadian jurisdictions. The minister would still have the authority in the revised legislation to approve proposed changes to public accounting standards before they are adopted by the Chartered Professional Accountants of Ontario.

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There is no cost to the province for making this change, and doing so will bring us in line with the rest of the

provinces, in which there are no similar bodies to PAC in place. This will also align public accounting with other regulated professions in Ontario, including architects, professional engineers and lawyers. These are common-sense changes that make things just a little bit easier for our professional accountants and in turn benefit the clients they serve.

There are also a number of important updates to the language that is included in the bill. While these aren't major new initiatives, they modernize existing legislation to provide important clarifications and distinctions of terms used in statute or to reflect the values and diversity of the province we live in today.

We are proposing to update the Public Service of Ontario Act and clarify that members of the independent judicial branch, such as justices of the peace and deputy judges, are not included in the definition of "public servant" under the act. This new definition will clearly delineate the judicial branch and the executive branch, and strengthen their independence.

We're also proposing a change to rename provincially appointed judicial officials called "case management masters" to "associate judges." This is an important step forward to eliminating the use of language that doesn't reflect current values in our justice system and, additionally, does not clearly or intuitively tell the Ontario public who these officials are, or even that they are judicial officials. The title of associate judge is very clearly understood and is one more way we are proposing to make our justice system easier to understand and accessible for all.

Finally, we are proposing amendments to French-language versions of statutes to replace "mère" and "père" with "parent." These changes will align the French text more closely with the English versions. Terminology describing familial relationships will be updated as well. In total, 42 statutes currently in force and effect will be updated to reflect this new language.

I'm proud of the work that the Attorney General is doing to revitalize our justice system, bring it into the 21st century and make it more accessible and equal for people's rights across this province, whether through pieces of legislation such as this one, the Moving Ontario Family Law Forward Act, the Smarter and Stronger Justice Act or other measures, like getting rid of fax machines and utilizing email and digital signatures.

Over the past couple of years, under this Attorney General, Ontario's justice system is likely undergoing its largest transformation in decades. I will be supporting today's bill and commend the minister for his leadership not only in bringing this bill forward, but also consulting with stakeholders right across this province. I hope to see all members support this bill, and I look forward to working with the Attorney General to continue the great work he is doing.

**The Acting Speaker (Ms. Jennifer K. French):** Questions and comments?

**Ms. Rima Berns-McGown:** The South Asian Legal Clinic of Ontario was very specific when the government made drastic cuts, that it called catastrophic, to legal aid a

year or so ago—a couple of years ago, I guess, at this point. They talked about how they were going to have a disproportionate and dramatic effect on communities of racialized immigrant people, and especially migrants and refugees. I wonder how a bill that is supposed to be increasing access to justice but doesn't rectify that issue can be justified.

**Mrs. Nina Tangri:** I want to thank the member for her question. We are talking about the Accelerating Access to Justice Act. I've met many times with the community legal aid officers in Mississauga, and we have an excellent relationship going back and forth. We've talked about funding and we've talked about some of the people that are being represented there and some of the pieces of what they are representing them for. Sometimes there are other—for example, the Office of the Worker Adviser, which can deal with some of the areas of concern for those people who are looking for access to justice.

It's time, I think, that we make sure that the people are looking in the right places for that representation. We've worked extremely well with our legal aid clinic, and they've really done a phenomenal job in supporting many of my constituents.

**The Acting Speaker (Ms. Jennifer K. French):** Questions?

**Mr. Billy Pang:** I have been hearing from many constituents in my riding who have taken advantage of the ability to virtually witness and sign as counterparts of wills and powers of attorney, which were temporarily permitted as an emergency order, beginning in April 2020. This has saved them time and money and helped them save their time. Can my friend provide more information on the feedback that the Attorney General has received from Ontarians across the province with regard to this change and why the proposed legislation seeks to make this emergency order permanent?

**Mrs. Nina Tangri:** I'd like to thank my colleague for the question. It has been critical. We've been thinking for a long time now about how we can make the judicial system more equitable and easier to follow, and one of the areas is digitized signatures. When COVID struck, it became an absolute necessity. We had to be able to do that, which is why we took something that was going to be temporary and we are now going to make that permanent, so we have that flexibility so that people are able to now virtually have the witnessing take place as long as somebody from the Ontario Law Society is available there to make sure that they are witnessing as well to ensure that we protect the privacy of everyone and that it's done correctly.

**The Acting Speaker (Ms. Jennifer K. French):** Question?

**Mr. Percy Hatfield:** I heard my friend from Mississauga—Streetsville talk about tribunals, and I know she was listening to my friend and colleague from Toronto—Danforth earlier when he told us about the member from Toronto Centre sitting in on a virtual hearing of the Landlord and Tenant Board, where dozens of low-income families facing evictions, poor people without real

access to adequate and reliable high-speed Internet connections, getting caught up in a tribunal process that was spewing out, at high speed, eviction notices. So this access to justice—I wonder how, in her opinion, at the tribunal process, at the Landlord and Tenant Board, how this bill is going to improve the situation for those that really need better representation when they appear before these tribunals.

**Mrs. Nina Tangri:** Thank you to the member opposite for the question. It is a critical question and it's something that I think has been a frustration. I think everyone in their ridings have people that today are needing the Landlord and Tenant Board to listen to their case, which is why we wanted to make sure we could fill the vacancies on the land tribunal to make sure that we can get people heard faster. When we understand that someone is potentially being evicted from their apartment or their house, we want to make sure that they can have access in a timely fashion to make sure that that can be resolved; similarly to the landlords who may need to move into their own home. If they have a lease that expired many, many months ago, they've been unable also to move into their own home.

So we want to make sure we get these appointments filled as soon as possible, which is what our government is working with, because we are listening to all sides.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Amarjot Sandhu:** We heard the Attorney General the other day speak about how the proposed changes to the judicial appointments will help promote diversity on the bench and how increasing the minimum number of candidates the committee presents to the Attorney General from two to six would make for a better pool of applicants. Can the member please explain what other changes are proposed in this bill to promote efficiency and transparency in the judicial appointments process?

**Mrs. Nina Tangri:** I'd like to thank the member from Brampton West for his question. I think it's something that all sides of this House have been asking for for a very long time: to make sure that the faces of our judicial appointments reflect the community that we live in. We have to improve that diversity on the bench.

The Accelerating Access to Justice Act proposed those changes that will result in greater transparency surrounding this diversity of judicial candidates that are being considered, and it's absolutely voluntary. When someone is applying to fill a judicial appointment, they can actually fill in their racial diversity and whether they're male or female or other statistics. It's completely voluntary. I think it will enhance and make sure that all qualified candidates, regardless of their race, diversity or anything, have an equal opportunity to represent as a person on the bench.

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**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Peter Tabuns:** My question to the member for Mississauga—oh, my goodness; I am sorry—

**Interjection:** Streetsville.

**Mr. Peter Tabuns:** Mississauga—Streetsville; my apologies, member.

I appreciate the fact that she was previously asked this question by my colleague from Beaches—East York about the impact of cuts in legal aid to clinics, in particular the South Asian legal aid clinic. I didn't feel that you answered the question thoroughly.

The reality is those clinics are starved for funds. They're not able to provide the services that people need. We have a bill before us, Accelerating Access to Justice Act, while at the same time, as best as I can tell, access to justice is being decelerated for a big part of the population.

Can you speak to how this government, in the context of this bill, is actually going to make justice accessible for large numbers of low-income people in this province, when the funds for legal aid have been cut back so sharply?

**Mrs. Nina Tangri:** Thank you to the member opposite for the question. We are speaking to the access to justice act, not a previous act that has been debated in this House already. However, I will acknowledge the question and speak to that.

The Mississauga legal aid clinic, for example: Funds were not cut. They actually received the same amount of funding that they did in the previous year. In the previous year, they did not use up all the funds that they were allocated. So when you think about how many people could be going there, they actually had more room for more people to come.

My office sends numbers of people to the Mississauga legal aid clinic. They do a phenomenal job for our constituents, so we certainly recognize the great work that they do. But the Mississauga legal aid clinic, amongst all of the other legal aid clinics, needs to continue to do the work that they are meant to do. When there are other channels for people to use, they should be using those channels and not Mississauga legal aid or other legal aid clinics.

**The Acting Speaker (Ms. Jennifer K. French):** A quick back and forth: the member from Aurora—Oak Ridges—Richmond Hill.

**Mr. Michael Parsa:** Speaker, my quick question to my colleague: Currently, some provincially appointed judicial officials hold the title “case management master,” which has been used, from my understanding, for decades by the legal community and within the community. This proposed legislation will remove this title and replace it with “associate judge” instead. I'm wondering if my colleague can provide some more information and the reason behind this overdue change.

**Mrs. Nina Tangri:** I'll be very quick. Actually, this was an amendment that was proposed by the NDP members to change that terminology, and we fully agreed with it. The name “master” is sometimes looked upon as very derogatory, so we wanted to change it to “associate judge.” I think it was a great step.

**The Acting Speaker (Ms. Jennifer K. French):** I beg to inform the House that pursuant to standing order 101(c), a change has been made to order of precedence on the

ballot list of private members' public business, such that Mr. Pang assumes ballot item number 73 and Ms. Fee assumes ballot item number 77.

Further debate?

**Mr. John Vanthof:** As always, it's an honour to be able to rise and speak on behalf of the residents of Timiskaming–Cochrane and on behalf of my party, and today on Bill 245, Accelerating Access to Justice Act. I believe it's the first time I've had an opportunity to speak to this legislation, and I'm happy to do that.

I have been listening intently to the debate. It's a very civil debate, this afternoon, and I've been listening intently. Several times, one of the members asked if it's time to move out of the Dark Ages regarding justice. Several times, I have heard how children are going to be better served. So I would like to bring up an issue in this House that has to do both with justice and children, and have we really come out of the Dark Ages.

On April 30, in the town of Cochrane, the Mee-Quam Youth Residence was closed. That is a 10-bed residence for youth who have gotten on the wrong side of the justice system. Primarily it's First Nations youth from the coast. From our part of the world, when we talk about the coast, it's the James Bay-Hudson Bay coast. This centre is part of the Ininew Friendship Centre. It has been in existence since the 1980s. As I said, it's a 10-bed facility primarily serving First Nations youth, and it placed a high level of importance on the cultural traditions of the First Nations and of their interpretation of justice, their interpretation of how the world works.

As you can imagine, Speaker, coming from the coast, these kids come from places where there are no roads. Their lives are totally different. The only person in this House who has any comprehension of what that could be is the member from Kiiwetinoong. I certainly can't speak on his behalf, but he would be the only person with any true understanding of what those kids experience and the challenges they face.

On April 30, the government of the day decided to close 26 of these centres. They decided previous to that, but the people running the Mee-Quam centre didn't know until April 30. Wait a second; I'm a whole month ahead—March, February. They didn't know until the day of. Again, I can't talk about who was there and when, but there were two residents, and two First Nations youth were shipped out. With three hours' notice, they were shipped out.

When we talk about justice, you have to look at the lowest common denominator, because that's where you measure justice. The people who can afford a good lawyer, who can afford all that, that's great. I've got no problem with that. But we have to measure justice by the people who can't. Those two youth—and other youth like them across the province, but I'm speaking about those two because they were in my riding—were shipped out with three hours' notice.

If they were male, they were likely shipped to Sudbury; if they were female, Thunder Bay. So you go from the northeast coast to Thunder Bay with no notice, no warning

to the families. The families are already not close to them because Cochrane is not next door to the coast. So when we talk about if we're out of the Dark Ages, let's actually look closely if we are.

Whether or not these centres should have been closed, that is a debate for another day. Government has to make decisions all the time. I disagree with many of them, but that is a debate for another day.

**1420**

The fact that these kids were transported without any notice, without any preparation—a plane landed in Cochrane and picked them up, and we think that we have progressed from the Sixties Scoop. I have actually, in private conversations heard—“Oh, yes, but residential schools were a long time ago.” Again, I have no comprehension of that. I'm a white guy, and 58-year-old white guys, we haven't had too much experience with that. But I do recognize that when those two youths were moved without any regard to their families or to their own mental stability—I find it a bit rich when people talk about how we've gone out of the Dark Ages and how we're improving things.

I find it deplorable, because you look at your worst case—there are always going to be worse cases, but you look at your worst case and you improve your worst case. Then you raise the bar. You raise the bar for everyone. And when you have a case like that, the bar is extremely low—extremely low.

In this House and in this province, there is always friction whether urban gets more service than rural, and whether the rich part of town gets better service than—that friction is always going to be there, but I question whether that would happen to other races or people in this province. I think that's a serious question.

I wish that I wasn't the one—I wish the member for Kiiwetinoong was here to ask that question today. He's not. I happen to be on House duty and I happen to be speaking to this bill today, and I wouldn't be doing my duty unless I spent a few minutes talking about a mistake that was made. I don't know if it was a deliberate mistake. I highly doubt it. But it was a mistake that could impact those children every bit as much as the Sixties Scoop, every bit as much as residential schools—every bit as much. And it didn't happen 20 years ago, 50 years ago. It happened a couple of months ago.

We have great speeches about how we're improving and accelerating access to justice. We didn't improve anything for those kids and for kids like them. Those are the things that we should be discussing, and I am thankful that I'm allowed to have this podium to be able to speak on behalf of those people, of my people: people I was elected to represent. I'm going to switch to the bill, actually, now, but for those kids, we have to do a better job and we have to recognize that for many people, and specifically for First Nations people, things haven't changed all that much.

So, to the bill: Again, I have said this often in the House, my history teachers would be quite shocked—basically all



my teachers in school would be shocked—that I'm discussing anything that's got to do with—there would be quite a few people in my town who would be quite shocked that I'm discussing anything to do with laws, but there are some things in this bill that actually interest me a lot. A totally different issue, but as everyone knows in the Legislature—and it's one thing I appreciate about this Legislature—we all come from different walks of life. I really appreciate that. When I got elected, I thought that everybody was either a lawyer or a poli sci grad. I've got nothing against lawyers and poli sci grads. I've got a daughter who's a lawyer. I've got nothing against it. But I just thought that that's how—and it's not like that here, and I really appreciate that here. I've had some of the greatest conversations and listened to people. I really think it's great that we come from such different backgrounds.

The part of this bill that interests me is the tribunals part. Now I've got to find my paperwork here. Basically, the way I understand it, the bill proposes—and I guess it's pretty well set in stone now; we're in third reading—to take a lot of tribunals and basically make a super tribunal, in my way of thinking, and that's supposed to speed things up and make things more efficient.

Well, I'm reading through the list of tribunals, and I think a case should be made: Sometimes I'm not sure who is going to be qualified to look at all these things and be able to be making an educated ruling.

There are a few of these I have something to do with. I'm a farmer. I would question here how many people outside the agricultural community know that the Nutrient Management Act is not about what's in the food; it's about what comes out of the animal. It's basically the manure management act, is what it is. That is what the Nutrient Management Act is: the manure management act. I would expect someone to have to have a pretty broad knowledge to know about the manure management act and the board negotiation for compensation for land expropriation, the Conservation Review Board, the Mining and Lands Tribunal—pretty wide-ranging stuff.

I'm going to concentrate on the Nutrient Management Act. When there is a complaint or when it goes to a tribunal, it is a very serious issue. Nutrient management on farms is a very serious issue. Manure is fertilizer. It is organic fertilizer. Actually, it builds up your soil, but if you over-apply it, it's a pollutant. So farmers have nutrient management plans, they need to have the correct amount of acres, they need to put the manure on and apply it at the correct time. It's very complicated.

Not everybody appreciates it when farmers spread manure. I've gone through this myself. Sometimes it gets serious, and you can end up before a tribunal. But you want to know that the people you are presenting to have a reasonable understanding of the case that you are presenting.

I'm going to use this Legislature as an example. The reason that we have 124 members, Speaker—I think?

**Ms. Peggy Sattler:** Yes.

**Mr. John Vanthof:** One hundred and twenty-four members, really—and I know we have our raucous

debates and we don't agree sometimes, but the reason we have members from all over and that we have so many members is to have viewpoints from all over and have some knowledge from all over. There have been occasions when I'm discussing something and I know someone, it could be from a different party, has got a background in something. I might not ask his or her opinion, but I might ask, "Hey, you were in this industry. Where do I go look for the best information?"

If this Legislature was—we could divide this all up and be like eight tribunals or however many tribunals there are, and we would have pretty good representation. If we took all the people and we could take the six best people here and make them into one tribunal, I don't think the argument stands up that they can make as good a decision-making process as independent tribunals. I really don't believe so.

**1430**

That is one of the reasons it's not—I'm not—I don't support this bill. Am I saying that it's impossible? No. But I'm saying that tribunals with a specific purpose, provided they're well run, they're efficient—I don't think the sole argument is that less people and a super tribunal makes your system better. I don't think so. I stand to be proven wrong. It won't be the first time. But my experience with these—and there's another tribunal that wasn't—there are a couple that weren't rolled into there, and somebody suggested: Why don't we just roll them all in? I think that would be an even bigger mistake. Sometimes in the quest for efficiency and in the quest for speed, I think we lose the quality and we forget the reason why these processes were implemented in the first place.

Provided you make sure in your process that when there are vacancies, you look for good people—don't look partisan. I'm not opposed to people who belong to political parties, but don't pick them on that as your first qualifier. Because if we didn't allow anyone that ever belonged to a political party, sometimes the pickings would be pretty slim, because most of us are politically involved who want to—we all want to help our friends and neighbours, the people we represent. That's why you get into politics. But to say that we have to have less people on tribunals and that's going to make it quicker and that's going to make the decisions better, I disagree.

I can pick five or six people who would do a really good job—a couple of farmers and a couple of other people who were on the opposite side—on the Nutrient Management Act, but I'm not sure that those five people would be able to do the same job on the Mining and Lands Tribunal, because that's a totally different ball game, and that is an issue here.

This bill is in third reading. It is going to pass, and hopefully that has been brought up before. I know the member who spoke before me brought it up and made her case, and I respect the member. I'm making the case that this doesn't guarantee that issues will be resolved quicker or that issues will be resolved better. Because that's the key. To continue to develop this province and create jobs in this province, we have to use all our resources wisely,

and just making things quicker doesn't necessarily accomplish that.

**The Acting Speaker (Ms. Jennifer K. French):** Questions and comments?

**Mr. Lorne Coe:** Speaker, you will know that there's a number of specific underpinnings in this legislation, the Accelerating Access to Justice Act. One particular piece deals with streamlining justice for vulnerable persons, in particular the Public Guardian and Trustee and the Office of the Children's Lawyer going forward.

Can the member opposite stand in his place today and support those changes for children in Ontario?

**Mr. John Vanthof:** I'd like to thank the member for the question. I respect the member, but I return: Did you listen to my first 10 minutes? Where was anyone in the government—where were you when those two kids were shipped out? Is this going to protect those two kids? Because it didn't protect them a couple of weeks ago.

**The Acting Speaker (Ms. Jennifer K. French):** Through the Chair.

**Mr. John Vanthof:** I ask the question to you: Where was the government when those kids were shipped out of the Mee-Quam centre?

**The Acting Speaker (Ms. Jennifer K. French):** A reminder to all members to direct their remarks to and through the Chair.

Further questions?

**Mr. Terence Kernaghan:** Through you, Speaker, I'd like to thank the member from Timiskaming–Cochrane for his very impassioned words about the cruel and thoughtless removal of the two young people from his community, which was done with no regard for the family or the individuals themselves.

To his comments, I'd like to focus on the idea—through you, Speaker—that individuals and humans are not generalists; they're typically specialists. He has pointed this out with his discussion of the Nutrient Management Act.

Through you, Speaker, to the member: Why do you suppose this government is getting rid of expert tribunals with their specific knowledge set?

**Mr. John Vanthof:** I'd like to thank my colleague for the question. I can't speak for why the government is doing it. I would expect that they are perhaps doing it because they think it will be faster and more efficient. That's their stated purpose. I don't think it will lead to better decision-making. As we've seen with this government's use of MZO's to try and get around the provincial policy statement, sometimes fast decisions aren't the best long-term decisions.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Amarjot Sandhu:** Speaker, during second reading at the committee, we heard from the opposition that we have a gold-star system of appointing judges in Ontario; we shouldn't make any changes. Our government believes that the system is one of the best in the world, but it wants to make it even better.

Charlene Theodore, president of the Ontario Bar Association, stated explicitly at committee that the work of justice and diversity is never done, and the system can be great and a gold standard, but we can still be looking for opportunities to make it better and more diverse.

Does the opposition agree with the government and Charlene Theodore that these changes increase diversity and make a great system even better?

**Mr. John Vanthof:** I'd like to thank the member for the question. It's a very good question, and I think as our system evolves we need to recognize that our society has become much more diverse and our justice system should represent society. If we can improve our justice system by being more representative of society, we should look at those changes.

Again, it's a small part of the bill; there are other parts of the bill that are not as supportable.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Percy Hatfield:** As a poli sci grad, I listened very closely to my good friend from Timiskaming–Cochrane. He started off talking about the Dark Ages. I came to Ontario about 50 years ago, back in the Dark Ages when the bars and taverns had ladies and escorts go in this door and the gents go into this door. At that time, judges in northern Ontario spoke English. Eventually, they became bilingual. But very recently, a judge was appointed in a section of northern Ontario who only speaks English.

When the members opposite talk about coming out of the Dark Ages, I say to my friend from Timiskaming–Cochrane: In reality, are they not going back into the Dark Ages when they appoint anglophone-only judges in northern Ontario?

**Mr. John Vanthof:** I'd like to once again thank my colleague for the question. It does reflect on: What is the government truly thinking? Because the Algoma area is very bilingual, as is mine. For 40%, French is their first language. To say, "Okay, you'll have it available online, but no longer in person," that is a huge step backwards. So in areas that have large francophone representation, it would make sense that the judicial system should also represent that, especially when it was formally someone with francophone capabilities.

1440

**The Acting Speaker (Ms. Jennifer K. French):** Further question?

**Mr. Vijay Thanigasalam:** At the committee, the opposition submitted a notice to vote against schedule 3. If the government voted alongside the NDP, the changes in the bill that would provide for the right to file documents in French throughout the province would not be made. Can the member opposite please explain why they would rather play politics than support the expansion of access to justice for Franco-Ontarians?

**Mr. John Vanthof:** Schedule 3 talked about a reporting process to see how improvements were made—the projection of improvements for francophone service.

I think the previous question and answer showed that perhaps schedule 3 isn't the problem. The problem is, in

the case in Algoma, we're actually appointing people who do not have francophone capabilities. It's probably as big a problem as checking the progress.

**The Acting Speaker (Ms. Jennifer K. French):** Further question?

**Ms. Bhutla Karpoche:** As we've seen with many different bills that have come to this House and we've debated, there are schedules in bills that attack the environment; in this bill, schedule 6. The Canadian Environmental Law Association has called this schedule, schedule 6, the "denial of access to justice act." Let me remind the House that the title of this bill is the Accelerating Access to Justice Act, and you have a schedule in there that denies access to justice. So, I would like to ask my colleague, can you share with this House why it is that environmental groups like the Canadian Environmental Law Association is calling this schedule a "denial of access to justice"?

**Mr. John Vanthof:** I would like to thank my colleague for that question. I think the question of why that could be seen as a denial of justice goes back to my earlier argument. When you compress tribunals that have certain skill sets and compress them into one, you're going to lose skill. You're going to lose skill sets. Particularly in environmental legislation and environmental issues, it's very complicated. You need a high level of understanding to be able to make good judgments. By making these tribunals a super tribunal with much more generalists, you are going to lose some of that expertise.

As a result, those tribunals could make decisions that perhaps make projects go faster or perhaps allow projects to be built in the wrong place, which could be very detrimental in the long term for, not only the environment, but for the people of Ontario, and even long term for the economy.

**The Acting Speaker (Ms. Jennifer K. French):** Further debate?

**Mr. Lorne Coe:** Thank you very much, Speaker, for the opportunity to speak on Bill 245, the Accelerating Access to Justice Act, because if it's passed, the legislation will improve access to justice for people across the system by modernizing processes. The contextual point there is that it has been well over 30 years since there has been such a robust review of many aspects—and breaking down barriers in the province's courts, tribunals, estates law, family law and, importantly, child protection services.

Speaker, no matter where you live in our province, I believe that the growth and well-being of our communities demands easier and faster access to a justice system that works for people, in particular the hard-working families that we in this legislative building have the privilege of representing. We're proposing some changes in this legislation that would have impactful benefits on families dealing with legal matters in Whitby, your riding, Speaker, and other parts of our great province of Ontario.

I've heard from parents and guardians in my riding, Speaker, that the monetary threshold for guardianship applications for children's property was too low, forcing parents and guardians to take on additional legal fees for decisions on small amounts of funds. Certainly I think you would appreciate that wasn't reasonable. Well, parents and

caregivers have spoken, and we've listened; we've listened carefully. We're proposing an amendment to the Children's Law Reform Act which, together with a regulatory change, would increase the monetary threshold and reduce the number of court appearances families need to make regarding guardianship of their children's property, saving families time, their money and anxiety.

This proposal, under the Accelerating Access to Justice Act, will amend this threshold so it would apply to money payable to a child under a court order or a court judgment without a will. Now, Speaker, if that amount is under the monetary threshold, these changes would allow a child's money to be paid directly to a parent or guardian to hold for their child. Parents would continue to have the same responsibilities—which is an important distinction when you look at the legislation—and obligations for the amounts received by their children.

Allowing parents to receive money owed to their children without a burdensome application would give families a quicker and more direct route to solving their affairs. And these changes would help align the justice system with my constituents' and residents in other parts of Ontario's expectations of how the justice system should work for them.

What's abundantly clear, Speaker, is that this current system can be archaic, and it's outdated—30 years outdated. Can you imagine? Thirty years before we've come to this point. We owe it to our constituents, the people we have the privilege of representing, to make these necessary changes.

Now, one of the features underpinning this legislation was a robust consultative process. I sat in on some in the region of Durham.

Bill 245, the Accelerating Access to Justice Act, if passed, would also help fill judicial vacancies in the province, allowing people to be better able to have their legal matters heard by a judge more expediently and without delays. Importantly, Speaker, the proposed changes would maintain the current legislative requirements in order to become a judge—no changes there. These changes would also support broader efforts to encourage more lawyers to apply by moving the application process online.

Bill 245 would modernize our judicial appointments process by requiring the Judicial Appointments Advisory Committee, or as the Attorney General says, the JAAC, to recommend candidates who have already been vetted for a similar vacancy within the past 12 months. The changes would also allow for a larger list of candidates to be considered by the Attorney General, a larger list than what has been the case.

**1450**

Other aspects of this bill that need to be taken into consideration, with respect to the judicial appointments process, are that we're reducing burdens and delays in the judicial appointments process by enabling the committee to hold interviews and meetings virtually. Currently the Attorney General recommends the appointment of provincial judges from a short list of at least two candidates who are recommended by the Judicial Appointments Advisory

Committee. This committee would still review all applications and conduct interviews before providing a recommendation of, at a minimum, six candidates for that vacancy with supporting reasons. If the Attorney General does not find a suitable candidate in the list provided by the committee, then the Attorney General may request a new list of six candidates that the committee would recommend, which is how the process works now.

The Attorney General would be authorized to recommend to cabinet for appointment by the Lieutenant Governor any candidate recommended by the committee. If the number of available candidates who were recommended for the previous vacancy is fewer than six, the committee would then consider other candidates who applied for the previous vacancy but were not appointed at that time. The minimum qualifications for appointments would not change.

As you would expect, the government consulted with legal associations over the past year and addressed this very important input. We have listened once again and so we have strengthened and refined our proposed changes based on their input.

Speaker, let's turn for a moment to quotes concerning our proposed changes to judicial appointments. First, from the Ontario Crown Attorneys Association—I'll quote what they had to say: "The Ontario Crown Attorneys Association appreciates the Attorney General providing us with the opportunity to consult about the" committee and the "process. We support the movement towards increased transparency"—I'm going to stay with that for a moment; increased transparency—"in the selection process." This was from the president of the Ontario Crown Attorneys Association.

Here's another quote from the Ontario Trial Lawyers Association: "The Ontario Trial Lawyers Association thanks the Attorney General for his continued commitment to consult with interested legal organizations regarding issues of common concern with the justice system. We agree with the" Attorney General "that the list of judicial candidates he can consider for appointment should be expanded to a minimum of six." This is from the immediate past president of the Ontario Trial Lawyers Association.

Meanwhile, despite the challenges that we're currently facing today, Ontarians require a system which is able to address unique circumstances while maintaining a safe and consistent process. The people of Ontario still need to be able to access and prepare legal wills and powers of attorney in spite of the difficulties that COVID presents. What's clear is that Ontarians require assistance getting their affairs in order, but also have concerns about travelling in order to receive in-person services. In-person services have been difficult to access and have caused increased issues with receiving necessary assistance while following important COVID guidelines.

In response to the challenges of COVID-19 and through ongoing consultations with the estates bar, Ontario was able to allow temporary virtual witnessing of wills and powers of attorney through an emergency order. Even after the pandemic is over, many Ontarians may have

limitations accessing in-person legal services and require further modernization of this system to address individual circumstances. The modernization implemented through temporary virtual witnessing has made it easier for many Ontarians to access these important services. This can be done in a safe and secure manner which helps relieve stress for Ontarians, removes barriers to legal services and recognizes the need for privacy and security in these matters.

Specifically regarding powers of attorney, schedule 8 of Bill 245 would amend the Substitute Decisions Act, 1992, to allow powers of attorney entered on or after April 7, 2020, to be witnessed remotely with the use of audiovisual communication technology, and schedule 9 of Bill 245 would make amendments to the Succession Law Reform Act. Taken together, these amendments would allow wills made on or after April 7 to be witnessed remotely by means of audiovisual communication.

Additionally, based on the feedback received, the virtual witnessing requirements will permit those signing to sign separate but identical documents. Signatures must be made during the same time period and any other prescribed requirements must be met. At the same time, our government is protecting the integrity of the system while allowing increased ease of access. Taken together, the amendments proposed in schedules 8 and 9 will permit Ontarians to safely deal with legal matters while maintaining guidelines for physical distancing.

Before the temporary measures were introduced to allow for virtual witnessing, the Ministry of the Attorney General had heard from many Ontarians who were having trouble obtaining these types of services. Again, Speaker, Bill 245 will allow Ontarians to use technology to have their wills and powers of attorney witnessed in a way that maintains integrity and credibility, while also accelerating access to these services and removing barriers that currently hinder access for so many in our communities. I know that in my constituency office, we're situated right on one of the main streets in Whitby, on Dundas, and we have a number of people coming in by appointment asking for assistance in this particular area, so this is a significant change going forward.

Speaker, we've had some discussion on this particular topic going forward earlier today: Our government is taking action to make it easier and faster to resolve land-related disputes in order to help increase housing supply across the province, while maintaining the needs of conservation and environmental protection. Bill 245, if passed, proposes the merger of five land tribunals into a single new tribunal called the Ontario Land Tribunal.

I want to stress here, Speaker, that the proposed merger would not reduce or eliminate hearing or appeal rights before the tribunal, and that's an important distinction. Some of my colleagues opposite have had the privilege to serve, like I have, as a councillor, a town councillor or regional councillor. We know the importance of that particular aspect. This revamped and updated Ontario Land Tribunal will help to reduce delays and make the land dispute resolution process more methodically structured

by creating a single point to resolve disputes faster and eliminating unnecessary overlap between disputes. And we know that has occurred. We've heard that from our constituents in our particular offices. We've heard that out of practical experience that some of us have had as councillors where this has occurred.

#### 1500

The formation of the Ontario Land Tribunal builds on this government's dedication to creating a more accessible, responsive and resilient justice system that resolves disputes faster and equitably. Our government is determined to make the process swifter to resolve land-related disputes that are contributing to Ontario's housing crisis, while maintaining the needs of environmental protection and conservation.

Back in July 2020, our government created the Ontario Land Tribunals cluster to bring the five land tribunals under the leadership of a dedicated executive chair. In order to make the process more efficient and effective, we needed to consolidate these tribunals into a single tribunal. But as of today, these tribunals in this group remain separate entities with different legislative mandates, and some parties currently need to appear—if you can believe it—before multiple land tribunals to resolve their dispute. This sole tribunal, Speaker, would have a single case management system, a single intake process—this is another important feature—and, in turn, that would alleviate a great deal of red tape and arrive at better outcomes, in my view and experience.

There's a quote that I would like to share with the members in the chamber from someone I have a great deal of respect for, someone whom I had the privilege of working with when she was a councillor with the city of Newcastle—some of my colleagues will know this person: "Attorney General Downey continues to take decisive action to speed up and improve the experience Ontarians can expect when resolving land planning disputes in the tribunal system. This game-changing reform will help make Ontario the leader in responsible growth in Canada."

Speaker, I was referring to someone whom you know, Marie Hubbard, a former councillor for the town of Newcastle and a representative for a period of time on the Durham regional council as well. She played a significant role in helping to develop the official plan that guides planning and development for the region of Durham and, in so doing, helped to guide the development and planning of the town of Newcastle. You can see the evidence of Marie Hubbard's work to this day.

Marie Hubbard is also the executive chair of the Ontario Land Tribunals. She brings that breadth of experience and time serving as a councillor with the town of Newcastle and other capacities to that position. If you know anything of the work that Mrs. Hubbard has been able to accomplish in this role, when she took office there were thousands of people waiting for an LPAT decision and she systematically brought down that number by 38%, which is considerable.

I'm going to wrap up because I'm running out of time right now.

If passed, the Accelerating Access to Justice Act would continue to build a faster, integrated system that would allow Ontarians to be better informed when making some of life's most important decisions, and I touched on some of those and we've lived them with our constituents. It would be another crucial stepping stone, Speaker, in providing access to a system that's fast, affordable—this is an important point for our constituents—and responsive to what Ontarians actually need and what they requested as part of the consultation process. We listened carefully. At the end of the day, Speaker, justice accelerated is justice delivered.

**The Acting Speaker (Ms. Jennifer K. French):** Questions and comments?

**Ms. Rima Berns-McGown:** My question for the member from Whitby is that he was talking about the efficiency of the new consolidated tribunal, but efficiency is not the only—or perhaps not the most important—criterion that we need in tribunals. I wonder what the member would have to say about the concerns raised by my colleague the member from Timiskaming-Cochrane, when he was talking about the expertise that would be needed at those tribunals. Is he not concerned that when you consolidate the tribunals, the person who is hearing them doesn't actually have the expertise to adjudicate on them?

**Mr. Lorne Coe:** Speaker, through you: Thank you to the member for your question.

In my presentation I spoke about the executive director of that particular tribunal and the breadth of experience that she's bringing to that particular position. I think, Speaker, that type of combination of experience is unique, and unique in the context of having the experience of having worked as a councillor for as long as she did for a town, the role that she played in informing the planning and development process at the region of Durham, the largest region in the province of Ontario. What this will affect is that we're going to be able to resolve long-standing land-related disputes that are contributing to Ontario's housing crisis by balancing the needs in environmental protection and conservation—an important distinction.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mrs. Daisy Wai:** Thank you, member from Whitby, for your insights and your presentation.

Madam Speaker, it is the responsibility of the government to ensure that judicial vacancies are filled and that we are quickly doing everything in order to maintain capacity in the system. During the second reading debate of the legislation, we learned that not all of the members in the House would agree. In fact, some of them say if something is already working, why would we have to do anything about it if it is not really broken?

Can the member please explain why continuous improvement is important and how the legislation is to ensure that the judicial appointment system in Ontario is done properly?

**Mr. Lorne Coe:** Thank you, Speaker. Through you to my colleague: In my presentation, again, I spoke about the

process to appoint provincial judges and that it's outdated and slow—I spoke about the 30 years. This has created obstacles, as you would expect, to filling vacancies and resulted in delays for people waiting for their day in court—their day in court which they deserve.

The proposed changes, as I read them—and I know others in this Legislative Assembly have taken the care to do the same—strike the right balance in maintaining the integrity of the current appointment process. Some of the quotes I shared with you speak to that integrity for provincial judges by providing the Attorney General—as we should—with a larger pool of qualified candidates for appointments.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Percy Hatfield:** Not only must justice be done, it must be seen to be done. To my friend from Whitby, my most treasured friend: You talked about tribunals and you talked about virtual hearings. I'll relate to you a case from my constituency office. A Landlord and Tenant Board hearing, virtually, with a faulty Internet connection—there was no picture of the landlord stating a case. The tenant holds the opinion that this wasn't the landlord, that this was a relative of the landlord, and the tenant was being evicted so a family member could move into this apartment, supposedly.

How was access to justice accelerated when the adjudicator couldn't confirm that the voice at the other end of the line was actually supposedly the landlord making the application to evict the tenant?

**Mr. Lorne Coe:** Thank you for the question from my colleague opposite. Clearly, what we're doing, both with this particular legislation and other steps that we've taken as a government, is to improve the system and get matters heard quickly, efficiently and fairly. That process, I believe, is working. There will be, from time to time, exceptions, one of which was shared with us here in the Legislative Assembly. But taken together, particularly with the significant underpinning changes in this legislation, we will get to the point where we continue to hear quickly, efficiently and fairly.

1510

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Ms. Andrea Khanjin:** My question to the member from Whitby: He was talking about his years of experience at the region and the individuals that he often talks to. In the years that he has served in public service, what has he really heard about the justice system? And, from what he has heard, how is this bill going to be helping those people?

**Mr. Lorne Coe:** I mentioned in my presentation—and thank you to my colleague for the question, through you, Speaker. I've heard from my constituents—as many other members who are here and staff knew—where they needed help. I talked about that a little earlier. I talked about it in the context of supports for streamlining justice for vulnerable persons. There were lots of opportunities to propose amendments to the Children's Law Reform Act,

as one example, and that's a strong amendment. It is going to make a difference in so many lives in Ontario, for hard-working Ontario families.

Other areas that I've spoken about in response to questions: I truly believe in the case of the land tribunals and changes that we've made there, led by Marie Hubbard—

**The Acting Speaker (Ms. Jennifer K. French):** Thank you.

Further questions?

**Mr. Terence Kernaghan:** I'd like to thank the member from Whitby for his comments and his presentation on Bill 245. I listened intently. He spoke a great deal about efficiencies and modernization of the justice system. The title of the bill itself is Accelerating Access to Justice Act; however, given this government's prior cuts to legal aid, does the member truly think that cuts make a system work better?

**Mr. Lorne Coe:** Thank you to my colleague for that question. What's clear to me—and I think it's clear to the other members, regardless of whether it's the official opposition, the independents or the government, Speaker—is that the recovery of Ontario's communities from COVID requires a strong justice system that works as well as it can to help people resolve their legal matters with few obstacles and delays.

I cited earlier, in response to an earlier question—through you, Speaker—the importance that I see with the legislative amendments, with streamlining the justice for vulnerable persons, whether it's the Public Guardian and Trustee, whether it's the Office of the Children's Lawyer or whether it's the tribunals. I think that, taken together, these legislative amendments will make such a big difference across all sectors of our community and, at the end of the day, will make Ontario much better going forward.

**The Acting Speaker (Ms. Jennifer K. French):** I'm going to decide that there isn't time for a back and forth, but there is for further debate.

Further debate? I recognize the member from Windsor—Tecumseh.

**Mr. Percy Hatfield:** Good afternoon, Speaker, and thank you for that recognition.

Accelerating access to justice: What does that really mean, Speaker? I'm sure there's a very narrow definition, but what about a look at the wider scope of access to justice by asking, "Where does justice come into the picture of an economic recovery from this COVID pandemic?"

For example, Speaker, let's take a look at the rules and the lockdown regulations as we try to accelerate a safe reopening of the economy. I've heard from club and restaurant owners who keep asking why they are limited to 10 patrons inside their establishments. I know that sounds fair to the owners who only have a seating capacity of 10 or fewer to begin with, but what about when you have space for 100 or 200 or more? My friends at the Riverside Sportsmen Club in east Windsor can't get an answer to that, and neither can I. My office has been trying

for weeks now to get someone in the ministry to give a coherent answer to that question.

Here in Toronto, I've gone to the Subway just over here at Bay and Wellesley, and it has a ton of floor space with a very limited capacity. On my way home, I've stopped at the Subway shop at Bay near Charles, and there's only really safely room for two patrons at a time to place an order and remain socially distanced. So a regulation or a limitation, be it for three patrons or 10—one size doesn't fit all, Speaker.

On the extreme side of this argument is, down in my area, Caesars casino in Windsor. Before the pandemic, Caesars could easily and safely accommodate 10,000 patrons at the same time. The current rules limit that capacity to 10, fewer than a dozen. Now, where's the sense in that? No one, certainly not me, is suggesting that we throw out and ignore the health and safety precautions; those, most of us have come to accept. No one is saying to get rid of them. But Speaker, picture this: space for 10,000 and 10 people wandering around that empty space. Seriously, can anything be more ridiculous?

Caesars employs nearly 3,000 people, people that were earning a good wage who haven't had the opportunity to get back to work in more than a year. That's a huge hit to Windsor's economy and, for that matter, to Ontario's economy.

Unifor, the union, suggests that instead of 10 patrons as a one-size-fits-all solution in Ontario, why not, when it's safe to do so, set a percentage of what would be a total capacity under normal health and safety guidelines? In Caesars's case, for example, the president of Unifor Local 444, Dave Cassidy, says that if 25% was chosen as a reasonable precaution to allow for social distancing as well as safety protocols, that would mean there would be 2,500 patrons allowed into a facility that used to safely accommodate 10,000 people. And 2,500 patrons on the gaming floor would be easy, Speaker. You could lock down or turn off slot machines that are side by side. You could turn off two out of three in a row and allow for safe gaming. Employees would be ready to wipe down the machines when you cash out or go home or try your luck at another machine.

Accelerating access to justice, Speaker? Where is the justice in shuttering a modern gaming floor when we have the people and the technology to operate such facilities in a safe manner, where people are socially distanced, all wearing masks, many wearing gloves?

Economically, Speaker, I don't know if you're aware of this, prior to the pandemic and the province-wide shutdown, in a normal year, from its annual profit, Caesars would turn over to the city of Windsor \$11 million—\$11 million. I'm sure it won't surprise you to know that, because of the extra cost of running municipal services during a pandemic, Windsor, like Oshawa, Toronto, Ottawa, Hamilton and Thunder Bay—all cities, towns and villages—is running a deficit. In Windsor's case, we're short about \$22 million because of the pandemic, so that \$11 million that we used to get from Caesars would cover about half of the current deficit.

Allowing 2,500 patrons inside at one time instead of fewer than a dozen wouldn't cover the \$11 million, but it would certainly be a heck of a lot better than nothing at all. We'd have people back to work, their wages would be pumped directly back into the local economy and we'd see an accelerated financial recovery. More patrons would also trickle more money into neighbouring businesses in the downtown core. It would be the same in Niagara Falls or Thunder Bay, Ottawa, Sarnia and any place else with a casino option in Ontario.

Like all casinos, Caesars patrons have membership cards. They insert them into the slot machines they're putting their money into, and they do that to accumulate points. These points can be used later to redeem gifts or more slot play. To get a player's card to become eligible for those bonus features, you fill in a form with your name and address and your contact information, and that data is used for tracking patrons. So should a player come into contact with someone who later tested positive for COVID, Caesars would easily contact those who were in the facility at the same time and advise them to be tested or to monitor their symptoms. Like making sense of rules and regulations on public safety during a pandemic, sometimes the wheels of justice run slowly.

#### 1520

As a former leader of the Labour Party in Britain, Jeremy Corbyn, has said that legal aid is fundamental to giving everybody in this country access to justice. Yes, fundamental in the United Kingdom, and certainly, as we all know or should appreciate, fundamental in Ontario and in Canada—fundamental, and yet this government doesn't fund the Ontario legal aid program to the extent that it was funded in the past.

You may recall the provincial budget cut to legal aid back in 2019, a 30% reduction and a cut of \$133 million—immediate and without warning to the legal aid community.

Now, I expect my Conservative friends will have speaking notes to that, and when they do, I hope they mention the comments the Premier made at the time. You may remember this, Speaker. The Premier was on a talk show on Global News Radio, and when the question came up about the cuts to Ontario's legal aid program, the Premier said, "If anyone needs support on legal aid, feel free to call my office. I will guarantee you that you will have legal aid." Well, Speaker, that's one way of accelerating access to justice. It's not the right way. In fact, the justice system doesn't work that way at all. It never has, and it never will, I hope.

A Premier or an Attorney General or a Conservative member of provincial Parliament doesn't have a magic wand and doesn't have the power to tell the justice system to look after client one instead of client two. "Justice should not only be done," as England's Chief Justice Gordon Hewart said so long ago, "but it should manifestly and undoubtedly be seen to be done." There's no backdoor to access to justice, Speaker, no matter what you may have heard on Global News Radio.

So the question remains: How does this cut to what once was the traditional level of funding for the legal aid

system provide for the acceleration of access to justice? I have friends, as you do, I know, who work within the legal aid community and they have fears that the government has a plan to get rid of the Social Benefits Tribunal. Speaker, as you know, the Social Benefits Tribunal is one of eight that make up the Social Justice Tribunals here in the province. Its purpose is to hear appeals from people who have been refused social assistance or who do receive it, but are not satisfied and disagree with a decision that affects the amount they receive, or they disagree with a decision that affects their eligibility for assistance or the benefits they should be entitled under these programs.

Speaker, if the fears of those working within the legal aid community are realized, how indeed is the access to justice accelerated under such a manoeuvre? Perhaps the minister today or someone on the other side can put to rest whether or not there is a plan to phase out the Social Benefits Tribunal in Ontario. Let's put it on the record after all. As the ancient philosopher Cicero has written, "The foundation of justice is good faith," and in good faith, I am asking on behalf of all those working within the Ontario legal aid community, let's put all the cards on the table as we speak to this bill called "accelerating access to justice." Are we poised to eliminate any of the current eight tribunals that hear appeals from people seeking access to justice? That information you could say would be pro bono publico, for the public good, as we attempt to understand the reasons behind this bill, Accelerating Access to Justice Act.

If we really wanted to accelerate access to justice, perhaps the government could think outside the box and support affordable Internet access for those individuals living below the poverty line on the Ontario Disability Support Program and surviving on the limited benefits provided under Ontario Works.

I've been reading a petition in the House recently. It came to me from Anna Jurak, the executive director of the Brain Injury Association of Windsor and Essex County. It has been supported by the county of Essex, the Alzheimer Society of Windsor and Essex County, Family Services Windsor-Essex and March of Dimes Canada as well as the Brain Injury Association of York Region and many other organizations across the province, including, as we heard today from the member for Toronto—St. Paul's, the brain injury association in her riding. The petition, if adopted by the government, would recognize the financial challenges those living below the poverty line face here in Ontario.

Especially now, during the COVID pandemic, more of us are forced to stay within our homes, relying more on the Internet to stay connected. Some of us without a home Internet connection always used to be able to go to the library or coffee shop that provided free WiFi service. But as you know, those options have been greatly curtailed because of social distancing and limitations on the number of people who can be inside such facilities at the same time.

Speaker, such Internet service gets worse the further you get away from the big cities, as you know. Up north and in many rural areas, if you can get Internet service at

all, your cost is going to be \$100 or more, and if you're living day to day trying to put food on the table and keep a roof over your head, you just can't afford to pay that kind of money if you're on government assistance. So when we speak to a bill calling for the acceleration of access to justice, why can't we provide a provision that would see those on social benefits have free or affordable access to the Internet? After all, if in a bill calling for the expansion of broadband services in Ontario we can slip in a clause allowing for the destruction of a wetland near Pickering, why can't we use that same logic and allow in a bill calling for faster access to justice a clause calling for more affordable access to the Internet for those most in need of financial assistance in this great province of Ontario? After all, shouldn't we be encouraging ODSP and OW recipients to participate in and access community resources through virtual means during this pandemic and beyond?

Speaker, while we're discussing provincial participation, allow me to remind the government of a letter sent a few days ago from the board chair and the CEO of the Windsor-Essex county public health unit. I raised this point just yesterday morning during question period. There's great concern and disappointment in my area that the government has failed to appoint or renew the appointments of the provincial representatives on the health unit board of directors. This is a very serious matter, as the board normally has six such provincial appointees at any one time. They join municipal and community representatives, and together they all bring their own education, experience and qualifications to the table. I was once a municipal representative appointed to the public health unit board, Speaker.

Provincial appointees share decision-making with the local municipal representatives from the city of Windsor and the county of Essex. Most recently, the term of the vice-chair, a provincial appointee, John Scott, was not renewed. Since 2019, none of the six provincial appointees to the health unit board in Windsor have been reappointed or have had their terms extended. Those positions remain empty. Those provincial representatives have brought skills to the board from their past experience in business, education, health care and social services. They help give the community a sense of confidence that the board is providing an effective public health care system.

Where is the justice, Speaker, in limiting such appointments? And I'm no conspiracy theorist, but I have to ask: If it's happening in Windsor and Essex county, is it happening in all or some or most of the other 33 public health units in Ontario?

**1530**

I understand the focus of the government may at times be sidetracked, because we are, as they say, all in this pandemic survival mode together. So if I may, Speaker, sidetrack myself with your permission, I'd like to read into the record a poem written by Toronto's poet laureate, A.F. Moritz. An abbreviated portion of his poem appeared in the Toronto Star earlier in March. It's called "Memorial of a Plague Year: March 2020 - March 2021."



So we go forward through our home—Toronto!  
meeting place—and every tree and corner,  
every shop window that our grandmother knew,  
every neighbour who once loved  
to talk with her, who always stops us to recall  
the same tender story, is a star now:  
a star of soft radiant memory. A star of light  
from the past for today,  
of light from the dead  
for life.

I wish I could put my arm around your shoulders,  
be beside you. Soon! For now, though, plague  
still stares between us. And yet  
we don't have far to go to reach the utmost sobs  
of the splintering universe  
and with our hug  
bring them all back together, assemble them here  
for a parliament of loves. What's beauty in sorrow for,  
what's poetry for, if not to bring us near  
while we're alone until  
our lips and hands touch? I can gather all  
because I listen. I can hear  
you,  
speak with  
you,  
hold  
you  
in my heart. You are more  
than the helpless universe. We reach and bring  
everything that has burst, broken, died,  
left us, fled from us, everything  
frozen in the space of death  
back into the loving quiet  
of a brook returning in late winter  
to the young life of purling water. It's March!—winter  
kisses spring. We don't have far to go—only from dusk  
to morning—to gather the fragments of disaster  
in music and tears. I see, hear, love  
the men and women all around me,  
I'm with them—here I am—I hug them  
in the body of my song.

Thank you, Speaker, and I thank A.F. Moritz, Toronto's  
poet laureate, for his amazing literary insight into what  
we've all been going through over the past year, and his  
optimism for what the future holds.

Members may know that April is Poetry Month. I hope  
we'll soon have good news, a good-news announcement,  
on the appointment of Ontario's first poet laureate. What  
wonderful timing for the government to be able to make  
that announcement during Poetry Month.

Accelerating access to justice has a close connection to  
Poetry Month. This year's theme, as selected by the  
League of Canadian Poets, is "Resilience." According to  
the poets, "We meet resilience in every corner we've been  
backed into, every hardship that we endure. Resilience is  
geographical, spiritual, historical. It's the fight against

climate change, the inner battle with mental health, the  
outrage for human rights and an end to systemic racism.  
Resilience is the backbone of generations of trauma, the  
silence at the dinner table, the bow to culture's violin.  
Resilience is the courage to start each day anew."

The League of Canadian Poets says this April, this  
coming month, set aside time to celebrate poetry. We  
should all reflect on and respect the resilience that has  
made us who we are. I couldn't agree more.

I respect the need to accelerate the access to justice. As  
I reflect on the contents of the bill, I can see how, in some  
ways, it backs us into a corner. It doesn't lessen the  
hardship that some people will face when they seek access  
to legal aid. Mental health and the Ontario justice system  
are intertwined, so wrapped together. So many calls placed  
to police officers have been made because someone is  
suffering from an issue caused by mental health.

Accelerating access to justice is intertwined with  
funding for mental health and addictions and policing,  
issues that eventually, in many, many cases, lead us to a  
relationship with a system of justice and end with systemic  
racism. Again, systemic racism is an issue the justice  
system deals with on a daily basis.

I thank you for your time this afternoon.

**The Acting Speaker (Ms. Jennifer K. French):**  
Questions and comments?

**Mr. Sheref Sabawy:** I thank the opposition for the  
debate. I'm just wondering, every time you talk about  
accessibility and making things accessible to the people  
and how the people are frustrated, and even when we  
propose to allow virtual commissioning and authorization  
of documents, which was first brought in back in Bill 161,  
the opposition voted against it, even though it would  
improve access to justice for Ontarians, which is  
something the opposition often speaks about.

Making the emergency order on virtual witnessing of  
wills and powers of attorney permanent through legisla-  
tion would make Ontario a leader in Canada in the field by  
allowing hard-working and busy Canadians to save time.  
Will the members opposite finally come to their senses and  
support these measures in this bill?

**Mr. Percy Hatfield:** I thank my friend from  
Mississauga—Erin Mills for the question and inviting me  
to come to my senses and support the bill. I invite my  
friend to come to his senses, and the government, please,  
to come to your senses. When you hold virtual hearings  
with a bad Internet connection and the adjudicator cannot  
confirm that the landlord kicking out the tenant, sup-  
posedly to bring in a relative—not to raise the rent, of  
course; to bring in a relative—it's not confirmed on the  
screen because it's an Internet connection. Is it a lawyer?  
Is it a family relative? According to the tenant in the case  
I'm speaking of, it wasn't the landlord.

So until you can improve the system, please come to  
your senses, my friend. Improve the system before you  
accelerate access to it.

**The Acting Speaker (Ms. Jennifer K. French):**  
Questions?

**Mr. Terence Kernaghan:** I'd like to thank the member  
from Windsor—Tecumseh for his excellent presentation.

As he noted with the infamous radio show, politicians can neither influence nor dispense justice. Through you, Speaker, I would like to ask the member to compare whether it is more prudent for this government to consider more affordable access to WiFi for Ontarians—and, therefore in this context, justice—or is it more important that they start getting their fingers dirty in the Judicial Appointments Advisory Committee?

**Mr. Percy Hatfield:** I want to thank my friend from London North Centre for the question. I don't know that the intent of the legislation is for political interference. I know there are people across the province who do have that suspicion and have written the government and suggested that this is not the way to go if we're going to be "hands clean" and have justice seen to be done.

But the question of having six appointees, as opposed to one or two and you flip a coin and pick one or the other: I think it has some positive possibilities, but also some negative, as has been suggested by the member and others across the province. I thank the member for his question.

**The Acting Speaker (Ms. Jennifer K. French):** Questions?

**Ms. Andrea Khanjin:** Thanks to the member, and I did appreciate that poem in his speech. I think we, too, on the government side look forward to that specific appointment.

He spoke about other boards needing to be filled. I know there was one question you had in QP, and the minister is working on that one when it comes to public health. But bringing it back to this debate in terms of the composition of the boards and talking about diversity. When I came to this Legislature and came to Canada, as someone who immigrated to Canada—there are so many more people in this province who have so much diversity to offer to these types of boards and these positions.

What are your thoughts in terms of looking at diversity statistics to better the judicial system, and things that this bill supports and does when it comes to transparency about diversity in appointments? What are your thoughts on that part of the bill?

**Mr. Percy Hatfield:** I think my friend from Barrie—Innisfil and I are on the same page when it comes to celebrating diversity and actually seeing more of a diverse judiciary.

I come from Windsor, and depending on who you talk to, it's either the third- or the fifth-most diverse community in all of Canada because of the immigration that we've seen in recent years. The number of languages spoken in our schools—not in our schools, but at home by the students—is amazing.

So the more diverse of a judiciary we can appoint, the better for Ontario. The better that we can see people who look like us, whatever we look like, on a bench—I think it will be important and I think beneficial to everybody in Ontario.

1540

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Ms. Rima Berns-McGown:** I want to thank my colleague the member for Windsor—Tecumseh for his presentation. I always enjoy his presentations. Today was a particular treat because that piece of poetry was balm for the soul. Thank you to him very much.

My question has to do with the judiciary as well. There has been some concern that, in addition to increasing diversity, which is of course a good thing, this bill would, in fact, increase the possibility for the politicization of the judiciary, which is, perhaps, not such a good thing.

The member mentioned a number of times that justice has to not only be done but be seen to be done. I wonder if you could comment upon that.

**Mr. Percy Hatfield:** I say to my friend from Beaches—East York, Al Moritz—A.F. Moritz—was here in the chamber on the day that my private member's bill to create the position of the poet laureate in Ontario was approved unanimously, and I thank Al for being here for that.

Back to the Dark Ages: I had a friend, long since passed away, who was a federal judge. We were drinking buddies, and he would tell anyone who asked that the reason he had his judicial appointment at the federal level was because he was a bagman. He was a political bagman, a party bagman. He raised more money than anybody else for the Liberals at the time. He got a federal appointment. He made no bones about it.

That's the Dark Ages. We're trying to get ahead of that, to stay away from that. But there are people in Ontario who fear that the system that is coming in now may lead us back on that path, on that journey to those Dark Ages. I don't necessarily agree with them all, but I say it's out there.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Billy Pang:** During committee for Bill 245, we heard from a number of interested stakeholders who came to speak about Ontario's judicial appointments process. Among these was the County of Carleton Law Association. In their testimony, they stated that these changes are needed because there are too many vacancies on the bench that are causing delays, and the judiciary right now is not diverse and does not reflect the face of Ontario.

Will the opposition support these changes that decrease delays and increase diversity, which will benefit all Ontarians?

**Mr. Percy Hatfield:** I agree that the makeup of Ontario's judiciary is not as diverse as it should be, and I agree there's a backlog of appointments to the board. I say to the member opposite from Markham—Unionville: Who is responsible for that? Your party has been in power now for a couple of years—two and a half years. The Liberals were in power before you for, what, 15 years? During that time, the appointments were there. They could have been kept up. Ontario could have become more diversified on the judiciary. We could have had more visible minority qualified lawyers appointed to the bench, and it didn't happen. But it wasn't on the NDP watch; it was on the watch of the Liberals, and nothing much has happened in the past couple of years from the Conservatives.

So I agree with you: There's a problem that should be changed, but it's not a problem we created. We will help you solve your problem, but it's not our problem.

**The Acting Speaker (Ms. Jennifer K. French):** There isn't enough time for another back and forth.

Further debate?

**Mr. Mike Schreiner:** I rise to speak on Bill 245 about changes to the justice act. I want to begin by raising some concerns I did not raise in my second reading debate on this, and that's about the politicization of appointments of judges. While this bill doesn't go as far, and as deeply concerning as some of the ideas that were floated last summer, it still opens the process, or the possibility, of politicizing the appointment of judges.

As many people in this House and probably across Ontario know, I happened to grow up in the US. If there is one country that has politicized the appointment of judges to an extent that I believe is detrimental to the judicial system and the political system, it is the United States. I don't think that is something we want to import into Canada. Even opening the possibility of that is deeply concerning to me.

I just want to read a quote from former Ontario Deputy Attorney General George Thomson, who basically said Ontario has one of the best judicial appointment processes of appointing judges. It is universally praised as one of the best examples anywhere in the world of a truly independent appointment process, so you would have to have some pretty compelling reasons to change it. Quite frankly, Speaker, I haven't heard those reasons.

Secondly, I want to reiterate some of the concerns I raised around the consolidation of the various tribunals into one land tribunal system. First of all, it's the loss of public participation rights for residents by removing the ability of non-party participants at tribunal hearings. Environmental Review Tribunal hearings affect many people, and non-direct participants should be a part of and have the ability to speak to those hearings. This bill undermines their access to justice.

Furthermore, the bill would allow the tribunal to dismiss proceedings if they believe the proceeding has no reasonable prospect of success, which once again limits citizens' access to justice, especially when it comes to environmental decisions that affect the health and safety of their communities.

Finally, schedule 10 limits appeals to questions of law under the EPA. This is concerning because there are many instances where people have made appeals based on fact and evidence outside of a rule of law. This, to me, continues a pattern that the government is engaged in of undermining public participation, particularly in land use decision-making that affects the health and safety of our communities and environmental protections.

**The Acting Speaker (Ms. Jennifer K. French):** Questions?

**Ms. Andrea Khanjin:** Thank you to that member for his remarks. I know we don't always meet eye to eye, but sometimes we can find common ground.

The question I asked previously in the debate—and I know that you're very keen on it too—is that all of Ontario is getting more diverse, including places like Guelph that you represent and places like I represent in Barrie–Innisfil. Our judicial system needs to reflect that diversity. What do you think the impact of really diversifying how we appoint people and how we run the judicial system using data—how is that really going to strengthen the fabric of Ontario?

**Mr. Mike Schreiner:** This is a very important question, so I appreciate the member's question, because we absolutely need more diversity in our judicial system. There is no doubt about it.

But I do want to just say that I have a note here from the representatives of the Canadian Muslim Lawyers Association, the Canadian Association of Black Lawyers and the South Asian Bar Association, who raised concerns that the changes in the bill actually don't deliver on the objective of increasing diversity within the system right now. I'm going to take my direction from those types of experts, who are raising concerns that this bill will not accomplish what the government wants to when it comes to diversity.

**The Acting Speaker (Ms. Jennifer K. French):** Questions?

**Mr. Terence Kernaghan:** I would like to thank the member from Guelph for his presentation. My question is, why does the member feel that this government is so keen on undermining environmental protections and checks and balances within Bill 245?

**Mr. Mike Schreiner:** I appreciate the member's question. One pattern we've seen with this government was that really, from day one, they dismantled Ontario's climate change plan. They then got rid of the Environmental Commissioner, who would provide oversight and accountability. They essentially changed the whole LPAT process and brought back the OMB process around land use appeals that nobody liked, except for maybe a few deep-pocketed developers. They tried to open the green-belt for development. Luckily, public backlash forced them to backtrack off of that in Bill 66. They've changed the environmental assessment process and are fast-tracking it for a highway that nobody wants. They've gutted the ability of conservation authorities to protect us from flooding.

And now, in another piece of legislation that's at committee right now, they are trying to gut the PPS by exempting it from ministerial zoning orders. So I see the changes to land use tribunals as being part of a pattern that dismantles environmental protections and particularly public participation in land use decision-making.

1550

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Ms. Lindsey Park:** I have found the debate around increasing diversity on the bench kind of interesting, because I think we all agree there's a problem. I'll just tell you my experience. One story—maybe it's not representative of the whole system, but now with bringing in

diversity statistics to say how many diverse candidates are applying, how many are being interviewed and how many are being recommended, we'll have a better sense. But my experience—I practised for almost four years before getting elected, and I never once appeared before a judge that was a female; I never once appeared before a judge that was a visible minority. Maybe that's not representative of the whole system, but we have a problem.

There's going to be more to do once we see what the statistics show, but surely you must agree it's a good thing to have public, transparent statistics about who's applying and who's getting recommended.

**Mr. Mike Schreiner:** I appreciate the member's question, and I appreciate the member's passion, clearly, for more diversity on the bench. Obviously, collecting data on diversity is an important issue.

The challenge and I think the concern that has been raised is, is the solution that's being proposed in this legislation the right solution, particularly around changing the appointment process and possibly opening it up to being more politicized—not just even for the current government, but future governments of other parties possibly using this avenue to have more politicization in the appointment process?

I guess the question is—and maybe we just need more time to consider this bill—is there a way to address the diversity issue, which is a real issue that absolutely needs to be addressed, without opening up other problems that might make the situation possibly worse? That would be my response to the member opposite.

**The Acting Speaker (Ms. Jennifer K. French):** Further debate?

**Ms. Lindsey Park:** I appreciate the opportunity to rise to speak to third reading of this bill, and I've appreciated the dialogue throughout the process. We had a lengthy committee process with really, really interesting and important debate around important issues of our day. I want to really thank all members of all parties who have participated in the debate to this point. Truly, debate, I believe, results in better legislation, and we saw some improvements at committee that I think made it a better piece of legislation with the input of all parties.

Really, why did we bring this bill forward? This bill was brought forward to revitalize and modernize Ontario's justice system in ways Ontarians desperately need. Bill 245 comes at a particularly crucial time for Ontarians. After the COVID-19 pandemic—many argue, and I think it's true, we're still in a pandemic. We all hoped it was over, but it's not over yet. We've seen throughout this pandemic how it has impacted services we rely on. It's also affected access to those services.

The justice system and the methods for accessing court services have required changes and overhauls for decades. I know the Speaker knows this well. It's widely known. The pandemic has only highlighted and amplified the need for this change. Bill 245 addresses the problem areas of the justice sector and proposes practical, transformative updates to help Ontarians sort out their legal affairs and access court services.

Many aspects of our justice system are outdated and unnecessarily complex. This creates barriers for Ontarians accessing justice services. The reforms presented in Bill 245 offer tangible steps to remove these barriers and facilitate an easier, faster and more accessible justice system. And that's not only in downtown Toronto, where we all stand here today, but across all communities in Ontario, including rural, northern, francophone and Indigenous communities.

This bill will break down barriers in the province's courts, tribunals, estates law, family law and child protection sectors. It presents urgent reforms to address delays in the resolution of legal disputes, both inside and outside of the courtroom.

The pandemic underscored the pressing need for modernization and development across all sectors, and the justice system is no exception. That's why the Ministry of the Attorney General has worked diligently with justice partners to expand the range of court and justice services offered online and to move these services closer to communities. The Accelerating Access to Justice Act is one important component of those efforts.

Speaker, I turn first to the proposed changes in the act related to judicial appointments. The proposed amendments to the Courts of Justice Act aim to accelerate access to justice by filling judicial vacancies faster and promoting diversity among candidates. As this House has heard, the number of candidates the Judicial Appointments Advisory Committee presents to the Attorney General will go from two to six. This allows for a larger pool of applicants to be considered for a judicial appointment. This is where we require the support and partnership with diversity legal organizations, as it is these organizations who can encourage their members to put their names forward for appointment. It's through this collaboration and their recommendations that we can begin to form a bench that properly reflects Ontario's diversity.

On this note, Speaker, a change I'm particularly proud of is the requirement for the committee to publish detailed annual diversity statistics. These annual reports will use information voluntarily disclosed by applicants. Transparency is essential if we are to improve diversity. It's clear that we need more women on the bench, we need more diversity on the bench, and we will not apologize for addressing these shortcomings and wanting to better reflect Ontarians on the bench.

We listened to concerns expressed at committee regarding these changes to the Judicial Appointments Advisory Committee and engaged in worthwhile debate on this topic, as I referenced at the start of my speech. We've ultimately concluded, Speaker, that maintaining the current secretive, unaccountable process in judicial appointments needs improvement. We learned that now, more than ever, it's time for change and increased transparency. The judiciary is the face of our justice system, and it must reflect Ontario's diverse population. Greater transparency at all stages of the application and appointment process will create more accountability in the process.

Knowledge and transparency are necessary to pinpoint where the appointment process may lack in promoting diverse, qualified candidates for appointment. Without it, we have no sightline into the root of the problem, hindering our ability to fix it. Are there not enough diverse candidates applying for vacancies in the first place? We don't know. Or are qualified diverse candidates being overlooked? We don't know. When we understand the problem, we can be the generation that takes action to promote more diverse candidates and permanently remove barriers to their appointment to the bench.

In their submissions at the committee in support of the bill, the County of Carleton Law Association noted: "The government of Ontario's continued commitment to non-partisan, merit-based judicial appointments is a crucial determinant of the rule of law. Whatever the merits of the judges as individuals, if the process itself can be improved, public confidence in the judiciary as a whole will be enhanced."

A notable amendment we made, Speaker, is the removal of section 43(11) in relation to the Judicial Appointments Advisory Committee. We did this to recognize concerns from stakeholders about privacy. This section was meant to codify the existing confidentiality process and the existing practice of the Judicial Appointments Advisory Committee. Namely, the current process provides statutory confirmation of the confidentiality of the committee's records in considering candidates for appointment. However, concerns were raised that the section could permit the chair to make information public, or improperly provide information to the Attorney General. We took note of this concern, Speaker, and struck this section accordingly.

**1600**

The committee would still be subject to the confidentiality provisions of its terms of reference which provide that sensitive, confidential or personal information will not be disclosed except where it's provided for by the Courts of Justice Act in accordance with other applicable law such as a court order and/or as authorized by the chair. The committee's policies are published online as well for any member of the public to see.

We're also introducing an expedited recruitment process, Speaker. Where a recommendation was provided in the past 12 months for a vacancy in the same location and with the same requirements as a current vacancy, rather than advertising the vacancy all over again—and people wonder, why is it there have been delays in filling judicial appointments? Well, having to advertise all over again and creating another 12-month process is a reason for delays. So rather than advertising the vacancy again and the candidate going through the same process multiple times in a year, the committee would recommend the candidates from the list of those who were vetted from the previous similar vacancy.

I want to be clear: The minimum qualifications for judicial appointment will not change, but the changes we're presenting offer greater flexibility in how judicial vacancies are filled so we can tackle the backlog. This

would support Ontario's recovery by allowing qualified candidates to be appointed faster and, in turn, help people have their matters heard faster, with a greater complement of judges available to hear matters whether in person or virtually.

I'd now like to turn, Speaker, to the modernization efforts in the area of estates law in Bill 245. Our government's proposal includes tools to help Ontarians resolve their estates and other legal matters quickly and safely through several amendments. We've been encouraged by the ongoing engagement of justice partners in this section of the bill in particular, Speaker, and I've heard in my conversations with estate lawyers that the changes in this area are overdue and really appreciated by both the public and legal professionals alike. We're grateful for the expert insight and collaboration we've received from the bar on this topic of estates modernization.

One lawyer, specifically, we heard from at committee: Ian Hull, who is recognized as a leading estates lawyer in the province. He said that he applauds many of the changes to the estates sector in this bill and frames the changes as ones that bring Ontario out of the Dark Ages. That's how long it has been since there has been major reform in estates law. He spoke of how the changes will make things easier for his clients.

COVID-19 made it practically impossible for people to sort out their legal affairs and documents in person, and now a temporary change is made in the context of the pandemic that provided a pilot project. We never planned the pilot project, Speaker, but our response to the pandemic created many pilots, and so this is one: a temporary change that we're deciding to make permanent and we think should be carried forward and really reflects how we need to operate in the 21st century.

Today's families require an increasingly flexible system, with electronic or virtual options to address their legal needs. We need to continue reforming archaic laws to keep up with the times. Proposed amendments would make virtual witnessing of wills and powers of attorney a permanent option for Ontarians, provided at least one witness is a licensed Ontario paralegal or lawyer. I want to highlight this. I find it's important to remind every member in this House that virtual witnessing is an option; it is not mandatory. It's meant to be another tool available for those Ontarians who prefer it. There seemed to be some confusion around that topic as I was listening to the second reading debate, so that's why I wanted to highlight that.

As this House has heard, we're proposing amendments to key sections of the Succession Law Reform Act as well—that's schedule 9 of the bill. Provisions in that section needed reconsideration as to how they work for people in Ontario today. Again, I referenced that these are laws that first came, really, from England. We incorporated them into the common law system in Canada and then they became laws on the books in the province of Ontario after many years. They were just made for a population at a different time, so I'm pleased that our government is actually taking the time to figure out how we modernize these archaic areas of the law.

Part of what we're doing in this schedule, schedule 9, is we're repealing section 16 of the Succession Law Reform Act, which is the section that automatically revokes a will upon marriage. This rule, under current law, tends to surprise people, which I can attest to from my time as a lawyer who previously practised in estates. We're changing that rule. Keeping someone's will in place when they get married will help to protect against predatory marriages. With the changes in Bill 245, it will now be an intentional choice when and how one changes their will upon entering a marriage.

We'll also be extending section 17 of the Succession Law Reform Act, so that inheritance to married spouses who are separated would be eliminated in the same way that divorced spouses do not inherit.

We did clarify at committee one section of section 16. You'll see that if you open the bill; there's an amendment there. We clarified with the amendment that you have to be separated for a three-year period immediately preceding death in order for this section to apply. That's just because we heard from some stakeholders that there might have been some confusion on the interpretation of the three-year period. If someone had had a separation earlier on in their marriage, if you added up the different periods of separation, it might add up to three years, and someone might not realize they had approached this three-year period before they passed away. So we thought that was an important clarification.

A further change that will help the courts respond to the changing circumstances for will-drafting and execution is that a new authority will be carved out for courts to validate wills that do not precisely meet the legal formalities of a will, as we move from what's known as a strict compliance regime to a substantial compliance regime instead.

I'll give one example here. I heard of a case a lawyer had experienced that this would have prevented from going to court. This is the lawyer quoted here:

"One particular matter with which my office was involved comes to mind when thinking of this issue: The deceased had died while writing what he had intended to be a holograph will benefiting his fiancée." For those who don't know what a holograph will is, it's one of those hand-written wills that you sign at the bottom. He intended to benefit his fiancée. "The court found that the document was not a will because the deceased's signature appeared at the top of the document rather than after the dispositive provisions," which are the last provisions of the will, "and the judge lacked the jurisdiction to admit the document to probate because of Ontario's strict compliance regime. Instead, a great-aunt from whom the deceased had been estranged inherited his estate as a result. Allowing substantial compliance," this lawyer concludes, "on a controlled case-by-case basis will prevent this type of injustice."

Speaker, I want to address the positive changes proposed for Ontario's five land tribunals, which is the consolidation of these five tribunals into the Ontario Land Tribunal. The current system makes for unnecessary

overlap, and Ontarians may end up in front of multiple tribunals for their land-related disputes to be settled and decided on. The merging of these tribunals would create a single forum for these hearings, helping reduce delays in the system and eliminate unnecessary overlap between cases.

**1610**

I want to clarify: There has been some reference to people worried about the expertise of the tribunal being lost. All the current members from all the tribunals with all their expertise are moving over to the Ontario Land Tribunal—all the members. I also want to clarify that this means that not only are certain proposals for, let's say, affordable housing heard quicker and decided on and can actually get built for Ontarians, but it also means environmental matters can be heard quicker and we can better protect the environment as a result.

Ontario's expropriation procedure is another area needing change to ensure a fairer process for hearings. Currently, a non-binding inquiry hearing under the Expropriations Act may be held to determine, in advance of the actual proceeding, if an intended expropriation is fair, sound and necessary to achieve its objectives. Under our proposed changes, these hearings would instead be carried out by independent adjudicators at the new Ontario Land Tribunal.

I recently spoke with a prominent lawyer who practises in this area and only represents residents who fully supports the elimination of the Board of Negotiation and the Board of Inquiry. In his view, these boards merely give the illusion of a fair judicial process but in actuality are lengthy, costly and can have devastating impacts on the property owners' assets. Though parties may feel they've had their day in court, they are non-binding decisions that tend to turn on which expert opinion the board prefers.

Amendments proposed in this bill cover many areas of law as they relate to the justice system. There are changes that have been contemplated carefully and are brought forward with the foundational support of numerous stakeholders and legal organizations.

Now more than ever, we have to continue to take steps to increase access to justice in the province of Ontario, and I hope all members will support this bill.

**The Acting Speaker (Ms. Jennifer K. French):** Questions?

**Ms. Jill Andrew:** My question to the member across is in regard to schedule 6 of Conservative Bill 245. Interestingly, as well, it should be noted that the Canadian Environmental Law Association told us that a better name for schedule 6 would be the "denial of access to justice act."

So I'm just wondering, why should we not be worried, or why should the Canadian Environmental Law Association not be worried, that this bill is potentially more a gift to developers—certainly not a gift to our wetlands or to our green spaces but more a gift to developers? Why should we not be worried that that is in fact the agenda of the Conservative government, with schedule 6 of Bill 245?

**Ms. Lindsey Park:** I want to be absolutely clear: This has zero—and I'll repeat it—zero impact on the

environment. It means that decisions will be made on affordable housing proposals quicker. It also means decisions on serious environmental concerns will be heard sooner. We have a proven track record on this. The backlog has been cleared with the pilot of these procedures at the current LPAT. We've gotten through incredible amounts of OMB legacy cases since we formed government, significantly reducing the backlog so all matters can be heard quicker. This is good for the environment. This is good for the people of Ontario.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Michael Parsa:** The consolidation of the Chartered Professional Accountants of Ontario and the Public Accountants Council is a common-sense change and one that streamlines the regulatory process for accountants in Ontario.

Whenever changes are made or proposed, Madam Speaker, I always look to see and I always ask my colleagues, are we looking at other jurisdictions to see if we're in line? We can always learn from one another, and to see what we're doing.

My question to my colleague is—if you can provide more information as to, with these proposed changes—how are they in comparison to other jurisdictions, in particular the provinces here in Canada?

**Ms. Lindsey Park:** I want to thank the member from Aurora–Oak Ridges–Richmond Hill for the question. I'm so glad you asked because I didn't get a chance to address this in my speech.

Ontario is, in fact, the only province in Canada that does not have a single regulator of accounting. The current regime of having both the PAC and the CPA of Ontario regulate accounting is overly burdensome and inefficient. The proposed legislation would bring Ontario's public accounting regulatory framework in line with other provinces and territories. These are good changes that, frankly, bring Ontario up to speed with the rest of the country.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mrs. Jennifer (Jennie) Stevens:** It's always a pleasure to rise and speak on behalf of the residents in St. Catharines. I would like to ask a question to the member across the way. I stood in this House a few months back with a housing concern. It was an issue that cut to the heart of justice, it cut to the heart of accessibility to justice and it cut to the heart of equality of justice.

I had a grandmother, Melita, who was being evicted and could not make her appointment on Zoom. She had challenges accessing technology. She had challenges arriving on time due to those restraints. Where did that leave her? It left her missing her Zoom hearing, and it left her losing her appeal. She was evicted, and she did not need to be.

My question: Explain to her why we are not talking about access to justice in a way that fills these gaps and in a way that does not close the gaps on access to technology?

**Ms. Lindsey Park:** Of course, it would be inappropriate for me to speak about a specific case, and I don't know

all the details of that case. But I will say that we're very aware that there are many people who are trying to access the Landlord and Tenant Board, both tenants and landlords, to have their matters heard, and it's important that both parties have that access to justice in the province of Ontario.

I'll say two things: We've, in fact, appointed more adjudicators than ever in the province of Ontario to the Landlord and Tenant Board to hear these matters as quickly as possible. Of course, there have been challenges moving hearings online and adapting during the pandemic. The Landlord and Tenant Board oversees its own administration of the tribunal, so that's not a decision of the Ministry of the Attorney General, but certainly we're committed to continuing to resource them. It's important to know that the adjudicators have the discretion to adapt mid-hearing or after a hearing to make sure everyone is heard fairly.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Sheref Sabawy:** I have heard from many constituents in my riding who have taken advantage of the ability to virtually witness and sign in counterpart wills and powers of attorney, which was temporarily permitted under the emergency order beginning in April 2020. This has saved them time and money during this unprecedented time.

Can my colleague provide more information on the feedback that they and the Attorney General received from Ontarians across the province with regard to these changes, and why the proposed legislation seeks to make the emergency order permanent?

**Ms. Lindsey Park:** As I referenced in my speech, it's not that we wanted to have to race to find these solutions because of a pandemic, but certainly many pilots were created as a result of the pandemic. This was a pilot that, after some evaluation and consulting with members of the judiciary, lawyers and the public, we found that people wanted to make permanent.

You may remember that we actually debated it in this House. The member for Thornhill brought forward a bill proposing to make it permanent. This builds on that proposal, that private member's bill that passed. At minimum, it passed second reading, Speaker, and we've incorporated it in this bill. These changes were made not only to help relieve the stress on those who want to get their affairs in order as quickly as possible, but also to address barriers to justice that may stem from challenges with delivering documents in person both during COVID-19 and beyond.

1620

**The Acting Speaker (Ms. Jennifer K. French):** Questions?

**Ms. Judith Monteith-Farrell:** Thank you to the member from Durham for her presentation. The question I have: In this bill, I heard you speak about the equity lens and trying to get a more representative judiciary, and I firmly believe that that is necessary. Because I am of a certain age, I know what we did around employment equity. We did a lot of statistics, and yet those benchmarks were never obtained.

I'm wondering if the member could agree that maybe this legislation could have been improved by some tangible plan of action to address employment equity in the future.

**Ms. Lindsey Park:** I will say, I agree with you that diversity statistics are a first step, and I was clear in my speech on that. We need to know what the statistics say. We need to know if the problem is that not enough people are applying. Is it that qualified candidates who are diverse are being overlooked? The truth is that we don't know right now, at all. So once we know, we can be the generation that permanently makes changes so that, for the foreseeable future, Ontario's judiciary actually reflects the people of Ontario.

**The Acting Speaker (Ms. Jennifer K. French):** We have time for a quick back and forth.

**Mr. Lorne Coe:** We started this process of consultation about a year ago, and it was led by the parliamentary assistant to the Attorney General. I just wanted to acknowledge that and thank you for that. Could you please speak to the tangible impact of the changes proposed in the legislation for Ontarians waiting for their day in court?

**Ms. Lindsey Park:** Well, where do I begin? There are lots of different ones. But I would say, broadly, the two main cruxes of this bill are (1) we need to fill judicial appointments faster and increase diversity on the bench, and we have put in a framework that we think will help achieve that; and (2) there are a bunch of procedural changes that will help matters to be heard by decision-makers quicker, and people can have accelerated access to justice in the province if all members support this bill.

**The Acting Speaker (Ms. Jennifer K. French):** Further debate?

**Ms. Jill Andrew:** I'm glad to stand and add a few words to the debate today on government Bill 245, Accelerating Access to Justice Act.

I want to start on legal aid and the legal aid cuts that are a direct obstruction, quite frankly, to access to justice. This government bill shockingly does not mention legal aid at all, or this Conservative government's massive cuts to legal aid and their disproportionate impact on women, survivors of violence, tenants fighting back against corrupt landlords, injured workers and BIPOC community members, among others.

As an advocate for injured workers once said, "When you cut funding for legal aid, you're not only denying injured workers legal representation, you are dissolving a community and a support network. The supportive environment of a legal aid clinic creates energy to continue life."

Due to increases in the population of injured workers, the need for front-line services is therefore increasing, not decreasing. WSIB casework, as many of us know, is complicated, and it shouldn't be left for non-specialists. Folks who are on ODSP and OW are already financially suffering.

Filmmakers like Jalana Lewis, also a Toronto-based lawyer, produced and directed *No Advocate*, a five-minute short on the very issue of legal aid cuts. She featured

lawyers from the Black Legal Action Centre, the South Asian Legal Clinic of Ontario, and the Chinese and Southeast Asian Legal Clinic, all demonstrating the devastating impact of these cuts on all Ontarians, but especially on those made the most marginalized.

My constituent Kendall Yamagishi, also a lawyer, expressed similar concerns as the Society of United Professionals, the union that represents the majority of the staff lawyers at Legal Aid Ontario. As Kendall said, the cuts seriously impeded access to justice for so many of her clients and the effects are long-standing. I cannot stress the impact of cuts on legal aid. Many folks sit imprisoned in the carceral system because they simply cannot afford to get out. Access to justice should never be linked to one's bank account, but currently it is.

I just want to share a few words from one of my community members, Hannah: "MPP Jill Andrew, I'm writing to you in hopes that you can ask the government why they've allowed COVID-19 to run wild in their correction facilities. I follow the Toronto Prisoners' Rights Project on Facebook, and the other day, they shared some alarming information about the conditions of Ontario's correctional facilities. This is injustice. Incarcerated individuals are stuck in a 23.5-hour lockdown. Phone time and shower access has been drastically decreased. I want to know why it is that incarcerated individuals are exempt from wearing face masks, if they're unable to socially distance from their cellmates at all. With the lockdowns going on, how are incarcerated individuals able to do any form of release planning? Are they able to connect with their lawyers on any social service agencies? What is the government doing to support these individuals in a way that curbs recidivism and allows them to access justice?"

I just want to place the caveat that we know that there are many BIPOC members of our community sitting and waiting in prisons, incarcerated in the system, many presumptively innocent, and yet there they sit.

This is actually a report that I want to just put on record from the John Howard Society, which also supports many folks in St. Paul's and across our province. That report is titled *Unequal Justice: Experiences and Outcomes of Young People in Ontario's Youth Bail System*: "I just want to express to this courtroom that we have young people, children, who are sitting" in pretrial detention, quite frankly. Any incarceration, as we know by experts, has a detrimental, negative effect on the health and wellness of youth and children, on their mental health, on their education and, of course, their employability. And no surprise, Black and Indigenous children are over-represented in admissions to pretrial detention. They are also disproportionately held under the most restrictive conditions in secure detentions.

The policy analyst Safiyah Husein from John Howard Society literally said, "Long waits for case resolution mean young people are spending more time with onerous and restrictive bail conditions. These dictate many aspects of everyday life and turn minor missteps—like being a few minutes late for curfew, or failing to follow household rules, like washing the dishes—into crimes."



Again, I just want to stress that people who are in the carceral system are human beings as well, and they also require justice. Many of them are in the carceral system because legal aid has been so depleted that their families are unable to get support.

Another community member, Anthony Morgan, a human rights lawyer, wrote an impassioned piece in 2019. It was called, “My Brother’s in Jail. Why Does Talking to Him Require Hundreds of Dollars a Month and 1990s Technology?” It’s one thing to create a system that’s better for developers, to create a system that’s better for the judiciaries and efficient and all the modernization language that this Conservative government uses, yet we have families using antiquated technology—phones, being gouged by expensive phone service providers—to connect with their family members, literally paying hundreds of dollars a month to speak to their family members who are in the carceral system. This is a significant injustice to families and those incarcerated, because when you cannot stay connected, it does not support rehabilitation or mental health.

Cuts to legal aid also hurt tenants, which also obstructs access to justice. Many tenants are fighting predatory landlords, landlords who refuse to do repairs, placing tenants’ health, safety and mental well-being in the balance. Landlords and billion-dollar property management, quite frankly, like Akelius and Starlight, that have been particularly ruthless for many in St. Paul’s during this pandemic, who reportedly often will not respond to tenant emails and phone calls requesting timely repairs and other concerns of general mismanagement—property management that is, frankly, in the pockets of developers who are sitting and waiting for frustrated tenants to ship out so developers can gentrify our neighbourhoods and erase our diverse communities and rich heritage without any commitment to real affordable housing, supportive housing, mixed-income housing to create livable communities where we are together, not segregated and class stratified.

**1630**

This Conservative government, as we all know in this House, has allowed vacancy decontrol to run amok, where tenants are pushed out systematically under the guise of renovations or other reasons, like the landlord or a family member moving into the unit—oftentimes, the member never materializes. Instead of being given the right to move back in at their old rent, tenants are hit with two, three times higher rent that they just cannot afford, which systematically pushes them into homelessness. It essentially evicts them. The Conservative government has stripped away rent control, meaning the sky’s the limit, literally, for many landlords in St. Paul’s and across the province. This is not justice.

I want to remind everybody in the House that it is often the underemployed, the unemployed, Black, Indigenous, racialized, low-income, people with disabilities, 2SLGBTQIA+—injured workers, as our member from Niagara has often said, who are at the bottom of the list and being deemed, for goodness’ sake. It is literally the people who need the most support. Elders are being

evicted—believe that; seniors are being evicted; women and survivors of gender-based violence disproportionately having to depend on legal aid for guidance and support.

Without these supports, without paid sick days when tenants have gotten sick, they have not been able to pay their rent. When tenants have lost their jobs, they have not been able to pay their rent. It is in these times that legal aid is crucial. It’s how tenants have a fighting chance navigating the Landlord and Tenant Board. When legal aid is cut, as it has been, there are no supports due to a backlog and lack of adjudicators for tenants to navigate the system. There is no one to help them know their rights when facing an illegal evictions notice.

Of course, if the official opposition were government, we would do many things differently. We’d bring back real rent control, we’d scrap vacancy decontrol, and we’d certainly put a ban on evictions.

*Interjections.*

**Ms. Jill Andrew:** It’s very telling that the government is yelling across to me while I’m speaking about residents in St. Paul’s and others across Ontario, who are literally experiencing homelessness because of this government’s destruction. Anyway, I digress.

People are being evicted in as little as 60 seconds over virtual hearings. This isn’t justice, not when you don’t have an advocate, when you cannot access legal aid, and even more so when you don’t have access to the Internet. This Bill 245 does not address the human rights disaster currently taking place at the Landlord and Tenant Board with respect to the online eviction blitz which is denying proper access to justice for some of Ontario’s most vulnerable tenants, including those with disabilities, language barriers or a lack of access to technology, as I mentioned earlier.

The government bill, Bill 245, the Accelerating Access to Justice Act, does not address anti-Black racism. I’d like to read an excerpt from OHRC’s 2018 report on the record, *A Collective Impact: Interim Report on the Inquiry into Racial Profiling and Racial Discrimination of Black Persons by the Toronto Police Service*. I just want to make it clear: We cannot have any bill that even mentions the word “justice” in this House without talking about anti-Black racism.

“Between 2013 and 2017, a Black person in Toronto was nearly 20 times more likely than a white person to be involved in a fatal shooting by the Toronto Police Service (TPS). Despite making up only 8.8% of Toronto’s population, data obtained by the Ontario Human Rights Commission (OHRC) from the Special Investigations Unit (SIU) shows that Black people were over-represented in use-of-force cases (28.8%), shootings (36%), deadly encounters (61.5%) and fatal shootings (70%). Black men make up 4.1% of Toronto’s population”—again, this report was in 2018—“yet were complainants in a quarter of SIU cases alleging sexual assault by TPS officers.”

I ask this government: How does Bill 245, the Accelerating Access to Justice Act, address anti-Black racism? How does it address the long-stranding fracture between the justice system and many Black community members

across the province? What would the families of Regis Korchinski-Paquet, Ejaz Ahmed Choudry, Chantel Moore, Rodney Levi, Stewart Kevin Andrews, Jason Collins, Eishia Hudson, Caleb Tubila Njoko, D'Andre Campbell, Andrew Loku, Josephine Pelletier, Abdirahman Abdi, Sammy Yatim, Andrew Evans, Greg Ritchie—and countless others that, frankly, I don't even know their names because of how buried anti-Black racism is in the conscience of this government. What would their families have to say about a Conservative government bill that claims to want to accelerate access to justice, but says nothing about, and takes no responsibility for, a broken justice system that disproportionately sees BIPOC people in need of mental health supports reaching out for help from our police—members of our justice system—and ending up dead?

Because I'll tell you this: Being Black, being Indigenous, being a racialized person, being a woman—Black women and Indigenous women being the highest-rising increase of numbers of people being incarcerated—even if you're not dead physically, often you're dead inside. It is this question, the question of this government's inability or unwillingness to address anti-Black racism within the justice system in any piece of legislation that even claims to put the J in justice, that our official opposition Black caucus has consistently laid at the feet of this Conservative government.

I've said it before, and I will say it again: When I was deciding to run to become the MPP of Toronto—St. Paul's, when I was thinking through my decisions and connecting with my community, with friends, with mentors, I looked around and saw that the NDP was the only party speaking up about racial profiling and carding, and demanding that it be removed. Our leader was the only leader who said if she made government, it would be top of mind to end racial profiling and carding. That is something that no one else in this House has said in the almost three years that I've been here, and that is scary. It's disappointing and it's deflating, quite frankly.

Even the Toronto Police Service itself has acknowledged that racial bias exists within the TPS. And while we know that there are good lawyers, there are good cops, there are good people in our justice system who are fighting hard to make it better from the inside, this is the government. They are the ones who literally have the ink in the pen to legislate liberation. I tell you that this bill, accelerating justice, it cannot accelerate justice if it's not looking at those who are most damaged, most broken by their very justice legislation.

During this pandemic, the Conservative government has also quietly been chipping away at justice, attacking the Human Rights Tribunal of Ontario. Final resolutions of a claim put forth can take years for individuals who have experienced discrimination. Why? Because the Conservative government, while this government has been seated, has slashed the number of full-time adjudicators from 22 to a reported three, even though the number of new discrimination cases has grown to more than 4,400 in each of the past three years, and that was explained in a

recent piece from the Globe and Mail. Experienced expert human rights adjudicators with excellent performance reviews have been removed, and in their place, adjudicators with unrelated professional experience. This one personally blew me away: Even the leadership of the human rights tribunal, appointed by the Conservative government, doesn't have any adjudication, mediation or any legal or academic expertise in human rights, according to this government's own website.

**1640**

In the short time I have left, I'd like to talk about schedule 6, and I want to talk about that because during COVID, while people have been demanding rent control, demanding rent relief and supports for our small businesses, vaccines in their arms, the right to see their loved ones, all of these pieces, the government has paid attention more so to paving over our wetlands, to abusing minister's zoning orders, to not paying the respect to our environment that it deserves, especially with climate change right here on our heels—it's not behind us; it's right here. Our climate change crisis is real, and this government's actions have made many in St. Paul's wonder if it's a priority. They're wondering that.

Schedule 6 needs to be considered within the context of a Conservative government that has repeatedly undermined due process to fast-track development. We've seen this with other bills, we've seen it with every bill: limited public consultation and participation in land use planning; politicized land use decisions that have violated the Environmental Bill of Rights—by the way, the official opposition NDP created the Environmental Bill of Rights—gutted environmental protections; and reduced access to justice. I don't know why any of us would have any reason not to agree with many environmentalists, who are also cautious that this schedule 6 may be intended for the very same agenda.

I would simply end by saying to the government that what we need now—yes, representation matters. The Ontario judiciary? It's wonderful for it to look more like Ontario. But as my grandmother would say, all skin folk aren't kinfolk. The reality is, simply having someone who is racialized does not mean that that person is just going to inherently be about justice or inherently be about good. Some of them might be in the pockets of this government. How do we know?

Frankly, it's not only a criticism of this government. We're just saying that no judiciary, no adjudicator, no person who's making tough decisions that really are life and death for the people they're deciding for should be in the back pocket of government. They shouldn't be puppets, and I think that's the piece that I really want us to land on here.

This bill is called the Accelerating Access to Justice Act. As I began, I started by saying this bill is really, in my opinion, an obstruction to access to justice act, because it has not looked at the cuts to legal aid, it has not looked at the disproportionate impact on BIPOC and other marginalized folks. It just doesn't cut it for me. Thank you.

**The Acting Speaker (Ms. Jennifer K. French):**  
Questions?

**Mr. Sheref Sabawy:** Thank you very much to the colleague from the other side. When asked about the Attorney General's efforts to expand access to justice in French, Éliane Lachaine from the Ontario Trial Lawyers Association said:

"The Ontario Trial Lawyers Association (OTLA) welcomes the expansion of French-language services to all courthouses and for all judicial matters in Ontario. French-speaking accident victims will have greater access to justice as they are no longer required to pay for translation services.

"This is an important step for all francophones in Ontario."

Will the opposition join our government to stand up for the Franco-Ontarians across the province and make long-overdue changes to improve access to justice in French?

**Ms. Jill Andrew:** I must admit that I did not completely hear the question, but I heard "francophone" and I heard, "Would this official opposition stand with the francophone community" or francophone whatnot.

I do believe that the official opposition stands with the francophone community of Ontario. We have an excellent health critic. We have wonderful members. We have our member over here—I'm sorry, the riding is escaping my memory.

*Interjection.*

**Ms. Jill Andrew:** Oh, goodness. I can't hear you; you've got your mask on.

But the point I want to say to this government, and I really want to emphasize this: You lost a member—sorry; through the Speaker—of your caucus who was fighting for a francophone university. So how much do you care about francophone Ontarians, if the Conservative government wouldn't even create a francophone university?

*Interjections.*

**The Acting Speaker (Ms. Jennifer K. French):** Order, please. Question?

**Ms. Jessica Bell:** Thank you to the member from Toronto–St. Paul's for always an enlightening and important speech.

I sat in committee during Bill 245, and I was very concerned about the changes to the judicial appointment process. This government has said they're doing it in order to increase diversity on the bench, which is a very good idea. However, major organizations representing Black, Asian, South Asian and Muslim lawyers have said publicly that they didn't ask for changes to the judicial appointments process, they weren't consulted, and they don't support them. What's your response to that?

**Ms. Jill Andrew:** Thank you for the question from the member for University–Rosedale. I would certainly agree with the concerns that those members have raised, that those lawyers and advocates have raised with regard to the changes to the judiciary appointments process.

As we have raised here in our debate today as well, there are some concerns around the loss of expertise even. When we amalgamate all of these tribunals, and the work is being done by one who may not have the expertise in the area or the other who may not have the expertise in the

area, you really do have to worry about how that may impact the lives of the people they're making decisions for. I wonder, what if the person speaking to changes to our land, to our environment, doesn't have that expertise? That's going to directly impact their decision-making.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mrs. Nina Tangri:** It was interesting to listen to the member opposite, and I thank her for her remarks. The member opposite quite often in this House speaks about racialized communities and not enough representation for women. It is this government that's taken a stand and understood and recognized it. Until you recognize it, you can't make changes.

Speaker, I want to know from the member opposite why she doesn't acknowledge that this government is the first government to finally take action? Why doesn't she recognize this is a government that wants to see the bench represent the communities across this province? Why doesn't she acknowledge the fact that this is a great first step of having people—not just racialized, not just female, but merit-based—and that they have the credentials we need to represent our communities across this province?

**Ms. Jill Andrew:** You know, it's very interesting. The member across from Mississauga–Streetsville is a racialized member; I think all Ontarians know that. It isn't the first time she has stood up and tried to drag me for talking about racism in the Legislature. Ontario, let that sit with you for a moment.

Nonetheless, as I said during my debate, I am not against representation. I do believe our politicians and our judiciary should be representative of our province. However, when that person has to be in the pocket of the government, when that person isn't an independent thinker, that is my concern.

Frankly, with this Conservative government that has not created an anti-racism strategy; that never says the words "Black lives matter" in this Legislature; that, as I said, does not fund the Anti-Racism Directorate—why the heck should I or any Black person or racialized person in Ontario believe what they have to say about addressing justice?

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Tom Rakocevic:** In Ontario, finances continue to be a barrier in terms of accessing justice in this province. We're debating a government bill that actually talks about access to justice in its title, and yet in this bill there are no significant investments to legal aid. My question is, do you believe that we are improving access to justice without properly investing in legal aid?

**Ms. Jill Andrew:** Thank you very much to the member from Humber River–Black Creek. To answer your question, no, I don't believe that we can properly address—I'll take back the "we," because we would not have cut legal aid if we were government. I don't believe that the Conservative government's decision to cut legal aid can ever bring our province to a place where people can access justice, let alone the acceleration of justice, for all of the

reasons that I have mentioned. Whether it's survivors of violence who had their victim compensation stripped by this government, whether it's racialized communities that have never seen their day, have not seen an anti-racism directorate that's functional from this Conservative government—legal aid cuts are exhausting, they're terrible, and they shouldn't have happened under this government.

1650

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Michael Parsa:** In committee, Shane Rayman, the past president of the Ontario Expropriation Association, the OEA, applauded many of the steps taken in this bill, stating that they reflected, refined and updated procedures regarding expropriations specifically related to the Board of Negotiation and hearings. I'm wondering if my colleague can elaborate and whether she agrees with Shane Rayman and the OEA.

**Ms. Jill Andrew:** As I was not in that committee and as I have not read the full text that that comment is coming from, I'm not going to agree or disagree with that statement. Again, it's very sad that I have to reiterate this, but as a member of this official opposition, that knows that this government has routinely driven legislation through without community consultation, with very little community consultation, with stakeholders being told a day in advance or two to organize to speak, I would need to see the full transcript to be able to discern whether I agree or disagree with the excerpt that the government has clipped in this question, which clearly, I'm assuming, is of benefit to Bill 245.

**The Acting Speaker (Ms. Jennifer K. French):** We have time for a quick back and forth.

**Ms. Marit Stiles:** I want to thank the member from Toronto–St. Paul's for her excellent remarks. It was really informative and provided a lot, I hope, for the government to consider.

I want to thank you in particular for sharing your constituent's concerns around the prisoners' rights project. These are concerns that many people in my community share in Davenport about safety, access to vaccines, PPE—

**The Acting Speaker (Ms. Jennifer K. French):** Thank you. The member from Toronto–St. Paul's.

**Ms. Jill Andrew:** Thank you very much for the question from the member for Davenport, who I know is staunchly always supporting her constituents and always eager to hear her constituents' concerns and their demands for justice.

**The Acting Speaker (Ms. Jennifer K. French):** Response?

**Ms. Jill Andrew:** Pardon? Sorry.

As my constituent Hannah from St. Paul's said, incarcerated people need justice too, and many of them are presumptively innocent and they're rotting, because they cannot afford to get out.

**The Acting Speaker (Ms. Jennifer K. French):** I will apologize to the members for that. When I try to fit in a

question and answer when it's just one minute, I realize it's very challenging, so I'm sorry. Sometimes I do and sometimes I don't, but I don't mean to cut off members.

Further debate?

**Ms. Jessica Bell:** I'm proud to rise today to speak to Bill 245. It's a bill that I've been following very closely. I sat in during committee on this bill and I also introduced, with my colleague the MPP for Brampton East, amendments to improve this bill and make it truly represent the title of Accelerating Access to Justice Act.

I'm going to summarize the bill. This bill does two things: (1) It politicizes the judicial appointment process by giving the Attorney General more say over who gets to be a judge in Ontario; and (2) it makes it easier for developers to get approval to build at the expense of municipalities, the environment and residents.

Before I go into the details of the amendments that we introduced and why, I do want to say thank you to the many people that came and spoke at committee. They include the Canadian Environmental Law Association, the Federation of Urban Neighbourhoods, the Federation of Ontario Law Associations, the Criminal Lawyers' Association and the Ontario Bar Association, and then also we had testimony from many organizations, including Tribunal Watch Ontario and Democracy Watch. Thank you so much for sharing your expertise and being part of the democratic process to make the bills that we introduce and pass truly the best bills they can be for the people of Ontario.

Let's go into the two issues with the bill. I want to focus on the first one, which is the decision by this government to politicize the judicial appointment process. It does this in a key way where it gives the Attorney General more say over who gets to be a judge.

To explain, right now there are three bodies that recommend judges to sit. They present them to the Attorney General and they get to decide. Now, we have a situation where the Attorney General can ask for a greater list and then they get to decide who they want to be a judge, and then if they don't like that list, they can go back and say, "Actually, we want another six more," and that can continue until they find the judges that suit exactly what the Attorney General is looking for. That is deeply concerning.

I want to read some of the concerns that experts raised in committee about this approach. The example I'd like to give is that from George Thomson. Now, George Thomson is a former judge and the former Deputy Attorney General for Ontario and for the government of Canada. His public career extends for many years, and he summarized the current judicial appointments process like this. He said, "The model that you are changing for appointing judges is universally praised as one of the best examples anywhere in the world of a truly independent appointment process." That's what we have right now. His concern is, why would you change an appointments process that is already considered to be one of the best in the world when it comes to impartiality and fairness?

Now George Thomson also responds to the argument that this government gave for why they are politicizing the

appointment process, and the argument the Attorney General gave in committee, and he's done so publicly, is that this is a way to increase diversity on the bench. That is a laudable goal. I asked the Attorney General if they had considered alternative ways to increase diversity on the bench, and the Attorney General did not respond to that question. I also read out some of the concerns raised by Black, Asian, South Asian and Muslim lawyers and the associations that represent them and raised these issues with the Attorney General. I'd like to quote their concerns that they were not consulted over the proposed changes to the judicial appointments process. They were not aware that they were going to happen, and they don't support them.

It is pretty concerning to me that the Attorney General is using an argument that they're going to increase diversity on the bench when they don't consult or listen or react to the very associations and the lawyers that they're supposedly trying to help. I have some concerns with that.

We introduced amendments to return the judicial appointment process back to what we currently have right now, which is considered to be one of the most fair and impartial judicial appointment systems in the world. We are considered a model. The government chose to reject that amendment, and that is deeply concerning.

The second piece that I want to get to in this bill is the decision that this government has made to change the decision-making process to move forward on land use planning decisions. How it's done this is the government has chosen to create a new tribunal for the Ontario Land Tribunals. The Ontario Land Tribunals is essentially an amalgamation of five tribunals that currently exist: the Environmental Review Tribunal, the Board of Negotiation, the Conservation Review Board, the Mining and Lands Tribunal and the Local Planning Appeal Tribunal.

#### 1700

It's important to put this in context. The Ontario Land Tribunal is essentially going to become the most powerful tribunal over land use planning decisions in the entirety of North America. It is unheard of for a tribunal to have the power to strike down democratically decided laws made by municipalities, like the city of Toronto, which represents over 2.8 million people, even when these laws are in line with all municipal and provincial laws. Right now, the Ontario Land Tribunal is going to have that power. That is a very significant amount of power. The Local Planning Appeal Tribunal had it, the OMB had it and now the OLT will have it, because it's essentially the same thing under a different name. That's deeply concerning.

It's also concerning because, as my colleague from Toronto—St. Paul's mentioned, we need to look at these changes within the bigger context of who benefits from this decision to fast-track land use planning decisions. This government has a track record of approving developments lightly through the MZO process for developers to build big, and these developers have a history of giving to PC candidates and the PC Party. The link is very clear. My concern is that this new tribunal, especially the Local

Planning Appeal Tribunal piece, will become a situation where it's the latest example of the Ontario government changing the rules in order to fast-track development introduced by developers that give the PC Party money. Cash-for-access: That's the concern.

We introduced amendments in order to soften the Ontario Land Tribunal and improve it so that it is more democratic and accountable and it does a better job of respecting the environment, municipalities and residents. I want to explain some of the amendments that we introduced.

The first one we introduced deals with the issue of expertise. The members opposite did raise this issue of expertise and said that it wasn't a problem, but I think that it is a problem and I'd like to explain why. What happens with the new Ontario Land Tribunal is that all the adjudicators move over, and there's no restriction on whether an adjudicator gets to oversee whatever hearing. So you could have a situation where an adjudicator who has long experience just overseeing Local Planning Appeal Tribunal decisions—we're talking development decisions—is all of a sudden sitting on Environmental Review Tribunal decisions. That's a whole different type of law, with a history and different stakeholders. That's a concern. The reason why that's a concern is because it could impact the quality of the decisions that are made. It could lead to decisions that are not as good and don't do a good enough job of considering the evidence and considering what the stakeholders have to say.

The problem is that we made an amendment in order to improve this bill to say that any adjudicator who is overseeing a hearing needs to have subject matter expertise and knowledge of the legal issues of the proceeding that they're hearing—pretty simple. But the government decided to vote that down. Why would you vote that down? It seems pretty basic to me, but you just decided to vote that down. I have a problem with that.

The next issue that we introduced in the bill is the decision that the government has made that would allow any decision made by the Ontario Land Tribunal to no longer be subject to an appeal. So let's say you have an adjudicator making a decision. Perhaps it's wrong. Perhaps it didn't factor in all the evidence. Like I said earlier, some of the decisions that the Ontario Land Tribunal makes, they're very significant.

The example I like to give is the Airbnb ruling within the city of Toronto. I sat through the hearings with the Airbnb ruling with the city of Toronto. It was a significant decision. It determined what the rules around Airbnb in Toronto are. Can it be in investment properties? Can it be in a primary residence? What are the rules? Airbnb rules were made by the city of Toronto through an extensive consultation process. It took months and months and months, and democratically elected councillors decided on a compromise measure that would put good rules on Airbnb so that we can increase the affordable housing stock in our city.

Airbnb operators, six of them, decided to appeal that decision to the Local Planning Appeal Tribunal, which is

essentially the OLT. As a result, the democratically decided law that abided by all other laws—there was nothing wrong with it—was put on hold so that one man could hear the evidence and decide whether the Airbnb motion or the law was going to be introduced into the city of Toronto or not.

Now, you would think, given the significance of that kind of decision and all the decisions that this new body would make, that there should be a right of appeal so that we know that there is fair, due process and the best decisions are made. We introduced an amendment to return the right of appeal to any OLT decision. The government chose to vote that amendment down. I think that is a mistake.

Then we continued. The next amendment we introduced was to keep—well, let me explain what the government is planning to do with the OLT. What this government is planning to do with the Ontario Land Tribunal is that it is now saying that only the plaintiff gets to speak at the Ontario Land Tribunal. Usually that's a municipality. Everyone else that would typically speak at some of these hearings—residents, namely—are no longer allowed the right to speak at these hearings. Or experts: They're no longer allowed the right to speak at these hearings either. So you've got a situation maybe where there's, I don't know, a warehouse that's being built on some wetlands or a waste dump site that's being built in a rural area. The municipality is the plaintiff, and they have got their agenda. They've got their opinion. But all the people that could be directly impacted by that decision—residents, farmers, people who are concerned about their groundwater—are no longer allowed to speak and give testimony at the Ontario Land Tribunal. They can give written submissions.

I've got a question for you: Do you read all the written submissions that come to committee? What weight do you give them compared to the people that come in and speak to committee? You know the value. This government knows the value of having someone come in and speak and be available for cross-examination. Well, now that right is stripped. That's a problem. It's a problem because it speaks to this larger issue that exists within the Ontario Land Tribunal and these changes: This government is very focused on speed. If there is any way to speed up the process for these decisions to be made—usually in favour of developers—then this government is willing to do it. Even if it gets in the way of environmental protection, even if it gets in the way of residents' very real concerns about what these specific development projects mean, even if it gets in the way of municipalities who have passed democratically decided laws that are in line with all provincial legislation, all federal legislation and all municipal legislation, speed is more important. I have a concern about that. So we introduced an amendment saying that third parties—usually residents—that residents in your ridings should have the right to speak, because this tribunal is very powerful. No. The government voted it down—also very concerning.

I want to speak about a few more amendments that we introduced. Finally, we proposed that schedule 10 be taken

from the bill. I want to explain schedule 10 and then explain why we chose to remove it. Schedule 10 is another example of this government setting up this tribunal in such a way that there is less ability for people to have a say over the influence and for due process to take place. What schedule 10 does is eliminate ministerial appeals. What that does is that it essentially strips an important safeguard that undermines due process.

**1710**

We introduced an amendment saying we want schedule 10 to be removed so that this bill can be improved. And this government once again chose to vote that motion down. That is, I think, a big problem and I think it will have an impact on the quality of decisions that the Ontario Land Tribunal makes, and it has a negative impact on democratic processes, democratic processes within Ontario and the integrity of the tribunal process.

I also think it's important to put overall the context of Bill 245 within the bigger picture that we're experiencing right now. I have to say, I wonder why we are debating a bill that gives developers quicker access to approve and why we are politicizing a judicial appointment process when we are in the middle of a pandemic. I believe it would be preferable for us to be using our precious time here as legislators focusing on the issues that we need to focus on to get us through this pandemic in one piece.

Why aren't we debating measures to improve and expand the vaccine rollout and tackle the equity issues that we are seeing all across Ontario? Why aren't we working to improve and strengthen funding for public health, so public health can do a better job at contact tracing? Why aren't we working to make schools and workplaces safer so that the people who get up in the morning to teach our kids or go to work to work in a warehouse to ensure we get delivery products on time—why aren't we debating measures right now to make sure they're safe, measures like paid sick days, measures like ensuring that every workplace outbreak is published so that employers are held to a higher standard and do a better job of keeping our workers safe? Why aren't we debating how we're going to make workplace enforcement more effective so we don't have a situation like we have with Amazon, where we have hundreds and hundreds and hundreds of workers sick? Where are the fines?

Why aren't we debating that? Because that to me seems like a more important thing to debate than how we politicize the judicial appointment process so it benefits this government and how we're going to make sure that the dollars keep flowing in from big developers so that we can increase our dollars for the next election. I've got some real concerns about your priorities. I think Bill 245 is the wrong bill at the wrong time. Thank you.

**The Acting Speaker (Ms. Jennifer K. French):** Questions?

**Mr. Lorne Coe:** I thank the member opposite for her presentation.

During the committee process we heard from, as you would anticipate, many stakeholders about the proposed creation of the Ontario Land Tribunal, Speaker. One

particular delegation was from Max Allen. Some will know Mr. Allen from his long-time association with the Grange Community Association. He discussed this topic at length and he spoke specifically about LPAT and he applauded the work the government has done to reduce the backlog. It's been significant, under the leadership of Marie Hubbard—reduced it by about 38%.

**The Acting Speaker (Ms. Jennifer K. French):** Question?

**Mr. Lorne Coe:** Yes. Will the opposition admit the harm caused by the delays in having planning cases heard and support the proposed creation of the OLT, which would continue to reduce delays—

**The Acting Speaker (Ms. Jennifer K. French):** Thank you. Response?

**Ms. Jessica Bell:** Thank you to the member for Whitby for your comments.

I do remember Max from the Grange Community Association and his presentation, and I did follow up with Max to get some specific information about what he is requesting. There is a backlog within the Local Planning Appeal Tribunal. There was a backlog. There was. There's no question about that. I'm not saying that the local appeals tribunal is perfect; it's not. But I think that there are many ways to fix the Local Planning Appeal Tribunal, and one is to ensure there is a full slate of expert adjudicators who are impartial. That is a very effective way to improve the Local Planning Appeal Tribunal. What I have concerns with, with the changes that are introduced here, is that these changes seem to be very focused on speeding up the process and really cutting out the voices of residents and municipalities and also—

**The Acting Speaker (Ms. Jennifer K. French):** Thank you. Question?

**Mr. Michael Mantha:** As I always say, I always enjoy being in the House when the member enlightens us, and especially that she was on the committee.

Not too long ago, we had over 160 adjudicators serving this province. We are down to 87 adjudicators. We have heard the analogy—and I'm sure you're familiar with it—“Don't fix it if it ain't broken.” We have the Cadillac of systems to appoint judges. The system that this government is proposing will really change things, and change them in a negative way.

My question to the member is very simple: With all the changes that you've seen in here and the amendments that this government has refused to accept or to even consider at committee, do you see this as progressive or regressive?

**Ms. Jessica Bell:** I was wondering where you were going to go with that question.

I do consider that the changes to the judicial appointment process are regressive. One thing that I didn't mention in my speech is that there was an amendment also introduced asking that any judicial appointment cannot be done by factoring in the ideology of the applicant. When those decisions are being made, ideology should not be a factor, when deciding who gets to be in the all-important position of judge or not. What is deeply concerning is that this government, in committee, chose to say no to that

motion to remove the politicization of the decision-making process. And that's deeply concerning.

**The Acting Speaker (Ms. Jennifer K. French):** Question?

**Mr. Sheref Sabawy:** Respecting the colleague on the other side, I'm really puzzled with the fact that she is upset that the government wants to get things moving. Why we are speeding up the process—if it didn't finish this year, let's make it next year. Let's make it next term. Let's make it after 10 years. Things are changing, and the whole world is moving fast. Now you can do your banking over the Internet. You can do your CRA and taxes over the Internet. You can meet people over the Internet. Why are we trying to stall the process of getting things moving? I have people waiting and complaining about just a hearing or even delivering documents, for more than a year, since February of last year—it's a year and a month just to deliver a document. I don't understand why we are trying to keep government from going forward.

**Ms. Jessica Bell:** Thank you for your comments. I reject the idea that the thoughtful changes that were proposed to Bill 245 are simply because we want to slow things down. Our proposals around how we should make land use planning decisions are not as simple as saying let's speed it up and slow things down. I don't think so. We need to make decisions that respect due process, that ensure that the best decisions are made, that public interest is considered and factored in. It's not just about the speeding up and slowing down.

If we are talking about speeding up or improving the efficiency of tribunals, there are many ways to go. I'll suggest two: One, you could limit the type of appeal that is taken to the Local Planning Appeal Tribunal or the OLT to decisions that blatantly break the law or break provincial guidelines. This government could also choose to fully appoint the appropriate number of adjudicators and make sure that they are experts and that they are impartial. There are two useful examples to make things more efficient.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Mr. Tom Rakocevic:** My colleague actually introduced some material that allows me to talk about the relationship of this government and developers. I can't just say that it's this member, because the government does it to itself over and over again. They've done everything from weakening conservation authorities, handing out MZOs left, right and centre, to now talking about the Local Planning Appeal Tribunal. Before, they weakened it. “Let's throw it out altogether.” The list goes on and on.

1720

My question is more of a rhetorical one. When will this end?

**Ms. Jessica Bell:** Thank you to the member for Humber River–Black Creek for your rhetorical question. It is deeply concerning that there has been a track record of this government making decisions to give developers the right to build big without properly factoring in due process,

what municipalities want, what residents want, the environmental assessment process—and I could go on and on.

This is going to stop in two ways: when the public gets active and speaks up about how these issues around protecting the environment matter to them—and we're already seeing positive outcomes to that in the example of municipalities saying, "No, not so fast. Let's not build a warehouse on a protected wetland." So it's going to happen when people speak up and it will also happen—there will be a verdict—in June 2022.

**The Acting Speaker (Ms. Jennifer K. French):** A quick back and forth, the member for Durham.

**Ms. Lindsey Park:** At committee, the opposition submitted notice to vote against schedule 3. If the government voted alongside the NDP at committee on this, the changes in this bill that would provide for the right to file documents in French throughout the province would not be made.

Can the member opposite please explain why they'd rather play petty politics than support the expansion of access to justice for Franco-Ontarians?

**Ms. Jessica Bell:** The Ontario NDP has a long track record of standing up for francophone rights. We have many francophone members, we have been advocating for a long time for a francophone university and we fought tooth and nail against the changes that you've made to limit the rights that francophone people have in the province of Ontario.

It is also important to note that an amendment was introduced to ensure that judicial appointments are factored in and included people who were francophone. It was your government that chose to vote against that very motion to increase French diversity on the bench.

**The Acting Speaker (Ms. Jennifer K. French):** Further debate?

**Ms. Marit Stiles:** Good afternoon, Speaker. I am very pleased to join the debate today on this government bill, Bill 245, the Accelerating Access to Justice Act.

I think we can all agree here that our justice system needs work and that the impacts of this pandemic have further limited access to justice in this province. We know that too many people face barriers in the justice system, from economic barriers to linguistic and structural barriers. Fixing these will take investments and it will take a commitment to the principle that we are all equal before the law.

But since coming to power, this government has neither made those investments nor has it upheld the principles of equal access. Instead, they've cut legal aid funding, depriving low-income Ontarians of access to the justice system.

My office hears all the time, as I'm sure most of us do, from constituents with legitimate legal concerns who simply cannot afford to bring those issues forward through the legal system. This bill does nothing to improve access for them. In fact, this bill doesn't mention legal aid once.

So who does it help? I've had that question come to me a number of times over the last few weeks. Who does it

help? Who is getting this accelerated access to justice that the title promises? From what I can tell, this is a bill that makes it easier for the government to influence the appointment of judges and further entrenches the ability of powerful developers to build what they want, where they want to, regardless of the local or environmental impacts.

I can tell you, Speaker, that in the midst of a devastating pandemic, those are not the priorities of the people of Davenport. I don't think they're the priorities of most people, outside, perhaps, the Premier's circle of influence.

Will these changes make a positive difference in how Ontarians access their justice system? It's really too bad that they won't. No, they will not. Because as my colleagues and I have said and agreed over the last little while, the system desperately needs change. Madam Speaker, the issues in our legal system and our justice system are indeed systemic.

In my comments today I'm going to review some of those changes in more detail, starting with the judicial appointments section, which is schedule 3. This is the section of the bill that would give the Attorney General more control over appointments to the Judicial Appointments Advisory Committee. Whereas the Law Society of Ontario, the Ontario Bar Association and the Federation of Ontario Law Associations formerly got to appoint one member each, now the Attorney General will choose one member from a three-member list provided by each organization. The chair of the committee would no longer have a three-year term but would instead sit for up to three years.

Now, any changes to the appointment processes with this government are an automatic flag for many people in my community of Davenport. As a member of the government agencies committee, I have watched as this government stuffed every board, commission and chair in this province with a list of failed Conservative candidates and insiders. Just a couple of days ago: Rod Jackson, appointed to the LTB; Terence Young, appointed to the regulatory body that oversees retirement homes. These are former MPPs, failed candidates. And while there are certainly qualified people out there who have received appointments, the overarching thing that most appointees have in common is their donation record to the Conservative Party.

Many of us will remember the attempt this government made to appoint a friend and an ally of the Premier to lead the provincial police. It didn't matter that he didn't have the qualifications for the job; his connections trumped that. And just weeks ago, there was an attempt to appoint, through our government agencies committee, another Conservative insider to an important role as vice-chair of the French-language education communications authority, TFO. In a testimony that showed nothing but disdain for the committee, our role as a committee in oversight and public accountability, this candidate admitted that his qualifications were that he dated a French girl in university. It's hard to capture just how offensive that was in the context of the government's move to unilaterally centralize online French-language curriculum at TFO,



something that has raised serious questions about the constitutional rights of francophones in this province.

Speaker, Ontarians simply do not trust this government to make critical, non-partisan appointments without politicizing them, and with good reason. There are fewer appointments more demanding of public trust than that of judges.

The stated element of this change, however, is of course not to politicize the appointments process; the government uses the language of equity. They say that it's to ensure equity in the process, which, I agree, is an important cause; we need to bring equity. It's an area that needs to be addressed. I want to say that my colleague from Thunder Bay–Atikokan made that point very eloquently earlier today. The question is, can this government be trusted to deliver? Do they really know what that means? And are they prepared to make the structural, the systemic changes that need to be made to ensure that happens?

It brings to mind another legislative change made to advance equity: the changes to the Education Act that remove the requirement for the director of education to have a teaching certificate. This is important, because this really does speak to the whole appointments process and how this works and this government's vision of what equity means. While educators out there are warning that putting people in charge that haven't been in a classroom is a cause for concern, that it could lead, perhaps, to further privatization of public education, the government assured us, "No, no, no. This is strictly about improving diversity among directors"—again, a real problem that needs to be addressed, absolutely. But what was the outcome? The newly hired director of education for the Dufferin-Peel Catholic school board is someone who doesn't seem to meet that bar—one of the first appointments under these criteria. Not exactly a candidate that meets the requirement of diversity: a white middle-age man whose only experience in education was a few years teaching at a private school.

Will the changes that are included in Bill 245 result in a more diverse judiciary? Well, I hope they do, but unfortunately, this government has consistently used the language of equity as a cover for legislative changes that actually just have the effect of concentrating more power in the hands of ministers and the politically connected while leaving the root causes of inequality untouched, and I am really concerned that this bill is going to be more of the same.

**1730**

I want to turn to discussing another major section of the bill, schedule 6. I want to thank the member from University–Rosedale for her comments, which were really informative for those of us who weren't sitting on this committee—to understand a little bit more about the amendments that were put forward and some of the testimony and comments that were made.

I also want to mention that the member for St. Paul's really helped to draw the picture of how we ended up in this place, in the middle of a pandemic, where this issue would be the priority of this government.

This schedule merges the five tribunals within the current Ontario Land Tribunals cluster into a single tribunal that's called the Ontario Land Tribunal. Again, the government tells us this change is to "help reduce delays and make the land dispute resolution process more efficient by creating a single forum to hear cases involving different tribunals." That seems pretty straightforward. It's hard to argue with wanting to make things run smoother and more efficiently. That makes sense. But again, efficiency, when it comes to this government, carries a very different meaning than it does for the average Ontarian. Peeling back the layers here, we can get a sense of what a bundling of these tribunals will actually mean—and for whom they are being made more efficient is my major concern.

Let's look first at the Local Planning Appeal Tribunal. Those in Toronto and in my riding of Davenport know it's the Ontario Municipal Board reborn. The OMB was a developer-stacked provincial appeals body that routinely overruled local municipal councils and communities when it came to development issues. Developers were so confident in their ability to win at the OMB that it completely warped the local planning process.

People fought for years to get the previous Liberal government to make changes to the OMB or to scrap it altogether and give municipalities like Toronto more local control of their streetscapes, of their housing. Like most things with the previous Liberal government, that change only came in the dying days of 15 years in power—like OHIP+, the two paid sick days, and the minimum wage. Because the changes were made as they were pulling the parachute on their government, it was easy, then, for the Conservatives to simply reverse them.

I feel like we're constantly talking about that: One government comes in and sticks Band-Aids on an issue at the last minute, and then the next government comes in and tears them off. We need systemic change that actually serves the people of this province, that creates a more just society.

This is what the Conservatives did with the Land Planning Appeal Tribunal.

This bill would make changes to the tribunal so that it makes it easier to dismiss appeals. It removes requirements for written records of oral proceedings or written reasons for decisions. It removes the right for a judicial review or an appeal when the tribunal breaks its own rules or misuses its discretion. Does this seem to be in the public interest? To me, it seems more like an attempt to further reduce barriers, not for regular people but for big developers, which, again, has been another guiding principle of this government and one that is already having a negative impact on our environment.

The Mining and Lands Tribunal is another tribunal that will be merged into the new OLTA if this bill becomes law. The MLT hears appeals of decisions made under the authority of the Ministry of Natural Resources and Forestry or the Ministry of Energy, Northern Development and Mines, including decisions by conservation authorities with respect to development permits on flood plains or, let's just say, wetlands.

I'm sure all the members here will recall the public outrage over changes that were made in Bill 229 to weaken the authority of conservation authorities. I can tell you, there are few issues that have elicited such a strong opposition in my community. I still get an email, I think, every other day on this issue, because my constituents, like so many people across this province, understand the absolutely vital role that those authorities play in protecting our nearby watersheds. Do you know who else understood that? David Crombie. This is not a partisan issue. This is about justice. This is about the environment. This is about climate change. This is about fairness. My constituents understand that vital role because it also impacts their own homes, many of which have been subject to flash flooding in recent years. They're incensed that this government would weaken those powers.

Now, a minister, under this legislation, can simply issue a minister's zoning order, or an MZO, and the conservation authorities are obligated to issue permits. Great news if you're a developer who stands to make a great deal of money building on a wetland; bad news if you live downstream from there or if you care about Ontario's natural places or diverse wildlife. Under this bill, the ability to further appeal that permit is then further limited. We've seen some changes already. This bill is going to deepen them.

Keeping up with the government's undermining of the Environmental Bill of Rights, which my colleague rightly pointed out was brought in under the Ontario NDP—a point of great pride for many of us. This government's undermining of the Environmental Bill of Rights has become a full-time job. The sustained legislative efforts to further weaken our environmental protections I believe is unconscionable.

I'm going to move on now to one final section, which is the removal of appeal rights under schedule 10 of this legislation. I'm really not sure—I struggle here. I don't understand how schedule 10, the removal of appeal rights, fits into any bill that is trying to accelerate access to justice, as it's called. As a matter of fact, this schedule actually does the complete opposite of accelerating access to justice. I want to be clear here: The appeal right is an important mechanism, and if that is removed, this would severely limit access to environmental justice.

Schedule 10 also calls into question whether there's been the fulfillment of the notice requirements for the Environmental Bill of Rights. As we have unfortunately seen time and time again, there has been blatant disregard for maintaining and creating legislation that positively impacts on the realities of climate change and the environment.

I just want to stop for a moment, Madam Speaker, and mention the decision that came out today on the carbon tax and how important that was. I really hope that the government members opposite take a moment to read that opinion, because I spent some time this morning doing that, and it was actually beautiful; it was very moving.

I hope this government will think twice before they spend tens of millions of dollars fighting a carbon tax for

purely partisan reasons. I hope they will reconsider that, because the people of Ontario are really tired of this, especially as we sit here in the middle of a pandemic, when we could use that money for so many more important things, and when I think it's very clear that people of all political parties, of all ideologies, really, generally believe in climate change. They believe there is a climate crisis, and they believe we need to take action immediately.

In closing, I have to note that it doesn't need to be this way. We can make our justice system more accessible for everyone, including those who are marginalized by it and those who continue to voice their concerns. I also just want to say to the folks in my community, there's a very large number of people who have a lot of concerns about prisoner rights. I want to thank them for all of the letters and emails and calls I've received. I completely share your concerns, and I know my colleague from Toronto—St. Paul's mentioned a lot of these issues in her comments. I really appreciated them.

We can address the issues that this government purports to address in this legislation. We can address—let's just try it—anti-Black racism. We can address the fracture between the Black community and the justice system in this province. But we have to do it by addressing systemic racism, bias, oppression in the justice system. Instead of accelerating access for the wealthy and the powerful, this bill could have reversed the Premier's cuts to legal aid and given countless Ontarians a voice in the legal process. This bill could have made changes to support diversity on the benches without opening the door to politicizing the justice system, and it could have strengthened laws that protect our environment instead of weakening them. Again, I just want to point out: What is that even doing in here? What is that change even doing in this legislation? Shameful.

**1740**

I challenge the government—I do, I challenge the members opposite—to bring some courage and some imagination to this bill, to set aside the interests of donors and party insiders and developers, and to join us in working toward a justice system that's truly accessible. We could do so much better here. People in this province expect us to.

Madam Speaker, yesterday, we saw the budget from this government come forward. What a missed opportunity. What a heartbreaking missed opportunity. And this legislation is also a missed opportunity. These are issues people care about in this province. This is a time for bold changes. This is a time to address those systemic issues.

But, no, this government wants to use the language of equity, the language of access—and we've seen it over and over again, because it's appealing, because, guess what, people really care about those issues all across the province. But they're using them as a cover to make changes that ultimately are a disservice to the people who need those changes the most. As we see, in this pandemic, the equity gap widening—people in our community unable to stay in the homes where they live because they can't put two cents together; women forced out of the workforce at

a massive rate. We could have actually taken the opportunity to prioritize universal, affordable, non-profit child care in this province yesterday.

But in terms of this bill, Madam Speaker, I do feel it's tragic. This was an opportunity to do so much more, and I feel it's a very disappointing bill. I know people in my community have contacted me—a lot of them have contacted me—about it, about the many different aspects of it. I really hope that the members opposite have heard some of our concerns at the committee, heard from some of the people who appeared before the committee, and will really seriously consider making some changes to the legislation, because we certainly can't support it and nor, I think, do most of the people in this province.

**The Acting Speaker (Ms. Jennifer K. French):** Questions and comments?

**Mr. Amarjot Sandhu:** The opposition has frequently criticized the government of the day for what they see as delays at various tribunals, but then they often criticize any solutions put forward to address the delays. The proposed changes in Bill 245 will consolidate five land-based tribunals into one new Ontario Land Tribunal, making it faster to resolve land-related disputes, reducing delays and will simplify the intake and case management system.

Will the opposition join us in creating efficiency in our tribunal system, so Ontarians can have their matters heard by experts under a faster timeline?

**Ms. Marit Stiles:** I thank the member opposite for his question. I think, in my comments, I outlined a number of areas where I thought we could actually be improving the system. One thing is to appoint more adjudicators to make things more efficient, if that's the concern.

But, again, I want to point out that the problem with this legislation isn't that—it's not addressing the problems that most Ontarians have with it. It's simply addressing the problems that the folks who this government purports to serve—the donors, the developers, the wealthy—have with this process. This doesn't actually do anything to improve access or efficiency around this tribunal process, and it's very unfortunate. I hope the government members did listen a little bit to some of the other suggestions that I made.

**The Acting Speaker (Ms. Jennifer K. French):** Questions?

**Ms. Judith Monteith-Farrell:** Thank you to my colleague from Davenport for her great speech. I really enjoyed that.

What I would like to talk about today is something that you started addressing: the access to justice for those who are marginalized. In this bill, there is a lot of discussion with regard to digitization, remote access—and it's heralded as something good by the government. But I have the extensive feedback from folks that their experience with it, especially the Landlord and Tenant Board, has been disastrous and has been a total fail. It's not only access to broadband; it's an access issue with regard to affordability to cellular time on their phones, to Internet service.

So I was wondering—because I come from a rural riding—is the experience the same in Toronto?

**Ms. Marit Stiles:** I want to thank the member for Thunder Bay–Atikokan for her question. I really appreciate it.

I do think there are a lot of similarities. There are issues of access in urban centres, as well; absolutely. We've seen this at the Landlord and Tenant Board repeatedly. My colleague from Beaches–East York has been sitting in on those tribunal sessions, watching, and we've seen people dealing with access to interpretation being a giant issue. There are so many barriers, repeatedly, to access to justice in so many forms.

I do have to say, in one great respect, where this bill goes completely wrong, again, is the failure to even mention legal aid. That would have been, without doubt, one of the most important and significant things this government could have done: to reverse their cuts to legal aid.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Ms. Lindsey Park:** I'm going to speak on something we heard at committee. During the committee process, one of the topics we heard about was the Ontario Land Tribunal. We heard from Max Allen of the Grange Community Association, which represents the community not far from Queen's Park here, and he discussed this topic at length and spoke specifically about the harm caused by delays at the LPAT. He applauded the work of the government to reduce the backlog.

Will the opposition finally admit the harm caused by delays in having planning cases heard and support the proposed creation of the OLT, which would continue to reduce these delays and increase access to justice at land-related tribunals for Ontarians?

**Ms. Marit Stiles:** I want to thank the member from Durham for her question. What this bill does is it makes it easier for the tribunal to dismiss appeals. It makes it easier for them to remove requirements for written records etc. It removes the right for judicial review or an appeal. What it really does is it fast-tracks developers' plans in opposition to communities. I think that has been made very clear by the vast majority of the folks who, as I understand it, appeared before the committee and, certainly, who I've heard from.

I also just want to point out, Madam Speaker, the absurdity of including this change in this legislation, especially when what this is ultimately really about is paving over our wetlands for developers who donate to this party.

**The Acting Speaker (Ms. Jennifer K. French):** Further questions?

**Ms. Jessica Bell:** Thank you to the member for Davenport for raising many of the concerns that your residents have communicated to you about the Accelerating Access to Justice Act. This bill does a lot to change how land use planning decisions are made in Ontario. I'd love to get your take on what say residents of Davenport want over development decisions in your community.

**Ms. Marit Stiles:** Thank you so much to the member from University–Rosedale for that question. It’s so important.

In my community, development is happening all around us all the time. And what do people want to have a say in? They want to make sure that when a condo tower is going to go up in our community, it has affordable units for families. They want to make sure that that developer is paying a little bit maybe to have some more green space, which is being reduced every day. And when it comes to things like provincial agencies, like Metrolinx, for example, which is in negotiations with a developer that’s going to build a condo tower on top of a GO station, they want to know that they have a say, because the opportunities for them to have any consideration of their concerns or issues are being completely eliminated.

1750

**The Acting Speaker (Ms. Jennifer K. French):** Questions?

**Ms. Andrea Khanjin:** I just want to address some of the comments of the member opposite and of course ask her a question. She talks about affordable housing. This government introduced an affordable housing act, but of course the members opposite voted against it. A lot of accelerating access to justice is in this bill—I don’t know what bills or legal expertise the member opposite got, but some of the things that she’s talking about in the bill don’t exist. However, what does exist is schedule 3, and that’s what I wanted to ask about.

During the clause-by-clause consideration of the bill, the NDP had submitted notice to vote against schedule 3. I’m just looking it up here, Speaker. Schedule 3 actually contains important changes to the Children’s Law Reform Act. The members opposite are opposing changes that will ensure vulnerable Ontarians get the help they need just so that they, on the other side, can play politics. Speaker, that’s a shame. I just wanted to take this opportunity for the member to explain herself and see why she’s not standing up for the vulnerable youth in our society.

**Ms. Marit Stiles:** I really appreciate the member’s comments. I really appreciated her mention of housing and affordable housing, actually, which is something that, I have to say, when I look at this bill and I look at the kinds of rights and the ability that this government is giving themselves to pass more ministerial zoning orders, MZO’s, etc. and limiting the opportunity of communities to have a say, this government’s absolute failure to build enough affordable housing in our communities and supportive housing and the failure of the budget that was introduced yesterday in that regard, in particular—well, Madam Speaker, I just really welcome the opportunity, any opportunity, to talk about the need for adequate affordable housing in my community and across this province.

**The Acting Speaker (Ms. Jennifer K. French):** A very quick back and forth, the member for Humber River–Black Creek.

**Mr. Tom Rakocevic:** Thank you so much, Speaker. I want to recognize the difficult job that some government members face sitting in this chamber. Legislation comes

out, they get the Coles notes—it sounds amazing, right? And then they have to sit and hear these incredible, deep, well-researched speeches by opposition members, and the epiphany under face masks that happens on that side—the internal struggle is palpable. You feel it.

*Interjections.*

**The Acting Speaker (Ms. Jennifer K. French):** Order.

**Mr. Tom Rakocevic:** You feel it in this chamber, and they reflect on the missed opportunity of legislation, the missed opportunity for investment in legal aid, a developer donor thrown in to boot, and often legislation—

**The Acting Speaker (Ms. Jennifer K. French):** Question.

**Mr. Tom Rakocevic:** —of half measures and harm.

My question is—let’s help our friends in the government. Give us something to help actual, real access to justice in this province. Give them an idea.

**The Acting Speaker (Ms. Jennifer K. French):** You’ve got 25 seconds, member from Davenport.

**Ms. Marit Stiles:** Well, I just want to stop for a moment to thank the member from Humber River–Black Creek for his always entertaining and useful questions. Thank you so much.

Just to add, as I’ve mentioned a few times already today, but I want to reiterate: The one thing this government could have done to improve access to justice in this province is to reverse their cuts to legal aid, to address those inequities in the access to legal aid in this province.

**The Acting Speaker (Ms. Jennifer K. French):** Further debate?

**Ms. Rima Berns-McGown:** It’s always an honour to rise and discuss legislation in this House, and in this case, it’s particularly important and poignant. I only have about six or seven minutes remaining and then I’ll have to finish another time. So it’s going to feel a little bit truncated.

I have stories to tell. I think that sometimes the government puts together flawed bills and gives them absurd doublespeak names that say the opposite of what the bill is actually doing, because perhaps they’re out of touch with the experiences of ordinary Ontarians.

I want to say at the outset that faster isn’t always better, and with regard to the justice system, if you don’t fix the systemic issues, if you don’t face the flaws that are baked into it at the moment that mean that it works in favour of some people and against other people, not on the basis of what they’ve done but on the basis of who they are, then you aren’t fixing anything.

To that end, before I talk about the Landlord and Tenant Board, and before I talk about problems with squishing different tribunals together, I want to pick up on a really important theoretical point. If you are going to fix access to justice in the system, you have to begin by acknowledging that the system is flawed at every level, in that it disproportionately discriminates against Black and Indigenous people particularly.

There is a reason there are disproportionate numbers of Black and Indigenous people who are incarcerated, and it’s not because they commit crimes at greater rates than

members of the white community. It's because the system discriminates against them at every level. So if you're really serious about attacking the issue of lack of justice, lack of access to justice, that's where you start. That's where the lens goes on. That's where you begin.

You begin with the kind of over-surveillance of community, and you begin with the fact that Black kids are charged with crimes that white kids committing the same thing don't get charged with. You begin by understanding that they don't get a pass, that they don't get sent home with a slap on their wrist; they get sent into juvenile detention. You begin by acknowledging that stints in juvenile detention have long-lasting, traumatic effects on young people that often end up resulting in their ending up in the adult incarceration system. You need to begin with a completely different lens than the one that the government seems to have begun with.

I want to speak at great length about my experiences watching what has been going on in the Landlord and Tenant Board, because there is no way to argue that what has been happening at the LTB is in any way, shape or form justice for tenants who are on the verge or who have lost their housing. Some of that has to do with the extraordinary cuts to legal aid that we've been discussing that happened earlier in this government's tenure and that this bill does nothing to fix.

I have indeed been sitting in on some of those public sessions since November. As the government has been told many times, they're running multiple rooms at once, and people have been getting evicted in as little as 60 seconds. Surely any reasonable person would understand that to evict a person, to deprive somebody of their housing in a pandemic in 60 seconds or under cannot be

called justice, and it cannot be said that these folks have access to justice.

Part of what is happening is that, oftentimes, they are not well represented. There aren't sufficient numbers of legal aid people to be there to help everybody to the extent that they need that help. It often begins with the fact that sometimes, because of faulty Internet or their being on ODSP and not being able to afford Internet, they can't even get into the room to be there for their hearing. As the government may have heard, if a landlord doesn't appear for the hearing, the hearing will be dismissed. But if the tenant doesn't appear, even if it turns out that it's because they didn't have reasonable access to the Internet, or their broadband was faulty, or for whatever reason they can't get through, nobody at the tribunal takes the time to ensure that another date is set up. Rather, it's just assumed that they are at fault for having missed their date, and the eviction occurs. That cannot be called access to justice.

It's so crucial that we begin by understanding this, because to deprive somebody of housing at any time is horrific, but to do it in the middle of a pandemic is particularly so, and it has an air of absolute tragedy when this is happening for reasons that could be fixed. We could have a system that says, "Wait, if somebody didn't come, maybe there's a reasonable excuse for their not having been here. Maybe we need to—"

*Interjection.*

**Ms. Rima Berns-McGown:** And I will pause for now.

*Third reading debate deemed adjourned.*

**The Acting Speaker (Ms. Jennifer K. French):** Yes, and I thank the member. Sorry for the interruption, but it is 6 o'clock.

*Report continues in volume B.*





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Natyshak, Taras (NDP)	Essex	
<b>Nicholls, Rick (PC)</b>	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, Rod (PC)	Ajax	
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	
<b>Rickford, Hon. / L'hon. Greg (PC)</b>	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	
<b>Romano, Hon. / L'hon. Ross (PC)</b>	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	
<b>Sarkaria, Hon. / L'hon. Prabmeet Singh (PC)</b>	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	Opposition House Leader / Leader parlementaire de l'opposition officielle
Schreiner, Mike (GRN)	Guelph	
<b>Scott, Hon. / L'hon. Laurie (PC)</b>	Haliburton—Kawartha Lakes—Brock	Minister of Infrastructure / Ministre de l'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	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
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	
<b>Smith, Hon. / L'hon. Todd (PC)</b>	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	
<b>Surma, Hon. / L'hon. Kinga (PC)</b>	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	
<b>Thompson, Hon. / L'hon. Lisa M. (PC)</b>	Huron—Bruce	Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs
<b>Tibollo, Hon. / L'hon. Michael A. (PC)</b>	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	

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Walker, Hon. / L'hon. Bill (PC)</b>	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	
<b>Yakubski, Hon. / L'hon. John (PC)</b>	Renfrew—Nipissing—Pembroke	Minister of Natural Resources and Forestry / Ministre des Richesses naturelles et des Forêts
Yarde, Kevin (NDP)	Brampton North / Brampton-Nord	
<b>Yurek, Hon. / L'hon. Jeff (PC)</b>	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-présidente: Donna Skelly  
Teresa J. Armstrong, Toby Barrett  
Lorne Coe, Rudy Cuzzetto  
Randy Hillier, 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**

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Vice-Chair / Vice-président: Jeremy Roberts  
Ian Arthur, Stan Cho  
Catherine Fife, Mitzie Hunter  
Logan Kanapathi, Sol Mamakwa  
David Piccini, Jeremy Roberts  
Amarjot Sandhu, Dave Smith  
Vijay Thanigasalam  
Committee Clerk / Greffière: Julia Douglas

**Standing Committee on General Government / Comité  
permanent des affaires gouvernementales**

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Vice-Chair / Vice-président: Mike Schreiner  
Jill Andrew, Robert Bailey  
Guy Bourgouin, Stephen Crawford  
Goldie Ghamari, Chris Glover  
Mike Harris, Sheref Sabawy  
Amarjot Sandhu, Mike Schreiner  
Daisy Wai  
Committee Clerk / Greffier: Isaiah Thorning

**Standing Committee on Government Agencies / Comité  
permanent des organismes gouvernementaux**

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Vice-Chair / Vice-président: Aris Babikian  
Aris Babikian, Gilles Bisson  
Will Bouma, Lorne Coe  
Wayne Gates, Robin Martin  
Norman Miller, Rick Nicholls  
Billy Pang, Amanda Simard  
Marit Stiles  
Committee Clerk / Greffier: Julia Douglas

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la justice**

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Parm Gill, Daryl Kramp  
Natalia Kusendova, Suze Morrison  
Lindsey Park, Gurratan Singh  
Nina Tangri, Effie J. Triantafilopoulos  
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permanent de l'Assemblée législative**

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Vice-Chair / Vice-président: Vijay Thanigasalam  
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Faisal Hassan, Logan Kanapathi  
Michael Mantha, Jim McDonell  
Christina Maria Mitas, Sam Oosterhoff  
Kaleed Rasheed, Donna Skelly  
Vijay Thanigasalam  
Committee Clerk / Greffière: Tonia Grannum

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Chair / Président: Taras Natyshak  
Vice-Chair / Vice-présidente: France Gélinas  
Deepak Anand, Toby Barrett  
Jessica Bell, Stephen Blais  
Stephen Crawford, Rudy Cuzzetto  
France Gélinas, Christine Hogarth  
Daryl Kramp, Taras Natyshak  
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Vice-Chair / Vice-président: John Fraser  
Will Bouma, John Fraser  
Logan Kanapathi, Vincent Ke  
Laura Mae Lindo, Paul Miller  
Billy Pang, Jeremy Roberts  
Dave Smith, Daisy Wai  
Jamie West  
Committee Clerk / Greffier: Isaiah Thorning

**Standing Committee on Social Policy / Comité permanent de  
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Deepak Anand, Aris Babikian  
Jeff Burch, Amy Fee  
Michael Gravelle, Joel Harden  
Mike Harris, Christine Hogarth  
Belinda C. Karahalios, Bhutila Karpoche  
Natalia Kusendova  
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Comité spécial de la surveillance de la gestion des situations  
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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  
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