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JP-3

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JP-3

Standing Committee on Justice Policy

Estimates

Ministry of the Attorney General

Ministry of Indigenous Affairs

Ministry of Public and Business Service Delivery

Comité permanent de la justice

Budget des dépenses

Ministère du Procureur général

Ministère des Affaires autochtones

Ministère des Services au public et aux entreprises

1st Session
43rd Parliament

Wednesday 16 November 2022

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43^e législature

Mercredi 16 novembre 2022

Chair: Lorne Coe
Clerk: Thushitha Kobikrishna

Président : Lorne Coe
Greffière : Thushitha Kobikrishna

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON JUSTICE POLICY

Wednesday 16 November 2022

COMITÉ PERMANENT DE LA JUSTICE

Mercredi 16 Novembre 2022

The committee met at 0900 in committee room 2.

ESTIMATES

MINISTRY OF THE ATTORNEY GENERAL

The Chair (Mr. Lorne Coe): Good morning, everyone. The Standing Committee on Justice Policy will now come to order. The committee is about to begin consideration of the estimates of the Ministry of the Attorney General for a total of two hours. As this is the first ministry before the committee, I would like to take this opportunity to remind everyone that the purpose of this meeting is for members of the Legislature to determine if the government is spending money appropriately, wisely and effectively in the delivery of the services intended.

As Chair, I will allow members to ask a wide range of questions pertaining to the estimates before the committee to ensure they are confident the ministry will spend those dollars appropriately. In the past, members have asked questions about the delivery of similar programs in previous fiscal years, about the policy framework that supports a ministry's approach to a problem or service delivery, or about the competence of a ministry to spend the money wisely and efficiently. However, it must be noted that the onus is on the members asking the questions to make the questioning relevant to the estimates under consideration.

The ministry is required to monitor the proceedings for any questions or issues that the ministry undertakes to address. I trust that the ministry staff have made arrangements to have the hearings closely monitored with respect to questions raised so that the ministry can respond accordingly. If you wish, you may, at the end of your appearance, verify the questions and issues being tracked by the research officer.

Are there any questions from the committee members before we start? Seeing none, I am now required—

Interjection.

The Chair (Mr. Lorne Coe): Yes, MPP Wong-Tam, please.

MPP Kristyn Wong-Tam: Sorry, Chair. I apologize for it being a little bit late with my hand. Can you just go through the order and the time allocations for questions and answers?

The Chair (Mr. Lorne Coe): Madam Clerk?

The Clerk of the Committee (Ms. Thushitha Kobikrishna): Yes, of course. In terms of order, it will be

the official opposition first for 20 minutes, then it would be the independent member for 10 minutes, and then the government for another 20 minutes. We'll continue to do that rotation until the two hours has expired.

MPP Kristyn Wong-Tam: Okay. Thank you.

The Chair (Mr. Lorne Coe): I'm now required to call vote 301, which sets the review process in motion. We will begin with a statement of not more than 20 minutes from the Attorney General of Ontario, the Honourable Doug Downey.

Minister, the floor is yours.

Hon. Doug Downey: Thank you, Chair. It's a pleasure to be here at estimates. In discussing with the department, we're not sure when the Attorney General's office has been at estimates before; it has been some time, if at all. So I'm really pleased to be here and talk about the 2022-23 fiscal year. We've come a long way, I can tell you, in terms of the justice system in the last little bit.

Our fall economic statement that we just saw in the House highlights a number of things, and it's our first-ever progress report of the significant progress we've made on our plan to build. That includes the justice bundle, the area that I represent. We're advancing our plan with new targeted measures to rebuild the economy, address the labour shortages in the province and keep the costs down for families and businesses, and the justice system is an integral part of that.

As a government, we plan to continue to help grow the economy by getting shovels in the ground to build key infrastructure projects and investing in skills training for Ontario workers and newcomers. Our plan is the right plan to maintain fiscal flexibility so we can support people and businesses today and in the future.

The economic road ahead is not going to be easy. I think we all know that. I think we're all watching the news and seeing the trends. Inflation came in this morning or last night at 6.9%, which is level with the last update, so we're all keeping our eye on the ball and our excellent finance minister is making sure that we have the flexibility to get where we need to be. But now is the time for government to show restraint. Whatever the economic uncertainty may bring, our government has a plan, and I'm confident in the resilience of our economy, our workers and our people.

I'm sure all members of the committee agree that the justice system is fundamental to the quality of life we all enjoy in Ontario. We trust in the rule of law. It's a cornerstone of our society. Since 2018, our government has been focused on strengthening the justice system for

all Ontarians. It remains a prime motivation for me personally and as Ontario's Attorney General. The people of this province deserve a fair, equitable, accessible and resilient justice system—all things that my ministry and our government are working to ensure for the people of this province each and every day.

For decades now, our justice system has been slow in adopting modern technologies, and that's an understatement. We need these modern technologies to help us improve efficiencies. It's no secret the system, as it was, was not particularly user-friendly. It was antiquated, paper-driven and produced long delays and wasted resources. In fact, at some point during the modernization, my office received an email from a company complaining about the speed of our modernization, that we're moving too fast. They were a paper company, and they were complaining that it was affecting their business. I'm going to keep that and frame that email, because that is exactly what we're going to do: We're going to move away from paper.

The justice system had fallen far behind people's expectations of how justice should work for them, and positive change was long overdue. It's time to enhance the public's understanding and confidence in the administration of justice, to improve access to the system by removing unnecessary barriers, implementing procedural reforms and integrating the right technology. Of course, COVID-19 accelerated many of these plans, compounding the long-standing challenges we had holding back the system while also underscoring the need for greater progress.

I am proud to serve the people of Ontario in the capacity of Attorney General, alongside this government and in collaboration with our justice sector partners as we continue our work transforming the justice system for the better.

I'd like to take an opportunity to speak a little bit about the actions that our government has taken towards these improvements and modernization. This is where the resources go, and this is how they're being deployed. By making use of available technology and innovative practices from around the world, our government has been successful in delivering some notable results for Ontario's system, moving our system forward by decades in a matter of a few short years.

Last year, we launched Ontario's Justice Accelerated Strategy to break down long-standing barriers in the system, overhaul processes and move more services online and closer to Ontarians no matter where they live, including rural, northern and First Nations communities of all sizes in all parts of Ontario. As a government, we believe justice accelerated is justice delivered, and we can get there by refocusing the system around people and their expectations for how justice can be done. This multi-year strategy will deliver the most significant upgrade to justice services in Ontario's history—not recently but in the entire Ontario history.

Since its inception, and in partnership with our justice sector partners, we've delivered many game-changing

initiatives to help create a more accessible, responsive and resilient justice system. Let me touch on just a few highlights.

The Courts Digital Transformation Initiative—we announced it late last year—will be the most significant single step forward in the digital evolution of justice in Canada. In the entire country, we're leading the way with this investment.

We are replacing outdated paper-based procedures with an online platform to manage cases, documents and schedules.

We're streamlining processes. It will help transform how people resolve their legal matters at the Superior Court and Ontario Court of Justice, both key partners in this initiative. Designed around the user experience, the end-to-end digital system will feature online self-service, integrated case-tracking and more efficient court operations.

To make life faster and more efficient for Ontarians in the justice space, we've introduced electronic filing for more than 500 types of documents, as well as new online search tools so the public can access court information without having to line up at the courthouse.

But that's just the tip of the iceberg. We've also taken action, together with the Superior Court of Justice and the Ontario Court of Justice, to establish the CaseLines platform to allow court documents to be easily shared online for select civil, family and criminal hearings—and we haven't forgotten about estate court users, as they can now avoid trips to the courthouse at what could be a very difficult time in their lives.

Through Ontario's Justice Accelerated Strategy, we are establishing new and innovative ways of delivering justice services, and we are far from finished.

Another important advancement our government has made in the recent years has been the critical investment of \$65 million in new technology to support virtual and hybrid hearings. This investment will ensure that hearings are available in courthouses in every region of Ontario. Since many of our courtrooms have now resumed holding in-person matters, virtual and hybrid hearings are widely available where deemed appropriate by our justice partners and ourselves. But it's helping to speed up access and it's reducing the need for in-person visits.

0910

If you do need to visit an Ontario courthouse in person, we want you to feel like you're in the 21st century. Courthouses were traditionally designed to hear as many in-person matters as possible. But today, Ontario is pivoting to a new and retrofitted courthouse engineered for the future as community justice hubs, built with people in mind, in the same way that most public buildings like airports are built. We want to welcome people; we want them to feel like they're in the modern world.

Take the new Toronto courthouse, for example. It's not too far from here; it's just a short walk. It's located in downtown Toronto. It's where the Chestnut inn used to be. There was a parking lot there, many years ago. I'm seeing heads nod; I think a lot of us used to park in that parking

lot, and now we have to park underground under Mel Lastman Square. But it is a beautiful new courthouse. It's scheduled to open in 2023. It's been in development for, I would say, pretty much a decade.

But together, most of Toronto's Ontario Court of Justice criminal operations from across the city will be under one roof. And holding most OCJ criminal trials here will support equal access to court services that are currently dispersed across multiple locations around Toronto. Amalgamating the services in one central location will provide streamlined access to justice for Ontarians, saving them time and money. The amalgamation at the new Toronto courthouse will also permit centralized criminal case management, a greater concentration of expertise and effective scheduling, meaning a timely processing of criminal matters, and that's in the interests of everybody.

I have no doubts this vision will better meet Ontarians' expectations for how justice should be delivered. I'm actually quite excited about the opening. We'll all be here, I expect, so I think we'll be able to celebrate together.

Now, on the tribunals front—and I expect I'll get questions about the tribunals, and I look forward to that—we're seeing the benefits of a landmark investment in an end-to-end digital case management system with Tribunals Ontario. This \$28.5-million investment for a digital case management system will help reduce delays and backlogs at Tribunals Ontario. The system vastly improves access for Ontarians and will help in reducing delays with online dispute resolution tools, along with case and document management, in a user-focused self-help portal. Now, it's up and running already with the Landlord and Tenant Board, and we're working quickly to introduce the system across the other tribunals.

In Tribunals Ontario, there are a number of different tribunals. Some you've heard of, like the Landlord and Tenant Board, and some you probably haven't encountered unless it's a particular area that you used to work in. They're small and large, all sizes, but we're going to scale this across. We started with the biggest one, and it's working, and we'll talk about that, I am sure.

We'll probably talk about the backlog, the landlord and tenant backlog, and COVID-19. During the pandemic, it had a serious impact on all parts of justice, including creating a significant backlog of cases at the LTB. That's why we're investing an additional \$4.5 million in funding over the next three years, to help hire new staff and appoint additional adjudicators to build on the work that is already under way to address that backlog.

Increasing case resolution efficiency at the Landlord and Tenant Board will help both tenants and landlords resolve issues, including working out repayment plans, avoiding evictions. It's good for the tenants and it's also encouraging landlords to provide rental housing, and that's what we need to do. We've talked about our plan to build 1.5 million homes over the next 10 years, and it is a fundamental goal that we need to achieve. Building those homes is something we're very focused on, but creating housing stock is something we're focused on. By encouraging landlords to create rental units, we're going

to make sure that people, both existing and those yet to come, have a place to live.

We're determined to create and grow strong, safe and affordable communities. To do so, we need to build that housing I just mentioned. It needs to fit the needs of people and families in every community across our great province. And that's why, as part of the More Homes Built Faster Act, we have invested \$2.5 million in the Ontario Land Tribunal to help ensure disputes holding up housing are resolved faster. This is in addition to the \$14.7 million over three years invested this past April to help the Ontario Land Tribunal resolve cases faster.

As an impartial, independent adjudicative tribunal, the Ontario Land Tribunal helps create more housing by breaking the cycle of delays caused by proposed development disputes. Disputes often arise over land use planning issues such as where the industry should be located, where the roads and transit and housing should be built. And when community members can't resolve their planning issues or have disputes with their municipal councils that they can't settle, they go off to the OLT to resolve them. We're working hard to ensure the Ontario Land Tribunal has what it needs in terms of resources, technology and personnel to get the job done.

There are stories in every sector about the disruptive force of the COVID-19 pandemic, and the justice sector was not untouched. Beginning in March 2020, the courts limited in-person attendance to courthouses in response to COVID-19. The slowdown resulted in significant and unprecedented accumulation of pending criminal cases, creating unsustainable pressure on the criminal justice system.

While we continue to take measures to keep Ontarians safe and maintain the administration of justice, we're working to address that backlog through the criminal case backlog strategy that we launched in October 2021. That means working closely with our justice sector partners, including the courts, the police services and government agencies, to ensure justice continues to be done and the public's safety is prioritized in our communities.

Our \$72-million investment has allowed for the recruitment of new staff to strengthen court services and victim-witness services, and support the hiring of additional prosecutors to prevent serious cases being stayed for delay. The investment has supported the hiring of 340 new court employees, including crown prosecutors, court services, victim-witness support staff, and bail vettors—experienced crown attorneys who facilitate faster bail decisions and resolutions when appropriate. We remain confident that the additional staff will continue to facilitate faster resolutions and boost trial capacity as we work to bring the number of pending cases to a sustainable level.

Criminal court backlogs and delays are acutely felt in the northern communities. The justice system must be accessible and responsive to all people within Ontario, including Indigenous people living in fly-in communities. Throughout the COVID-19 pandemic, fly-in proceedings were suspended, and while much of the justice system

pivoted to virtual appearances that relied on the use of technology, reliable high-speed Internet was unavailable to many fly-in communities at the time, so they could not hold court proceedings as an alternative.

To help address these barriers, we recently announced a \$2.5-million investment in reliable, affordable high-speed satellite Internet access and video conferencing equipment to enable virtual court proceedings in all 29 fly-in communities. This new Starlink satellite technology will help reduce systemic barriers and support our shared goal of a modern, accessible legal system that meets the needs of all people.

As a government, we're continuing to innovate how justice is delivered in vulnerable and marginalized communities. As we look to new and innovative approaches to criminal justice, my ministry is implementing the use of justice centres across the province. Ontario's justice centres represent an innovative approach to criminal justice, combining traditional courtroom processes with education, health and social supports in an effort to target the factors underlying criminal behaviour. Introducing early supports has been shown to reduce the risk of re-offending and improve outcomes for justice involved in the high-need communities across Ontario.

I'm proud to say that the first Ontario justice centre was launched in London, Ontario, by our government in 2020. The centres have been opened in Toronto downtown east and Toronto northwest, and there's more to come.

Through these pilots, we're drawing from the best practices around the world to create centres shaped by partnerships with local communities. The justice centres project is one of over 18 multi-ministry initiatives funded under Ontario's five-year Guns, Gangs and Violence Reduction Strategy, which includes a \$65-million federal investment and additional provincial investments. As part of the strategy, Ontario has made investments in justice centres to support the design and future capital planning. I'm happy to talk about those even more; they're a remarkable achievement, and again, another way that Ontario is leading the way in justice in Canada.

My ministry oversees the regulation of several industries in Ontario, including Internet gaming. Ontarians spend close to \$1 billion annually on online gaming, with an estimated 70% taking place in unregulated markets. That means grey markets and black markets. In those grey and black markets, there's limited consumer protection or responsible gaming measures. Ontario's new regulated iGaming market—launched on April 4 of this year, to be exact—has the goal of protecting consumers and ensuring responsible gambling measures are in place. The new market will also provide consumers with more choice while ensuring a safe online environment that minimizes the risk for players.

0920

iGaming Ontario, a new subsidiary of the AGCO, the Alcohol and Gaming Commission of Ontario, was created to manage the new online gaming offerings. It's already establishing Ontario as an international leader in online gaming. Over the course of its first two quarters of

operation, iGaming participation grew to 24 operators offering 42 regulated gaming sites, and iGO retains 22% of the gross gaming revenue from these operators to support provincial priorities such as creating jobs, supporting businesses and improving and strengthening critical public services for a post-COVID world. As of September 30, 2022, total gaming revenue was \$267 million over two quarters of full market operation.

In conclusion, as Ontario moves into the future, the administration of justice will strengthen and improve as the system becomes more accessible, responsive, modern and resilient in the face of change.

I want to stress that this is a shared agenda, one that we can't achieve without the dedication and commitment of all our justice sector partners. As we embrace the improvements of recent years, we can expect the goalposts to keep moving. The opportunity to increase—

The Chair (Mr. Lorne Coe): Minister, you have two minutes left.

Hon. Doug Downey: Thank you, Mr. Chair.

I'll just wrap up by saying that in the years ahead, we'll continue to work to build a more accessible justice system for all. Modernization in the justice space entails more than conducting court hearings and proceedings virtually; it means, for us, rethinking common practice and long-standing traditions of how justice should be administered in Ontario, an opportunity I welcome. While the work is far from complete, I truly believe the best is yet to come, and I am optimistic for the future. We're not just automating; we're transforming the justice system.

I'm looking forward to discussing these opportunities with the committee. Thank you. Merci. Meegwetch.

The Chair (Mr. Lorne Coe): Thank you very much, Minister Downey.

We'll now begin the questions and answers in rotations of 20 minutes for the official opposition members of the committee, 10 minutes for the independent members of the committee and 20 minutes for the government members of the committee for the remainder of the allotted time.

As always, please wait to be recognized by myself before speaking. All questions and comments will need to go through the Chair.

For the deputy ministers, assistant deputy ministers and all other staff, when you're called on to speak, please state your name and title each time for Hansard.

I will now start. For the official opposition, MPP Mamakwa, please.

Mr. Sol Mamakwa: Meegwetch, Chair. Thank you. Good morning, everyone.

Thank you for the update, Minister Downey. I want to ask specifically on the issue of records of Indian residential schools. I know from the progress update report from the Independent Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites Associated with Indian Residential Schools, the work—the work that is sacred—that survivors in Indigenous communities have been leading to recover the children who never returned home from Indian residential schools has revealed an urgent need for legislative, regulatory and

policy protections for former Indian residential school sites. There are likely unmarked burials associated with every former Indian residential school across Canada, including the 24 in Ontario.

One of the things that is found is there are significant gaps in legal protections at the federal, provincial, territorial and municipal levels to protect those sites pending searches and investigations, and from further development. Not only that, but there are barriers for survivors, Indigenous families and communities to access relevant records to locate unmarked burials and identify our children. Finally, there are questions of whether law reform and other measures are needed to support death investigations and, where appropriate, criminal prosecutions.

Minister, what is the Ministry of the Attorney General doing to make sure that there are no barriers to this most important work?

Hon. Doug Downey: Thank you for an excellent question and some excellent context. You may know that within my ministry, I have an Indigenous justice division, a specific division that deals with a wide range of matters, and it helps inform how we should be moving forward.

Part of the important work—and you touched on it—is multi-level: It's federal, it's provincial, it's otherwise. For too long, governments have said, "It's the other level; it's not my level"—it's not my job, effectively.

A couple of weeks ago, we were in Halifax, all the Attorneys General from across the country and the Solicitors General and Ministers of Justice, federal, provincial and territorial. I don't know if you've had any occasion to deal with Kim Murray. She used to head up the Indigenous justice division in my department. I told Minister Lametti he stole her from me and he can send her back any time, but she's doing excellent work federally.

One of the things we talked about was records: access to records, the collation of records, making sure that we have all forces to bear. This isn't confidential, or I wouldn't say it, but in a break from that meeting, I had a conversation with Ms. Murray and said, "Look, if there's something we need to be doing that's different," and she said Ontario is one of the most co-operative areas in the country, and part of the reason for that I think is because she knows Ontario. She was working in it, so she can pick up the phone and have direct conversations with the coroner's office and others. So we're doing great work there, I believe. We're trying to be as open and transparent and co-operative as possible.

Ontario also took a leadership role in the missing, murdered and Indigenous women and girls work that was done previously. We hold most of the records, if not all the records, from that federal inquiry. That's something that I think is important because records management is important.

Mr. Sol Mamakwa: So are you telling me there's no barriers, like in the work with those—

Hon. Doug Downey: No. Where I was going to go was talk about the forums where we are talking about it. This is something that, if there are further barriers, we're open to dealing with it, absolutely. So any and all ideas coming

forward in terms of where those barriers are—I'm happy to have a discussion about how we can enhance the process so that we have full records, so that we have full transparency in terms of what's happening.

We had a meeting last week—I think it was last week; I'm losing track of time now—with Chief Hare and some other leaders in my office, in my boardroom. Minister Lametti was there federally and Minister Mendicino was there. Minister Kerzner was there. I was there and our support structure. Again, very robust, good discussions about how we can move forward collectively. So I'm actually quite happy that the forums exist.

And now, if we need to get into details of specific things that come across your desk or that you're aware of, I'm very happy to entertain those discussions.

Mr. Sol Mamakwa: Okay. I'm just going to move on. You spoke of the fly-in clinics, the fly-in courts. I'm quite aware of how it works over there. I know in some of the smaller First Nations, it takes a while to get into court. People have to get remanded over and over until the court—it's a system that keeps people in the system. Over the last few years, there has been no increase at all to those systems, the funding for the fly-in courts.

0930

But I want to ask specifically about this: When you rent facilities on the reserve, do you pay for those facilities?

Hon. Doug Downey: I'm going to talk about fly-in courts briefly, and then I'm going to turn to one of my officials specifically about the financial arrangement.

When we come to this job, when we come to this building as members of provincial Parliament, there are things that you pay attention to that you would not have thought of before, just from life experience. I did not have the life experience of the fly-in courts, and it was shocking to me, the way the system was operating. I can tell you—and just for the other members who may not have the experience—some of the way the system works is they will fly individuals, either judges and support staff into a reserve and do hearings, or they will fly individuals out of a reserve. They will go to Sioux Lookout and then disperse from there. It's a couple of hours from Kenora. So if you can imagine, six people on a little six-seater plane: You will have the victim, you will have the accused, you will have the victim support worker, maybe, but in a six-seater plane. All these people are flying into Sioux Lookout and driving for a couple of hours to Kenora. It might even be just for a bail hearing. When that hearing happens, the individual may be released on bail. Well, where do they go? They're in Kenora. They're not from Kenora. So as MPP Mamakwa mentioned, it creates a bit of a cycle, because now you're in Kenora, more or less, unless there's a bail bed or there are other supports.

So we've been addressing that. We put bail beds in place. We've tried to put supports in place. But there are things that we don't need to take people out of their communities for, and that's what Starlink is about. That's what that piece is about.

In terms of enhancing the supports that are flying in, my department doesn't do the RFPs on the contracts for the

planes; that's through MNRF, but we work closely with them in terms of making sure that we have the right services available to fly them in.

I had a good conversation—no doubt you're aware of some of the challenges and the delays that have happened and the decision that was taken by the regional senior justice I appointed a couple of years ago in terms of dealing with that to create an equitable outcome because of the delays. A number of cases were stayed because it was inappropriate, given the amount of time.

I'm going to turn to one of my officials to see if they can address in terms of whether we pay money to rent facilities on First Nations. I don't actually know that.

My Deputy Attorney General, David Corbett.

The Chair (Mr. Lorne Coe): Thank you very much, Attorney General.

Sir, as a reminder, we'll need your name and your title with the ministry, please. And if you could move the mike closer to you. Thank you.

Mr. David Corbett: Thank you, Mr. Chairman. My name is David Corbett. I'm the Deputy Attorney General.

The Chair (Mr. Lorne Coe): To the question, please.

Mr. David Corbett: The question, as I understand it, is, do we pay rent for the facilities that we utilize in the fly-in courts? We do. What I discovered a number of months ago was that the rents were not equal, and so we have begun a study to make sure that we have an equal application of the rents that we pay throughout the north. So we do pay rents, yes.

Mr. Sol Mamakwa: That's it from me.

The Chair (Mr. Lorne Coe): MPP Wong-Tam, please.

MPP Kristyn Wong-Tam: Thank you, Minister, for the presentation. I'm very excited; this is my first committee, especially with respect to the estimates. I also want to mark the occasion that you're here for the first time, or your ministry is here for the first time, presenting in this format.

I do recognize that we're probably going to run out of time very quickly, just given the pace that things are going at. But I think that, for today's purposes, we should try to get as much done as possible. So I'm going to try to prepare you and just let you know I'm going to ask you a series of questions. They're going to be under four different categories: legal aid, tribunal, litigation, criminal backlog. This is just to give you a courtesy and a heads-up of what's to come. And, Minister, if you can just keep your remarks a little bit short, and I will try to keep my questions abbreviated, as well.

I just want to start off by laying it out for legal aid. In 2019, the government cut \$133 million from the legal aid budget. That's about 30% of their budget. Ontario judges had warned that reducing legal representation for the most vulnerable members does not save money—not at all. It increases trial times, places greater demands on public services and ultimately delays and increases the costs of legal proceedings for everyone.

So my question to you, Minister, is, has there been any study of the impact that cuts to legal aid have had on the

courts' and tribunals' efficiency? And then, following that, has there been a study on the impact to access to justice because of the cuts, especially for marginalized communities?

Hon. Doug Downey: Thank you for the question. When we say "legal aid," legal aid is actually many things. It has multiple branches to it. We have three primary branches. We have the legal aid clinics. We have what are called legal aid certificates, so private practice lawyers who receive a certificate and get paid under that, under a tariff for work done; it's a little complicated, but I'll just leave that there. Then we have what are called duty counsel. They attend in the courthouse, and they're available to individuals who come in and they help with a variety of things like pleas, bail review and that sort of thing. Those three branches are fundamental.

But then, within what's paid for, there's a variety of pieces, whether it's family law—in Ontario, we do immigration, which is an important piece, but because immigration is federal, we also receive money from the federal government. We've had very vigorous discussions with them about their investment in that. So they've come to the table—not on a long-term basis, so we're still talking about that. But I'll hive off immigration from the other types, because it really is a bit unique in terms of us providing it; some other provinces don't.

We went through a transformation with the clinics, so I'll start there. There are about 74 clinics. We redid their governing document. They came into existence about 30 years ago—31, now—under former Attorney General Charles Harnick, who at the time of the transformation was the chair of the legal aid board. We went through discussions with those clinics, with ACLCO—Lenny Abramowicz is the head of ACLCO; it's sort of like a collective for clinics. Most of them belong to it, not all of them.

We went through a period—and you didn't hear much about that transformation, the Legal Aid Services Act. You didn't hear much about it because we were very collaborative. I went out to clinics. I talked to clinic leaders. I talked to people who were using clinics. I talked to people who were funding clinics. Some municipalities fund parts of clinics. So we did a lot of work to make that transformation happen, and I can tell you it has gone very well. It has gone very well because people who were using the system and operating in the system saw the benefits of some of that change.

In this past year, they were just given notice recently that they'll be receiving a 2% increase in their budget next fiscal, and there's some really good feedback on what they're doing with that. Niagara gave some direct feedback, and some others. So in terms of legal aid and its role, that's the clinics. We can explore that one if you want.

You talked about backlogs and how the investments and where we're putting the resources help or don't help. The in-court, the duty counsel is an important piece, and getting them aligned in the spaces where they can be most useful, and then the certificate lawyers.

I used to take legal aid certificates as a lawyer. I used to do consent and capacity work for people who were in mental health facilities, having reviews done on their medications and otherwise, and so I used to take those certificates. One of my law partners, Linda Lewis, who is now deceased, had an almost strictly legal-aid-certificate practice for family law, so I know the system well in terms of private practice. There are parts that are working very well, and there are parts where there are pressures. We're looking at those pressures, and you'll see some of that in our fiscal going forward.

MPP Kristyn Wong-Tam: Thank you, Minister. I think that with respect to the legal aid certificates, one of the things I'm hearing, especially from private practice lawyers, is that the certificates are not covering the costs, so they're actually refusing those certificates, meaning that those who are low-income, people who are relying on those certificates, are actually getting even less justice—in this case, no justice.

I just want to stay on the point around legal aid clinics—and thank you for speaking to that. In my conversations with a number of legal aid clinics—they've all been on my doorstep and, I suspect, the critic for the Liberal Party as well—they have expressed quite a bit of concern about the defunding of legal aid and, specifically, their seriously limited capacity to serve clients. So I'm just curious, because they have given me a range of numbers of where they feel like they've been defunded, what is the average defunding cut to the community-based legal aid clinics? Legal aid clinics have also said that they keep performance indicators. So is the ministry also tracking those same KPIs?

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Hon. Doug Downey: Yes, so I have a keen interest—and I'm going to start with that, and then I'm going to talk money in a second. I have a very keen interest in metrics and making sure that we can measure things. I never have enough numbers, to be able to measure. So I know some clinics, if you phone, they may log that as an inquiry. If you come in for a consult, they may actually open a file as if it's a case, when they're not actually moving forward with a case. It may just be a referral to somewhere else, to another agency or to another group.

When that happens—the clinics are quite independent from each other. They have their own independent boards of directors, community boards. So what they measure and how they measure is not consistent across the system in terms of what a file is or what a case is or what a referral is or what an inquiry is. That is something that I would like to see more of so that we can actually get a measure of when people are representing an individual versus when they're just doing a referral for them. That piece is important.

But this is critical to legal aid in general—and most people don't know this. There's the Law Foundation of Ontario, and the Law Foundation of Ontario holds the trust monies or gets the interest off the trust monies held by lawyers across Ontario. So when interest rates are high, that fund is high; when they're low, it's low. Last year, it

was low. It's high now. And so it's this curve, and it's hard to budget with legal aid on that basis.

Last year, we put \$52 million in to make up the gap, because of the low. So we, in fact, have been putting significant resources in, as needed, to make sure that the system is functioning properly. I acknowledge that the clinics are concerned, but this government, without any assistance from the federal government in terms of that gap, put in over \$50 million just last year. We're going to keep our eye on the ball and make sure that we're funding where needed so that we can get the services to the people where they need to be.

These clinics, some of them are specialized—they have a niche—and some of them are just community-based. It's a really interesting mix. Some are attached to a university. There are six student clinics.

The Chair (Mr. Lorne Coe): Thank you very much, Minister, for that answer. We'll now move on to 10 minutes for questions from the independents. MPP Collard, s'il vous plaît.

M^{me} Lucille Collard: Good morning, everyone, and thank you to the Attorney General for this presentation. I guess I want to start on very positive note, and I welcome and I thank you for modernizing our court system, which is something that was very much needed. My last employment before becoming an MPP was working in the federal courts, and that was an uphill battle. I do understand the challenge, so thank you for the investment in that.

I also want to thank you for taking special attention to the francophone communities and allowing document filing in French everywhere in Ontario. That was very much appreciated.

And I guess my question is—that was important, but access to justice for francophone communities, especially in regions like the north, is still very much an issue. It's still deficient. I would like to know whether the investment—the Attorney General's plan for improving access to justice, especially for the francophone communities.

Hon. Doug Downey: Thank you for the question. Sometimes it really is the little things that matter. It was surprising to me that you couldn't file a document in French, that you had to be in specific places. So yes, thank you for that. We did change that so that you can file them anywhere.

We also have, I'll call it a service—a service standard—where documents can be translated as well. And that's a cost, quite frankly—I'll look at my officials, but my recollection is that that's an uncapped cost. Whatever the need is is what we'll do. I'm just going to look for confirmation—I'll come back to that while they have that discussion.

But you're right: We need to make sure that we're having the services where they need to be. In the north, for too long, there's been a lack of focus on what we need.

Chief Justice Maisonneuve, who is the Chief Justice of the Ontario Court of Justice, assesses where we need bilingual judges or JPs. When the request comes in, she'll ask for somebody bilingual and it gets advertised that way, or sometimes just “bilingual preferred.” It's not always mandatory, but if it's mandatory, then that's what we do.

So we're trying to put the resources from the judiciary, from the JPs and the judges, in the right spots in terms of expanding French service so that people can access it in their primary language or the language of their choice.

If you have other ideas on how to advance it, I know Minister Mulroney as well, as the Minister of Francophone Affairs, has a keen interest in expanding services across government, and she's done a phenomenal job of doing that in a very short period of time. So I'm open to other ideas, if you have some.

M^{me} Lucille Collard: Thank you. I appreciate the answer.

My other question is about the backlog in courts, namely at the Landlord and Tenant Board, and I did ask a question about that in the House yesterday. I can't help but notice that the overall expenditures for Tribunals Ontario has gone down \$7 million, if I'm not mistaken.

When you speak of reducing the criminal backlog in courts—and I see that you've put a focus on criminal cases—of course that is important, but I want to know what's being done about the Landlord and Tenant Board because, while they're not criminal matters, it's actually having a big impact on people's lives. It's actually putting people in the street.

You've talked about using some of the existing resources in terms of the prosecutors, the court staff, ramping up the modernization and the use of online hearings and all that, but we know that doesn't work for everyone, especially the vulnerable people. We need to make sure the access is there around the region.

How about hiring more adjudicators for the Landlord and Tenant Board to make sure that we can address the backlog? Because right now, just with the online system, it's not working and I don't see an investment. I see a decrease in investment in that regard. So can you reassure us?

Hon. Doug Downey: Yes, thank you for that question as well. When I was practising law, I did some landlord-tenant work, so I was very familiar with the system, how it worked and didn't work and some of the rules around it. It's something that I have a keen interest in.

We've hired more adjudicators than ever. I'm going to get the exact numbers for you. As of November 14 of this year, which is very recent, we have 36 full-time and 46 part-time adjudicators. Some are vice-chairs and some are regular members, but they're all to do hearings, and the chair of the board as well.

We've just had some leadership change in terms of the chair of that board. I believe he's been called to the standing committee, so it won't be effective for a couple of weeks. I anticipate that that will come to be, so we have some leadership change there. He was a member prior, so he knows the system. I'm very excited about his willingness to serve.

We also have, in terms of accessing the system—because you referenced that in your question the other day and I didn't answer it in the House; I thought of it afterwards—we do have physical spaces in Ontario, in Ottawa, Hamilton, Toronto and London, where individuals can go

if they don't have the technology. So they can request a location and go in and do their hearing from that space. We're trying to bridge that gap for those, but the uptake has been very low on that. Generally, a lot of people have technology, or a family friend or somebody has it, but we wanted to create that extra layer for them to be able to go to.

In terms of investments, we have invested quite a bit. We've invested \$28.5 million in this new system that has a great track record in BC. At the time—this was pre-pandemic—I was in a meeting with Minister Eby, now Premier of British Columbia; he was the Minister of the Attorney General. In a side conversation we had, I said, "I want to hear about this system you have, this phenomenal system." They had four years' experience with it, and the resolution rate at that point was 50% of the cases resolved within 90 days. Can you imagine that speed, within 90 days? But the other beautiful stat about that was that people were accessing it 50% of the time before 9 o'clock or after 5, when it was convenient for them. So I said, "How do I get this system? Let's strike a deal." We had an informal agreement that he'd give me the licensing for \$1 and we could build it out for Ontario. That's what we did: \$28.5 million to build it out.

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People are using it. It's got a navigation part to it, and the dispute resolution tool within it is kind of like—the best way to describe it is it's kind of like a private chat room where you can say, "I don't want to pay my rent, because the tap is leaking," and the landlord says, "That's not a reason not to pay the rent." Somebody else can come in, who is informed, and say, "Here's a fact sheet on that. Here's how it works," and educate people through so that the disputes don't have to be contentious.

M^{me} Lucille Collard: Thank you, Minister. I know I don't have a lot of time. I would just like to ask for some precision on some of the data that you just provided. You said that you've hired a lot more adjudicators. You mentioned 36 full-time, 46 part-time—from what? What did we have before? What's the increase?

Hon. Doug Downey: I would have to go back and look at that. A net 15-to-20 increase—in that range. Again, it has fluctuated over time, and as you know, the appointment system—people go on to other things or they move and whatnot, so the numbers have gone up and down, up and down, and they all expire at different times, depending on when they were appointed.

I'm again looking at officials—historical data—I'm going from memory: about 15 to 20 net new from about two years ago.

M^{me} Lucille Collard: If you will allow me, I'll follow up with your office on that. I would like to get the details.

Hon. Doug Downey: Sure, yes, absolutely.

M^{me} Lucille Collard: I don't have any more questions, but I will offer to get back to you myself and provide you some more information about the need for in-person hearings in other places than the main centres that you've mentioned. I do have a lot of data because a lot of people are coming to me, complaining that it's not accessible.

And as you very well know, access to justice is important, and delay in justice is access denied. So I will commit to give you some more information and evidence that we need to do better in terms of in-person hearings. Thank you very much.

That's all from me, Mr. Chair.

The Chair (Mr. Lorne Coe): That concludes the time allotted for the independents. Merci beaucoup.

We'll now turn to the government and MPP Hogarth, please.

Ms. Christine Hogarth: First of all, I want to thank the AG and parliamentary assistant for all the work you've done turning the judicial system around at such a quick pace, especially when COVID—the times were tough, and you were able to—I think you moved the system 25 years in 25 days. So congratulations to you and your team, because you can't do that alone; you have an amazing team behind you that helps with that.

There were some interesting questions today. I know one of my colleagues wants to talk a little bit about the Landlord and Tenant Board, which are issues in my Toronto riding of Etobicoke–Lakeshore. Landlord and tenant issues are an issue, as was brought up, and I know one of my colleagues is going to ask about it.

But the other issue I hear about in my office quite regularly is about legal aid. Following up on MPP Wong-Tam's question—you kind of got cut off. There was a time when we weren't investing as much or other governments weren't investing as much in the legal aid system, and we have to make sure there is a system for those who are in need. Not everybody can afford to hire a lawyer, and they need that help, and we need to be there to protect them.

So I'm just wondering if you can talk a little bit or continue the conversation you started earlier about your plan going forward with legal aid. You mentioned that there was a \$52-million investment. What is the plan for your ministry moving forward to protect these people who require this help?

Hon. Doug Downey: Thank you for that. I had a conversation just recently with the new chair of the legal aid board, Steve Pengelly, a phenomenal administrator. He understands change management. He understands how to see where the pieces are that need to be moved. One of the things that we talked about was, in that certificate program—so when a private lawyer gets a certificate to do work for somebody, it's very prescriptive in terms of what it will cover. What MPP Wong-Tam was alluding to, I believe, was some people saying, "I can't make money off the certificate." Well, you can if you do the things it pays for, but there's other things you need to do. So we're having that discussion about what the certificates cover, the particular pieces.

I'll give you a prime example, and this comes from lived experience, not from that conversation. In family law, if you can address matters in the front end of the dispute, then it's certainly easier to de-escalate things, but the way that some of the certificates are designed, the pay comes at the other end. The incentive isn't there to do the tough slog in the front end, to try to get the dispute

resolved and not have to get to the other end. So there needs to be a good hard look at some of that realignment so that we're serving people the best we can, and so it's not just about, quite frankly, paying the lawyer, it's about making sure people are getting the service they need when they need it, on the right end. So in terms of the certificate program, that's a piece that we're looking at.

In terms of the clinics, it's making sure they're serving their communities, making sure they're doing things that meet the needs of their community, and part of that is why, in the review, we debated quite openly about whether those community boards were necessary or not. We ultimately understood that they are because they help reflect the community and they can articulate what the clinic should be doing, within boundaries, and they serve different pieces. I was in Renfrew, having a chat with the clinic director there. They have a very different need than a Willowdale legal clinic. They're all a little bit different. They're allowed to be different because they serve different communities, and we need to enhance resources in terms of technology, in terms of connectivity and in terms of being able to serve those very different communities.

The Chair (Mr. Lorne Coe): MPP Kusendova, please.

Ms. Natalia Kusendova-Bashta: Thank you so much, Chair.

Bonjour, monsieur le Procureur général. Thank you so much for your presentation this morning. I also wanted to thank you for visiting the Mississauga Community Legal Services clinic. I think it was early on in your mandate. You came, you visited; you had a lot of insightful conversations with the hard-working staff there, which I do believe helped inform your policy.

Today, I wanted to ask you about, of course, franco-phone affairs, as Minister Mulroney and I were engaged with the 1.5 million Ontarians who speak French and they deserve equitable access to justice. Similarly to what MPP Collard said, we really want to congratulate your ministry for the changes that came into effect on February 1, 2022, which will enable us, through the Accelerating Access to Justice Act, to provide a better experience for francophones accessing the court system, including their right to file documents written in French at all Ontario courts in all types of proceedings, as well as request and receive the translation of any filed documents into English, or documents filed in English into French.

I have to say, I'm always very impressed when we have our regular meetings of—we have a committee of franco-phone affairs, which is made up of different stakeholders. Different ministries come and present to this committee on their work on francophone affairs, and I get the privilege to sit in and listen. I have to say, every single time that the Ministry of the Attorney General comes and presents, your presentation is always the best one, and that goes to show the engagement of not only yourself but also your staff to really delivering services for our French-speaking population.

Can you tell us a little bit more about some future plans or future engagements that your ministry is working on to really ensure that francophones living across this province—and we know that we live in a very heterogeneous

province, right? As MPP Collard mentioned, maybe in the north there may be some challenges in terms of accessing French-language services. What are some of your priorities on francophone issues in the coming years?

Hon. Doug Downey: Where I draw some of the ideas—from your committee and your involvement, of course, and Minister Mulroney’s involvement. But I also get input from AJEFO, which is a legal organization that is very helpful. There is a committee headed up by Justice Rouleau that spans all different experiences in the legal world, and they bring ideas. That’s where some of the ideas come from. He’s a little busy right now in Ottawa doing the inquiry, so I haven’t chatted with him, obviously, recently. But I look forward to talking to that committee about where they see priorities. There’s obviously more to do. Making sure that we have French services in the tribunal system, for instance, is something that we’re looking at. We have, and we’re making sure that we have, adjudicators who are bilingual. That’s part of our search criteria when we’re looking at people.

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The other pieces, in terms of—I mentioned judges and how the JPs and judges—that when Chief Justice Maisonneuve identifies a need—but we don’t actually track. So I think that’s a next step, measuring. I can’t actually tell you how many bilingual judges and JPs we have. That’s not a metric that has been tracked. I think that’s important so that we understand where they are as they move around as well. So I think measuring is the next most important thing.

Ms. Natalia Kusendova-Bashta I have one more question with regard to the staffing. Maybe this is for one of your team members present here. I know when there is initial recruitment, the ability to speak French is one of the things that your ministry does look at, and I do know that there are initiatives within your ministry that actually help—if someone has, let’s say, a low level of French but they would like to increase and train, I know your ministry does support this kind of staff development.

I’m not sure if you’re the best person to answer the question or someone from your team, but if you could just highlight some of those staffing initiatives to improve French language in the Ministry of the Attorney General.

Hon. Doug Downey: Yes, absolutely, we encourage it. I don’t know if there’s a staff member available who would address the programs, so I’ll just pause for a moment to see.

The Chair (Mr. Lorne Coe): Good morning. If you could please identify yourself for Hansard: your name and your title within the ministry.

Ms. Paula Reid: Sure. My name is Paula Reid. I’m the chief administrative officer and assistant deputy minister for corporate services for the Ministry of the Attorney General.

We do do a number of investments in our own staff to ensure that they have the ability to have the right level of French to provide access to French in the way that our francophone clients would like. There are a number of things that we do. There’s staff training within our own

system, and that is for crowns, court staff, our judiciary partners. We also are very key on strategic planning within the ministry to make sure we’re providing the right training in French, as well, to be able to do access. But also, we get out to speak to our stakeholders to ensure that we get feedback on how we’re delivering that access in French so that they can help us better inform how we do train staff.

It’s something that we offer right across the board, and because we also serve the Solicitor General for francophone affairs, that also helps us with those connected pieces on the training so that all of the justice partners are getting the right level of service.

Does that answer your question okay?

Ms. Natalia Kusendova-Bashta: Yes. Merci beaucoup.

The Chair (Mr. Lorne Coe): Yes, thank you very much for that response. I have MPP Ke, please.

Mr. Vincent Ke: Thank you, Minister. Thank you for coming to the presentation today. My question is about the Landlord and Tenant Board. I think MPP Collard was already asking this. Thank you to the ministry for working so hard to try to solve the problem. I know that COVID-19 has a large backlog, and we know this issue has come up. It’s not just now; it’s been a long time. Some of our colleagues are also bringing these issues up in our caucus meetings. Again, thank you to your ministry for working hard to solve this problem.

But my question is, it seems to me it’s still getting stuck there. It’s there, waiting, for long time. I know a lot of the owners, they call our office. The interest is so high and if they don’t get the rent, they’re in big trouble, a big problem. So can you tell us, do you have a plan or estimate when, really, this problem can be solved? If the funding is not enough, are you planning to fund more money, hire more judges and speed up?

Hon. Doug Downey: Thank you for the question. It is something I think all of our offices get calls about. I’m not being partisan about this when I say the system didn’t get a lot of attention until we came along. I don’t know why, but we’re here to fix it, so I’ll just leave it at that—and I’m talking about the technology and the other pieces.

In terms of how the Landlord and Tenant Board works, the Attorney General’s office runs the tribunal, but the rules that it runs under are under a different ministry. Those rules have changed a little bit over time. There may be some more room to make those changes so that we can have the machine run more optimally with altered rules. But I’m going to go forward and we’re going to go forward as a team assuming that those rules aren’t going to change. So if those rules aren’t going to change at all, then yes, we’ve put more adjudicators in, we’ve put technology in, we’ve put training in—we’ve done a number of things. So even though we are still behind, we are climbing out of it. There’s actually progress happening, but it’s hard to see the progress when we’re starting from where we were. You will see marked change in the next relatively short period of time.

The technology that I referenced from BC that we’ve deployed is fully operational and will be fully phased in

by the end of this calendar year. So within about a month, the old system will—we're running two systems right now, to make sure that we have redundancy while the new system is up and running. That system is running and the other one will be shuttered. The old system, which was quite a creaky boat, is going to be put in dry dock so that we can move forward with the new technology. That will allow us to put our resources and focus just on running the one system, instead of running dual systems. That will happen by Christmas.

Mr. Vincent Ke: Okay. Good.

The Chair (Mr. Lorne Coe): Thank you for that response. I have MPP Jones, please.

Mr. Trevor Jones: Good morning, Minister. Thank you for your presentation. I can appreciate a new, modern facility, like any client or staff member, as good as anyone else can, but what was the business rationale behind the construction of the new Toronto courthouse? With a number of existing courthouses used in the GTA, including the one at Old City Hall right down the road, why was this project approved? Why did it carry through when, really, access to justice is what Ontarians need?

Hon. Doug Downey: It's a great question. In terms of the facilities that existed, some of them are quite old, antiquated, very difficult to update. The decision point—I think I referenced it in my opening remarks—was about a decade ago, and it was after wide consultation. There are still people wanting to talk about “good idea, bad idea” and how you do it. I can tell you, it is a state-of-the-art facility. It has things in it that are—again, we're leaders in Canada with this facility. It's very modern.

Over the course of that 10 years, there were a lot of iterative discussions about what should and shouldn't be. Again, we're lucky, quite frankly, that it was started, and I'll give credit to the previous government for making that tough decision. They put us on this path, but they did a lot of consultation. I was a member of one of the law associations as a private practice lawyer during that period when those discussions were happening, so I paid attention then, and then, of course, being very privileged to be where I am now, saw the other side of it. I can tell you, the discussions were quite open and transparent about what was going to happen, because that is what's happening. It's going to allow us to have a real jewel in our court system.

The Attorney General's office is the second-largest land manager in government, which may be surprising. To be fair, the Ministry of Education isn't included in that because the school boards run those, but it's a sizable footprint. We have an excellent, excellent team that manages the buildouts and all of that.

We're also doing an expansion. I don't know—well, I do know why. In Brampton, the building was half-built. It wasn't actually finished. The Liberal government shelled the top half but allocated no money to finish it. We're finishing that too. Brampton is the busiest courthouse in Canada. We're putting more resources in there. We're making sure the judicial complements are up and we're making sure those pieces are happening.

The physical structure of courthouses is a high priority for us, but so is, quite frankly, high-tech meeting rooms, because that's where a lot of justice can happen. We've made some tough decisions around what we fund and don't fund and where we expand and don't expand.

The Chair (Mr. Lorne Coe): Yes, MPP Hogarth. You have three minutes left in your time.

Ms. Christine Hogarth: Okay. We talked about Landlord and Tenant Board; I know my colleague Vincent Ke asked the question. What do you think is a fair timeline to wait for a hearing through the Landlord and Tenant Board?

Hon. Doug Downey: Well, I can tell you, by the time you get to the Landlord and Tenant Board, you're already feeling behind, so it's pretty hard to say what I think a fair time is. What we want to do is help people resolve their disputes without a hearing if we can, so early mediation, early intervention and some of those resources are equally important.

I talked about family law; it's similar in landlord-tenant. These are tough times in people's lives. They're very, very difficult times, when you're talking about your housing and you're talking about your situation.

I don't want to give a specific number, but we do measure. We have metrics that tell us how long from inquiry to next step to next step to next step. There are some goal posts and we get some feedback. Again, ask me the question in the next year, once you see what's about to happen with the system as it changes, and we'll have some metrics under the new system moving. But I'm excited about what's been happening in BC with their system and their metrics. They've been holding strong, and I really hope that we can help people resolve their issues before they have to go to a formal hearing.

Ms. Christine Hogarth: I appreciate those comments, and it probably was unfair because the system hasn't been in place for very long. Are you finding people utilizing the arbitration piece?

Hon. Doug Downey: When they can, yes; when it's available and when they can, they do. Again, so much of landlord-tenant and so much of court in general is about education—people just knowing where the boundaries are, people knowing what you can and can't do and how the system works. You know, it's a foreign place, all these rules and all these things. The more we can educate people on the front end, the more often things will resolve. If you leave them too long, then they fester and other problems develop. That's what we want to avoid.

Ms. Christine Hogarth: So, Attorney General, what would be your best advice to landlords and tenants—this is estimates; we're talking about funding—to utilize the system that's available?

Hon. Doug Downey: Well, I've always told clients that communication is key. If you're going to have difficulty in some situation, communicate with the other party, either through somebody or directly. That, quite frankly, 90% of the time, leads to a result. But if people don't communicate or they don't have trust in each other, that leads to challenges. If I was to tell them anything, that's what I would say.

Ms. Christine Hogarth: I appreciate that. Thank you.

The Chair (Mr. Lorne Coe): Thank you very much. Thank you, Minister, for your participation this morning, and to your staff as well. To the committee members, thank you all for your participation.

We'll be recessing now until 3 p.m. and we'll be resuming our questioning for the Ministry of the Attorney General.

This committee now is in recess until 3 p.m. this afternoon.

The committee recessed from 1014 to 1500.

The Chair (Mr. Lorne Coe): Good afternoon, everyone. Thank you for being back here at the committee. We're going to resume consideration of vote 301 of the estimates of the Ministry of the Attorney General. There is now a total of 50 minutes remaining for the review of those estimates.

Earlier this morning, I established the parameters for what we're doing here today. I want to restate one part, so that everyone is working with the same knowledgeability. It must be noted that the onus is on the members asking the questions to make the questioning relevant to the estimates under consideration. I'm going to allow some leeway, but if it's too broad, I'll rule you out of order and then you've lost your spot. I think that's a reasonable approach that I'm going to be taking. We established those parameters at the beginning of the day; I'd like us just to work within those parameters so that we can have a productive session here as they work towards the end of the session at 6 o'clock tonight.

When the committee recessed this morning, the government had just finished their round of questions. We will now move on to the official opposition for 20 minutes.

MPP Wong-Tam, please. Thank you.

MPP Kristyn Wong-Tam: Thank you very much, Chair. I hope everyone has had a good lunch break. It was nice to see everybody at the Métis flag-raising.

The next round of questions to the Attorney General is specifically around the tribunal. I did give you a heads-up of where I was going, just to give you some time to think it through.

Let me begin by saying that I think the Ontario tribunal system is really important. It's one way of diverting people from the court system itself, and the tribunal system is where there's quite a bit of stress, I would say, at the moment. Through the tribunal cases that we do hear about, and including the ones that we don't hear about, it's one of the most common places in Ontario where residents of Ontario actually interact with the justice system.

I have noted that Tribunal Watch Ontario has asked that we all consider—and I think they asked all Ontarians, including the adjudicators and those who work in the justice system—who the people seeking justice are. Oftentimes those individuals are people who have gotten into an automobile accident and who have been denied a valid claim for compensation, so they need to seek recourse elsewhere. It could be someone who has just been fired from their job for discriminatory reasons and they are looking for recourse. It could be someone who's been

diagnosed with a serious health condition, but are somehow denied disability benefits. It could be someone who's looking for recourse because their landlord is not fixing a heating system or an elevator in the building in a timely fashion and that's rendering them unable to live there, or they are trying to evict them illegally.

These are individuals in Ontario who are seeking access to justice through the tribunal system, and this system is really the most accessible. It should be the most accessible avenue for justice hearings. But I think we're also hearing—and I certainly have—that a number of individuals who have been trying to access the tribunal system have been met with some difficult barriers for a number of reasons. So I'm going to go through why some of the tribunals are failing to meet their mandate, failing to meet their service standards and how this could be addressed, especially when we start with making sure that the ministry is able to appoint the appropriate number of tribunal members to fill the current vacancies.

From 2018 to 2020, the Environmental Review Tribunal went from 12 adjudicators to four. The Human Rights Tribunal went from 57 to 22 adjudicators. The Landlord and Tenant Board went from 54 to 40 adjudicators. The Social Benefits Tribunal went from 38 to 21 adjudicators—significant drops in the number of people actually overhearing tribunal hearings, which would possibly speak to one of the reasons why we see the delays.

It also seems from briefing material that, despite the fact there are fewer resources being allocated, we are also seeing that, year over year, the service standards are slipping. I want to just note in the briefing notes we have received that, in 2021-20, the program received \$205 million but, in 2021-22, the program underspent by \$20 million for a total decrease in spending, year over year, by \$60 million. The estimates projected that the program will receive even less funding this year. So what we're seeing is a trend where there's actually less money going into the system.

There is a decrease of more than \$60 million this year from the previous years spent in salaries. Minister, what accounts for the reduction in staffing? In what ways has the department capacity been decreased? How many adjudicator vacancies are there in the Ontario tribunal system, and how many adjudicators are currently on temporary appointments, waiting for permanent appointments?

I'll have a few other questions to ask once you've been able to get through those—and, Minister, if I can ask you to answer the questions. In the earlier portion of the morning, you tried to answer my legal aid question, but you went through an explanation of Legal Aid Ontario. There's no need for the explanation. Just see if you can get through those numbers a little bit faster.

The Chair (Mr. Lorne Coe): Minister, before you respond: There might be people just joining us this afternoon watching these estimates. So I'd like to introduce, for those people who have just joined us, the Honourable Doug Downey, the Attorney General of Ontario.

Minister, when you're ready to respond.

Hon. Doug Downey: Thank you, Mr. Chair. I'm trying to answer fully so that people do understand the context of what the answers mean. We can't assume everybody is as experienced or has interacted as much as individual MPPs have. I think it's important when I answer questions that I give proper context so that we know what we're talking about. I think that's part of access to justice. That's part of making sure the people understand the system that they're in.

I agree with your premise that it's a very, very important space for individuals to interact with the justice system. Not everybody knows that the tribunals are formally part of the justice system; they just know that's where they go to try to get something fixed. They don't think of it as a court per se or as a tribunal. The independence is a really important piece. The impartiality is a really important piece.

I was asked this morning about numbers. I think MPP Collard asked me a question about numbers in terms of adjudicators on the Landlord and Tenant Board. Between then and now, I've had a look. I think you said in 2018 there were 54 members. Can I clarify that that's the number that you were working from?

MPP Kristyn Wong-Tam: With respect to which—

Hon. Doug Downey: The Landlord and Tenant Board.

MPP Kristyn Wong-Tam: The Landlord and Tenant Board, in 2018 to 2020, went from 54 to 40.

Hon. Doug Downey: So our numbers differ a little bit, but we're close in terms of that 54 number. I said earlier today that we have 82 current adjudicators in the Landlord and Tenant Board, and so I think that speaks to the kind of investment not just in the structure and whatnot, but in the actual adjudicators. Let me just flip for a second. I'm going to give you the proper breakdown for that: as of November 14, which is this week, 36 full-time and 46 part-time, to give you the proper split.

You also referenced the environmental tribunal. We did a reorganization on tribunals for the public—because, you're absolutely right, everything that I've done in terms of modernization of the system is focused on the end-user, keeping the principles of impartiality and independence. What we did is we took the land tribunals—there were five tribunals that all dealt with land issues, and when people were trying to access the system, they would often have multiple tracks for the same development or for the same dispute. We put them together into the Ontario Land Tribunal to serve the individual better, so that they could actually connect to their system in a more efficient way.

MPP Kristyn Wong-Tam: Minister, if I can just take my time back—I didn't ask about the Ontario Land Tribunal. I guess what I'm looking for is the actual count for staffing reductions, because we're hearing that the wait times and the delays for tribunal access are getting longer and longer. I'm just very interested in knowing, where are we with respect to staffing, with respect to department capacity being decreased? You mentioned some appointments have come through, but I'm very interested in knowing how many more vacancies there are. When will

the government actually be fulfilling them? And if they're part-time, then why are they part-time? Recognizing how busy the tribunal systems are, why part-time appointments? And how long is the elapsed time between appointments?

Hon. Doug Downey: In terms of how many vacancies there are, every day it changes, because people—

MPP Kristyn Wong-Tam: What about today?

Hon. Doug Downey: Can I answer the question?

MPP Kristyn Wong-Tam: Yes.

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Hon. Doug Downey: Every day it changes, because people either time out, don't want to be renewed or they lose interest in the subject matter and they want to move on. So we're constantly advertising—constantly advertising—to have people come in across the system, in all the tribunals.

I'll answer the part-time question: "Why are so many part-time?" There are areas of expertise a lot of these tribunals have, especially the Landlord and Tenant Board. You need to have a command of the act and how it works. There are several members who aren't prepared to leave their law practice to work full-time as a landlord-tenant adjudicator. They are prepared—as a public service, almost—to participate as a part-time adjudicator so that they can, quite frankly, help the system and make good decisions.

The training that goes into them, into any of the adjudication positions—it takes several months to get someone trained up, and people don't always want to be full-time. So that's why the part-time, generally, and it gives flexibility to the associate chair and the system to place people where most needed, so that we're not running a roster of all full-time people. It's been like that, I think, as far as anybody can remember.

MPP Kristyn Wong-Tam: Can I just ask, with respect to the temporary appointments, how many adjudicators are currently temporary appointments?

Hon. Doug Downey: Can you define what you mean by "temporary"?

MPP Kristyn Wong-Tam: I guess temporary is when they're part-time or they are holding interim patterns until you get more staffed up. The crux of my question on what's driving this is, how do we ensure that we have the tribunal system fully staffed up where we can meet the service standards set out by the ministry so that those who are seeking access to justice can get it in a timely fashion? Because I think we can all agree that no one should wait eight months for a hearing at the Landlord and Tenant Board, or perhaps longer in some other adjudicating bodies.

So that's what I'm trying to drill down on understanding. What is the government's plan to ensure that all of these positions are filled as quickly as possible so that we can actually get to a place where the service standards are adequately met so we can ensure that Ontarians who are seeking access will know that the system works for them and they can access the justice and the hearing in a timely fashion?

Hon. Doug Downey: The way that we try to keep the allocation full—we advertise to the public and people apply, and this takes time. They do a vetting, and that’s done by the associate chair or two or three independent chairs. They do the vetting of it. They do the interviews for it. They make recommendations up the line. It goes through the executive director. It’s not something that happens over the course of a month or even two months. It’s quite longer than that. We’re trying to find ways to speed it up so that we can move people as vacancies come.

In a different committee, they review the appointments, and you can see reappointments happening for people that are currently about five to six months out now—we’re in that range—to make sure that people have certainty and they don’t leave the current appointment because they’re not sure if they’re going to be able to stay. We’re trying to create that certainty for them.

MPP Kristyn Wong-Tam: Just coming back to my question around the vacancies for adjudicators, I recognize that it does take some time to hire the right people, make sure that they’re qualified in the expertise that they’re supposed to be administering in. But I guess, if we’ve been sort of maybe—if we can just answer very simply, how many vacancies are there in the tribunal system? How many adjudicators are there today? How many vacant positions need to be fulfilled, and when might they be fulfilled? Yes, I understand it changes from day to day, but I can’t imagine it’s changing hour by hour. So at this time, this day, how many vacancies are there in the tribunal system?

Hon. Doug Downey: Well, I don’t have a dynamic dashboard in front of me that changes every day. We rely on the chairs—

MPP Kristyn Wong-Tam: But you mentioned it changed every day.

Hon. Doug Downey: We rely on the chairs, when we do the advertisement, for them to do the interviews, for them to make recommendations through—it’s not appropriate for me, because they’re independent, to be in there and say, “You need 10 more members.” That’s not how it works at all.

MPP Kristyn Wong-Tam: If you’re establishing standards, where the tribunals have to meet certain standards—so the estimated amount of time that it takes to set up a hearing—then I would imagine that you can do some simple math that it would take this many adjudicators for this many hearings a day, estimate a time for the hearing, so, therefore, we have to clear the backlog. For those who are in the backlog and who are waiting for their day in the tribunal court, how long should they be waiting? That’s why I’m trying to get to how many vacancies are there.

And if you don’t have the answer now, Minister, that’s fine. I’m sure I’m not the only person who is interested in the answer. But how many vacancies are there in the tribunal system? You can break it down by tribunal. And then, the estimated amount of time to actually have those appointments fulfilled would be very helpful, and when those service standards would be met. If I can have that

information in a couple of days, in a week, it would be very helpful. Can someone in the ministry make that commitment that I can get that information?

Hon. Doug Downey: No, I can’t do that for you, because it’s an independent tribunal that makes decisions operationally on what they need. For instance, with the Landlord and Tenant Board, there are 82 members. They would have to vet every case to understand how much time each case needs, and I can tell you, if you’ve ever been to court, the judge always says, “How much time do you need?” Counsel will often say 10 minutes, 15 minutes, five minutes; it’s never that. It’s always more or less or whatnot. So that’s the job of the chairs of the different tribunals, to manage the caseload.

It’s not a situation where we’re being prescriptive, to tell them, “You need X amount of adjudicators”—

MPP Kristyn Wong-Tam: Sorry, Minister. Who sets the minimum standards, the service standards?

Hon. Doug Downey: The standards are done in coordination through the executive director of tribunals writ large. There’s an alternate executive chair there, as well. They work with the individual associate chairs, who really run the individual tribunals. It’s a very iterative discussion among a group of professionals about what resources are needed.

Let me touch on a different piece, because what you were really asking for was, how can we—

MPP Kristyn Wong-Tam: The vacancies.

Hon. Doug Downey: Well, you’re saying “vacancies,” but you’re tying efficiency and you’re tying the ability to do hearings strictly to vacancies. It’s much more complicated than that.

MPP Kristyn Wong-Tam: Not quite. I was—

Hon. Doug Downey: Well, it is more complicated than that, because—

MPP Kristyn Wong-Tam: That’s not what I was saying.

Hon. Doug Downey: You were. What you said was that you want to know how many more adjudicators we need so that—

MPP Kristyn Wong-Tam: To meet the service standards.

Hon. Doug Downey: No, so that we can deal with the backlog. That’s where you started.

MPP Kristyn Wong-Tam: Well, I mean, part of the backlog is part of the service standards.

Hon. Doug Downey: Sure, but it’s much more complicated, because the system that they work within has also needed attention.

We started off this conversation this afternoon talking about how tribunals are fairly unknown to most people until they encounter them for a reason, right? They don’t think about them like they think about courts or the justice system. Similarly, previous governments didn’t give them much thought either, because what we found when we came into government in 2018 was a lot of neglect, both in systems and in terms of how the services were being delivered.

So it has been a constant modernization effort to try to bring them up to standard. The computer systems alone, I mean—in a totally different department, do you know what COBOL is? The COBOL computing language? Some of the government systems were running on COBOL.

MPP Kristyn Wong-Tam: Minister, my clock is running. This is a very large ministry. It's a very significant issue that faces many Ontarians. At another time, we can discuss COBOL.

I'm very interested in understanding how to make sure that the system has the resources it needs so it therefore can function and meet the service standards so Ontarians can get access to justice. Maybe I'm going to come at it in a different way, and then we're going to move on, just because I know I'm going to run out of time. And I'm very interested in the answer. If I don't get the answers today, if I can get the answers even off-line or perhaps through a different venue, that's satisfactory to me.

I guess what I'd like to do is perhaps ask a question about if you would consider establishing an adjudicative tribunal justice council to provide some independent oversight of the adjudicative system, to ensure that it has a competitive, merit-based process for appointments and that appointments and reappointments are made in a timely fashion. Perhaps that may help with the vacancies and service gaps.

Hon. Doug Downey: So let me capture that. What's the name of the position?

MPP Kristyn Wong-Tam: It's not necessarily a position. I guess it's more of a process. It's establishing an adjudicative tribunal justice council to provide some independent oversight of the adjudicative system; therefore, it will help perhaps provide some guidance on how the adjudicators are appointed. It could be done very quickly so that you could actually meet those service standards, meaning that Ontarians can have access to justice.

That would be within your power, I believe. It's a recommendation that has come through a couple of legal channels, through Tribunal Watch Ontario. They've been watching—obviously, they do a lot of great work on behalf of all Ontarians through the legal profession and through the professional adjudicators. They want the system to work, and I think what I'm seeing and what I'm hearing is that those who are in the system trying to make it work are saying it doesn't work. So they're coming up with proactive, constructive recommendations that you as a minister would be empowered to take on, if you should, to see if that would help clear the backlog, help meet the service standards, help fill the vacancies in a more expedited manner.

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Hon. Doug Downey: So the recommendation is an independent person to oversee the independent executive director who works with the independent alternate executive director who works with the independent associate chairs—

MPP Kristyn Wong-Tam: It would be a council so that you can strip away all the other stuff that you can put it into—

Hon. Doug Downey: So they're just going to hire everybody?

MPP Kristyn Wong-Tam: No, no, it's to make sure—

Hon. Doug Downey: Well, we have a—

MPP Kristyn Wong-Tam: It's to make sure that there's an independent body that can provide some advice so that Tribunals Ontario can meet their own service standards, that their own service standards fulfill the vacancies very quickly because, obviously, we want to make sure that people have access to justice. I don't believe there's anybody here who doesn't want that, but we seem to be at a bit of an impasse on how to get that done—

The Chair (Mr. Lorne Coe): Thank you, MPP Wong-Tam. Your time has concluded for the opposition.

I'll now go to Mr. Bailey and the government.

Mr. Robert Bailey: Thank you, Chair, and through you to the Attorney General and his parliamentary assistant, who's joined him here today: Thank you for, so far, the presentation you've done since this morning. I've listened to it intently. I wanted to go to a different area, and give you a break from tribunals and that.

One of my favourite issues from back home in Sarnia-Lambton—and I'd like you to explain it a little more, maybe for the edification of others that are listening at home or even some members like myself that don't understand the court system too much—I have a lot of problems back home in my riding, and I'm sure others do too, with the Family Court and family law. One of the things I've been told by the Family Court lawyers back home is what we need in Sarnia-Lambton is a unified court system. I think I spoke to you about this before, but I'd really like, if you had a few minutes, if you could explain to me and other members of this committee how the unified court system works and where the fallback is. Is it with the federal government or is it—it's not totally within our purview to change it, right?

Hon. Doug Downey: Thank you for the question. Unified Family Court is a concept that was first brought into Ontario in 1979, in Hamilton. It sat there for 10 years, on its own, in the one jurisdiction. And what it does—currently, if you're going through family law issues, if the individuals are going through family law issues, depending on the content of the issue, you may be in the Ontario Court of Justice or the Superior Court of Justice—one or the other, depending on content matter. Historically, it makes some sense for where it came from, but operationally, it doesn't make a lot of sense. It's very confusing to people which court they should be in and whatnot.

So in 1979, it was brought in in Hamilton, sat for 10 years and then started to get expanded. Now, the way that it happens is a judge, an individual judge, is what's called dual-patented, so they're given a judgeship in Ontario and federally—that's where the feds come into it. Again, operationally, what happens is, quite frankly, the federal government uploads the cost of that judge, at the end of the day. That's what happens. The province runs the administration, so we still pay for the machinery around that judge, the clerks and transcriptionists and all that good

stuff, the reporters, but the challenge—and we're about halfway there in Ontario, about halfway there.

What we need is an agreement with the federal government that they will help us get the rest of the way. And it's something that I've made a fairly high priority in terms of discussing it with the federal Attorney General, Minister Lametti. He knows it's a high priority for me. And they had actually authorized a number of what we call UFC, unified Family Court, positions to a different provincial jurisdiction. They had allocated money and they were prepared to do it. Well, that jurisdiction has effectively said, "We want the money, but we want to do what we want with the judges. We don't want the UFC constrained." So there's an active discussion happening there. I've said, "We'll take them. We'll take them." It will cost us some money in terms of the administration around it, but it's way more efficient.

MPP Wong-Tam's point about the ultimate end-user being where the focus should be—that's what this is about, making sure that when people encounter the system, they're doing it in as predictable and as simple a way as possible.

I think if we could finish the job, get the other half of the province done—there are about five judges up north, in the Far North. Toronto is not UFC, and should be, and then some scattering around the province. We've made some progress on it during the last couple of years, but there's much, much more to go.

Mr. Robert Bailey: Thank you. I'll yield to my colleagues.

The Chair (Mr. Lorne Coe): MPP Riddell, please.

Mr. Brian Riddell: My question is about cannabis. But before I start, I'd like to say thank you for your presentation. I've learned a lot today, listening to you.

Since the legalization of cannabis from the federal government, I've seen my Cambridge riding start to blossom with cannabis stores all over the place. I was just wondering, will the government limit where stores can open or give municipalities control over potential store locations?

Hon. Doug Downey: It's a great question. As you know, the federal government decided we were going to be in the business. So the province was charged with rolling it out, as it were—or rolling it up, whatever. Part of the challenge—I'm going to distinguish, in the cannabis world, because you probably see this in your riding as well. One of the major issues we have is strictly federal. It's the health prescription cannabis that people can allow others to grow in another spot. So we have these grow ops, quite frankly, growing way more than an individual can consume. The feds know it. That's a challenge in our agricultural areas. Several of the MPPs would have that issue.

When it turns to the actual retail sale, what happened? We got elected in 2018, and we had to make a decision on how we were going to move forward. We believed, I believe—I happened to be the parliamentary assistant over in Ministry of Finance when this started, so I got to do the consultation. I went around Ontario, in a variety of

ridings—I went to Hamilton, I went to Niagara, I went to a number of different places—to say, "How should we do this? What does this look like?" Because there were a lot of illegal cannabis stores. Hamilton, the day I was there, had 53 illegal. This was before it became legal; it had 53. Later on, I was down in Niagara. They said, "We virtually have none." I said, "How can that be?" They said, "Well, part of the other criminal industries that are down here don't want the distraction, so they govern themselves." It was a real hodgepodge all over the province.

There were illegal stores everywhere, and our key goals were to protect communities, deal with that black market and protect the children. Everything we did revolved around that. That's why the stores—you can't see in them. There's a variety of safeguards in there. You have to get the CannSell certificate to work in them. It's like Smart Serve but for cannabis.

To answer your question directly, we had the discussion about whether—and we let municipalities opt in or opt out. Some are still out; most are in. But we made it a one-way: "Once you're in, you're in, so think about it." Municipalities opted in, by and large. Some municipalities said, "We want to control where they are. We want to use municipal bylaws to control locations." We said, "Well, we think the free market can deal with this," because what will happen—and this has happened in other industries, where they out-zone them. So they don't say, "We're not going to allow them," but they out-zone them so they can't be where the consumer is. If the federal government decided this was going to be a legal product, it's going to be a legal product. So we let them set up where they were. We didn't want that extra level of bureaucracy, through the municipality, to have to deal with, and by all accounts, a lot of stores have opened. I've talked to a lot of municipalities throughout since. Kitchener-Waterloo has about nine in a very concentrated area, and there are some others that are pretty dense.

I'd say ongoing discussion about where the future goes with some of this, but I don't think there are any moves at the moment in terms of, quite frankly, passing down the decision-making.

If you remember back when windmills were starting—you would have been paying attention. They took away the right of municipalities to have input into that. It was a Liberal MPP, Jeff Leal, at the time, who I was chatting with. I was on municipal council. He said, "You can thank us, because we're solely responsible." So we have to take ownership of that. We've decided the path we're going to take as a province, and that's the path that we're on for the moment. Municipalities aren't burdened with the credit or the blame.

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Mr. Brian Riddell: For Cambridge downtown, the main street, I think there are three or four stores in a very close proximity. It's far enough away from school. It's far enough away from kids, but that was my question. I was just wondering if we were going to pass that down. But thank you very much for your answer.

Hon. Doug Downey: If I can just—one more piece, Mr. Chair, just to respond to that. When you look at car dealers,

they're often all together, and there's a reason for that. So we looked at those models to say, "Are we smarter than the market?" And we decided that we weren't. But you're starting to see that if the demand is not there, there won't be three stores there very long, and the market will sort itself out.

The Chair (Mr. Lorne Coe): Yes, MPP Jones, please

Mr. Trevor Jones: Through you, Chair: Thank you, Minister. I'm interested in learning more about the investments we've made in virtual and hybrid courts, having been a participant in the court processes for over 20 years as a crown and a witness, someone who has supported victims of crime and witnesses to criminal investigations. What have we done? What have we learned, best practices, through our experience in the last two years? And the investments we've made—were they the right money, the right time, right place for those best practices as opposed to going back to traditional in-person court all the time?

Hon. Doug Downey: Yes, it's actually a live discussion. We have made such significant investments in technology, but we didn't just put money into computers. We've changed processes. And there's been some real successes, significant successes.

Back early on, there was a sentencing hearing or disposition that was broadcast through YouTube, and 30,000 people watched it. It was a very politically charged, if I can call it that, incident, and 30,000 people tuned in to watch it. And I'm convinced—and there was no aftershock effect of that, because I think people saw their system in action. I think they saw that it was straight from the horse's mouth, as it were, as the judge actually explained the rationale and made the decision. I think that kind of thing is fantastic; the open court principle on steroids.

We've had really neat examples. There was a large court matter that had about a thousand people interested in it. It was a time-share condo situation that was being dealt with through the courts. Of course, they had representative members in the courtroom, but the others that were affected as time-share owners could tune in. My brother-in-law's mother, who is in her eighties, on an iPad could watch it happening in real time from Parry Sound. That's phenomenal. Talk about to justice and access to your system. So that stuff is great.

Now, we have partners in this, as you know. I'm glad you clarified your role in court when you were there so that we don't cast any aspersions. The judges play a role, the police play a role, everybody plays a role in trying to decide where the water level is going to be at the end of the day. We're not there yet. We've not made a hard decision on, "This is appropriate for video and this isn't." But everybody agrees; all the chief justices, all the participants agree that it's here to stay. We're not going backwards. It's way too useful and convenient, and it has some other side effects that we didn't anticipate.

I had a judge tell me one time that he likes the video because normally he's at the dais and he's looking over here at a witness. He can look straight at them. That's a pretty powerful way to read—now, body language can be a little different, but these little things we're finding.

We're developing best practices. I'm not going to run through all the numbers, but everything from proper sound and microphones and whatnot. I can tell you, the justice system, we don't talk about it a lot, but through COVID, we led the way in terms of safety. I see some of my support structure on the screen here. We led the way in terms of COVID protections, in terms of air quality, in terms of monitoring. We really were cutting edge in terms of government, and really proud of the work we did in that as well. So it's not all just technology for hearings, it's the whole bundle.

The Chair (Mr. Lorne Coe): Thank you, MPP Jones. I'll take MPP Kusendova-Bashta, please.

Ms. Natalia Kusendova-Bashta: Thank you very much. How much time do we have left, Chair?

The Chair (Mr. Lorne Coe): We have approximately six minutes and 14 seconds.

Ms. Natalia Kusendova-Bashta: Wonderful. Thank you so much.

Minister, I wanted to change gears a little bit and talk about gender-based violence, actually. You may be asking why we're talking about gender-based violence with regard to the Ministry of the Attorney General, but I think a lot of the work that you do actually impacts gender-based violence. Yesterday we had our Minister of Women's Social and Economic Opportunity actually present to our caucus parts of the five pillars of the national action plan, as she had a meeting with her pan-Canadian counterparts.

Pillar 3 of the national action plan is having a responsive justice system. She did share the feedback from her provincial and territorial counterparts that Ontario is actually way ahead of other provinces, and we're sort of the model and we're leading the way with some of the initiatives that we've done, particularly on a topic that's near and dear to my heart, which is combatting human trafficking. I was privileged to co-lead our consultations on this topic, and of course the Ministry of the Attorney General was one of the ministries involved in putting forward our anti-human trafficking strategy, which we announced in 2021, including a \$307-million investment.

I did want to talk about some of the pillars of this anti-human trafficking strategy, which includes shedding light on the problem, protecting victims and intervening early, supporting survivors and holding offenders accountable.

Some of the things that we've heard from women and girls—because we know that about 90% of victims are women—is that testifying in court was worse than being trafficked. I know that through the Ministry of the Attorney General, we've taken concrete actions to respond to this particular issue and further enhance access and supports for victims of human trafficking in the justice sector by expanding the Victim Quick Response Program and the Vulnerable Victims and Family Fund, as well as other initiatives like, for example, expanding the pilot program which provides free legal support for persons seeking specialized human trafficking restraining orders. These are just some examples, but the Ministry of the Attorney General has certainly taken a lot of actions to

support victims of human trafficking. Could the minister highlight some of the work that we've done?

Hon. Doug Downey: Yes, and I have to say that the work that that committee did, that you guys did is—the scourge of human trafficking is just so much more prevalent than most people understand. The work that you did really set the stage for a lot of progress and got people talking about it as well.

I'm going to give you one little example of spinoff that was just because we were talking about it and trying to find better ways. When you do your Smart Serve now to be an alcohol server, there's now a module in there on human trafficking, and that's because of the work that your committee did. It allowed us to have that conversation.

There are just so many things that we need to have embedded in the system so that it just naturally happens for people, to help protect them, whether it be the VQRP+, which is a fund that can help the victims when they need something in the immediate—it could be a broken door, but it can be, quite frankly, the removal of a branding tattoo; it can be any number of things to help people in crisis when they're most vulnerable—and Boost and some organizations that help with victim services.

Through COVID, we put extra resources in. We tried to help them and we went to them and said, "What do you need?" We didn't be prescriptive and say, "We're going to give you money. Go spend it." We said, "What do you need?" Some of it was computer refreshes so they could be online where appropriate. Thank goodness we're getting this province wired with a \$4-billion investment so that we can do even more of that. But it was encouraging support dogs, victim-witness support, victims' organizations across the board. Even beyond our control, the judges are doing training, and that's embedded in awareness.

I can tell you, when I review applications for judge-ships, that's something that I look for and I've made that very known. So when people apply, they really should be addressing if they have any awareness. They don't, obviously, have to have direct experience; sometimes the individual lawyers don't have the opportunity to do that. But they certainly need to have an awareness and they need to be able to demonstrate that. It's really important that we embed it, right from top to bottom, so that we're talking the same language and we're talking the reality of what's actually happening.

The work that the committee did and the \$307 million is really quite phenomenal and really got us moving. We're not talking about it as much anymore, which is interesting, but I think as Minister Williams talks more about where Ontario is—it's great that we are in the front on all of this, but we can't let our foot off the gas. There's just so much to do.

1540

Ms. Natalia Kusendova-Bashta: Absolutely, Minister. One of the things that we've heard is that trafficking human beings is a lot more lucrative than trafficking drugs, for example. So we're seeing that a lot of criminal organizations are moving toward human trafficking and away from trafficking drugs.

Part of the work that your ministry has done is to seize \$2.5 million in cash and proceeds from this criminal activity and reinvest it into 33 projects that will help to fight human trafficking and support victims across the province. Can you highlight some of those projects that we're reinvesting this money that we seized from the criminals in?

Hon. Doug Downey: Yes, we're redeploying it in the field to help fight criminals or to support victim services. It can be as simple as funding for licence plate readers on the front of police cars so that they can find people quickly. It used to be you'd have to sit by the highways and actually look at the licence plates, but these readers can read every car that's going by on the highway—so all sorts of projects like that. And helping with capacity for, quite frankly, volunteers and victim services volunteers—

The Chair (Mr. Lorne Coe): Excuse me, Minister, I'm going to have to thank you for that response. We're now going to move to the official opposition.

MPP Stevens and MPP Wong-Tam, you have approximately eight minutes and 38 seconds. Please start with your question.

MPP Kristyn Wong-Tam: Thank you. Thirty-eight seconds. That's something we never did at council, but I appreciate that.

Thank you, Minister. I was listening to your answers intently. I think that was very helpful. I'm not going to go back to the gender-based violence piece, but I do want to talk about litigation. First of all, the government has implemented a number of laws that were controversial or perhaps unconstitutional. Those unconstitutional bills and policies then led the government to respond to a number of lawsuits, unsuccessfully defending those policies. I guess I'll just start with a few that come to mind through research and through conversation.

Mandate letters: The government lost its appeal to keep its public records secret in the Court of Appeal in January after three and a half years of litigation. You spent some time and you spent the public's money to appeal this case now to the Supreme Court. The Supreme Court hearing is not before us, so we don't know what's going to come out of that yet. I'm just curious, with respect to Ontario dollars and Ontario taxpayer money: How much money was spent on disbursements? How much money was spent on external counsel, if you had to hire someone externally? And what were the adverse costs and how much was that, as it relates to defending keeping those mandate letters secret?

Hon. Doug Downey: It's obviously a highly charged political question. It's before the courts. I can't answer it.

MPP Kristyn Wong-Tam: I'm asking about the Court of Appeal process, in terms of the money that was spent there.

Hon. Doug Downey: The matter is in front of the courts. I'm not going to address it.

MPP Kristyn Wong-Tam: Will I get an answer, perhaps, on the next question? Maybe you can think about this. Gas pump stickers: The government violated freedom of speech by attempting to mandate that gas stations place

a sticker on gas pumps attacking political opponents; in this case, it was another order of government. It seemed there was some knowingness on the government's part that, by implementing this mandatory gas pump sticker, it would be unconstitutional. There was no surprise that there was a constitutional challenge through the Canadian Civil Liberties Association. But the stickers still stayed up for a length of time that was long enough to deliver a message to a political opponent. This was done at the expense of individual charter rights and freedoms.

My questions to you, Minister: How much money was spent on disbursements? How much money was spent on external counsel? What were the cost awards, especially since they were adverse, and specifically, how much? And were there any damages awarded, and how much?

Hon. Doug Downey: All those questions—anything that is public is public. But I can tell you, the most offensive thing about the gas stickers is that they weren't high enough, because the price of gas right now and the way it's affecting our economy and the way it's affecting the transport of goods—it's unbelievable to me the carbon tax that is embedded in our gas—

MPP Kristyn Wong-Tam: Minister, I was asking you about cost awards. You were just commenting that you couldn't comment on that, but now you're commenting on the fact that you wanted bigger stickers—

Hon. Doug Downey: No, it's not the size of the stickers. It's just very—anyway, I will reserve my comments about that, because we're not talking about the carbon tax in particular. But in terms of what are public costs and that list of questions, we can tell you what I can tell you publicly. I don't have them at my fingertips, but I'll get back to you on that.

MPP Kristyn Wong-Tam: Okay. I would like that very much. We are in the process of determining estimates, so we're talking about numbers, we're talking about finances. On behalf of the taxpayers of Ontario, we just want to know how much we had to pay out.

Carbon taxing—this is where you were going. The provincial government sued the federal government regarding the carbon pricing program. Despite the outcome of the litigation, it was reasonably clear from the onset that the claim failed in its claim at every judicial level. The government then continued to funnel money into litigation, until ultimately they lost at the Supreme Court of Canada.

Minister, I'm very interested in knowing, and I'm sure Ontarians are as well: What was the money spent on disbursements, the money spent on third-party external counsel? Were there any adverse court costs, and how much?

Hon. Doug Downey: Why don't we just shortcut it? Give me the list of files that you want, and I'll give you what I can publicly. Some of it will be solicitor-client privilege; some of it I can't give. But we can certainly have a look and see what we can.

In terms of the—you know, there's charged language there, like “funnelled money” and that sort of thing. You fight for your principles. I think we all do that, and that's what we should be doing. I don't think that words like

“funneling” are really accurate when we're talking about an active fight. We were not the only province who took that position.

MPP Kristyn Wong-Tam: If the words “funnel money” are not agreeable to you, I can say, “How much money did you spend in defending a government decision?” I really am encouraged that you want to answer those questions. I will compile a list of the various lawsuits that the government has undertaken, successfully or unsuccessfully. I will table that with the preface of understanding, in each and every single case: What were the actual disbursements? Did you have to hire external counsel? Were there any adverse costs awarded, and how much in damages? And I'll look forward to receiving those answers.

Hon. Doug Downey: If I can.

MPP Kristyn Wong-Tam: Okay. Thank you. I can accept that. Super.

I'm just curious about—

The Chair (Mr. Lorne Coe): You have two minutes left.

MPP Kristyn Wong-Tam: Oh, two minutes? All right. I lost my 36 seconds.

I'm going to ask a question around the casinos—sorry, not casinos, but slot machines and bingo halls. I wrote a letter to you, Minister, back in August. This is following a Toronto Star investigative business report about how bingo halls were now operating what looked like de facto casino slot machines.

In the city of Toronto, I know that we went through a very vigorous debate where we actually specifically said we would not want to see an expansion of casinos in the city of Toronto, especially not in the downtown core. We said no to slot machines, and it was explicitly laid out in a motion that we were to exclude slot machines, and yet I find that the Delta bingo hall now has those slot machines. They are acting and operating like a casino in some ways, and as far as I know, the city council had refused that. It was not a permission that was granted; it was explicitly prohibited, and now we find that. Did the city of Toronto give you, or the ministry or the AGCO—

Ms. Christine Hogarth: Point of order, Chair.

MPP Kristyn Wong-Tam: It's entirely—

The Chair (Mr. Lorne Coe): Yes, MPP Hogarth, please.

Ms. Christine Hogarth: I'm just wondering: You're kind of alluding to something, your assumption, and I don't know if that's appropriate here for estimates. You're just assuming that they're running as a casino—

MPP Kristyn Wong-Tam: There's a money hook in this.

The Chair (Mr. Lorne Coe): Thank you. It is outside the scope of the questioning on the estimates. That's my ruling.

MPP Kristyn Wong-Tam: Okay. Thank you.

According to the Ministry of Finance, \$28 million has been lost through the e-bingo program—or it continues to lose up to \$28 million. This is on top of what they targeted

as revenues to be received of \$182 million, so they're \$28 million short.

1550

I guess I'm just curious to know, with respect to that particular program that is affecting the city of Toronto and cost-shares that may come out of that, did the city of Toronto change their mind, give you or the ministry or the AGCO explicit consent and say, "We actually want casinos in the city. We want to see slot machines operating in the bingo program," because it would be part of—

The Chair (Mr. Lorne Coe): MPP Wong-Tam, you're outside the parameters of the questioning, please, and your questioning time has concluded. Thank you very much.

This concludes the committee's consideration of the estimates of the Ministry of the Attorney General.

Standing order 69 requires that the Chair put, without further amendment or debate, every question necessary to dispose of the estimates. Are the members ready to vote?

Ms. Christine Hogarth: Yes.

The Chair (Mr. Lorne Coe): I'll commence then.

Shall vote 301, ministry administration program, carry? All those in favour? Opposed? Okay.

Shall vote 302, prosecuting crime program, carry? All those in favour? Opposed?

Interjection.

The Chair (Mr. Lorne Coe): I can't hear you.

MPP Kristyn Wong-Tam: Oh, sorry Chair. My apologies. Point of order. Where are you reading from? Is it the—

The Chair (Mr. Lorne Coe): This is on my script.

We're going to go back to vote 302, which is prosecuting crime program. Carried? All those in favour? All those opposed? Thank you.

Shall vote 303, policy justice programs and agencies program, carry? All those in favour? Opposed? It's carried.

Shall vote 304, legal services program, carry? All those in favour? Opposed?

MPP Kristyn Wong-Tam: Point of order, Chair.

The Chair (Mr. Lorne Coe): We're voting right now. I won't take the point of order. Thank you.

Opposed? That item is carried.

Shall vote 305—yes?

MPP Kristyn Wong-Tam: Thank you, Chair. I apologize for raising this again. I'm just a little perplexed. Forgive me; this is still my first committee, and I'm just trying to understand.

The motion before us, is it just to receive the information? Is that what we're doing? The fact the presentation was delivered, there was a Q&A and now are we just receiving this information, meaning we do nothing with it except for just accept it? Is that what's before us?

The Chair (Mr. Lorne Coe): Could you respond, please?

The Clerk of the Committee (Ms. Thushitha Kobikrishna): I can respond to that. We're reporting back on these estimates, so we're reporting back these numbers, the votes, back to the House. That's what's happening

here. We're voting on each of the numbers. Nothing has changed—

MPP Kristyn Wong-Tam: So we're just saying that we've had this discussion and this committee took place. Okay. Thank you. That was very helpful.

Chair, sorry, I apologize. Would it be okay for us, on a point of order, to reopen the first vote? It was not my intention to vote—I just wasn't sure what I was voting on, so that's why I was confused.

MPP Stevens abstained on most of the votes, because she was also just confused on what exactly was the motion. But now we understand it's just to receive the information.

The Chair (Mr. Lorne Coe): We've already voted, okay? We're moving on.

I said at the very beginning that there would be no debate, no amendments. I had a preamble prior to the vote. Okay? All right?

We are now on vote 305. Shall vote 305, court services program, carry? All those in favour? Those opposed? It's carried.

Shall vote 306, victims and vulnerable persons program, carry? All those in favour? Opposed? That is carried.

Shall vote 307, political contribution tax credit, carry? All those in favour? Opposed? That item is carried.

Shall vote 308, Alcohol and Gaming Commission of Ontario program, carry? All those in favour? Opposed? That is carried.

Shall the 2022-23 estimates of the Ministry of the Attorney General carry? All those in favour? Opposed? That item is carried.

Shall the Chair report the 2022-23 estimates of the Ministry of the Attorney General to the House? All those in favour? Opposed? That item is carried.

Thank you. We will now recess until 4 p.m., and upon our return it will be the Ministry of Indigenous Affairs.

The committee recessed from 1556 to 1601.

MINISTRY OF INDIGENOUS AFFAIRS

The Chair (Mr. Lorne Coe): Good afternoon. The committee is about to begin consideration of the estimates of the Ministry of Indigenous Affairs for a total of one hour. Are there any questions for members before we start?

Hearing none, I'm now required to call vote 2001, which sets the review process in motion. We will begin with a statement of not more than 20 minutes from the Honourable Greg Rickford, the Minister of Indigenous Affairs. The remaining time will be allotted for questions and answers in rotations of 20 minutes for the official opposition members of the committee, 10 minutes for the independent members of the committee and 20 minutes for the government members of the committee.

Minister Rickford, the floor is yours, sir.

Hon. Greg Rickford: Thank you, Chair, and thank you, colleagues, for taking the time to allow me to talk a little bit about a great ministry that I'm honoured to lead, with the support of the Premier and our caucus colleagues.

I should say from the outset that, since becoming the Minister of Indigenous Affairs, we have placed what I think is an important emphasis on advancing prosperity for Indigenous people across the province. This is a complex exercise, without question. The measuring sticks move and can be difficult to assess, but, at the end of the day, making reconciliation real by investing in Indigenous communities—in their businesses, in their prospects for gainful employment, particularly for the youth—has been, suffice it to say, nearly a fixation of mine. Improving the economic fortunes, the prosperity of Indigenous communities has a significant impact on social and health outcomes. So it's important—it's important that we commit to and build strong relationships with Indigenous peoples, and I'm not just talking about "the relationship"—the one that is more formally in statute or otherwise recognized as between the crown and Indigenous peoples, nation to nation, but "a relationship," one that's characterized by openness and accessibility, frequent phone calls and texts back and forth with Indigenous leadership across the province, business leaders interested in advancing economic opportunities with, and for, Indigenous communities.

In order to develop the discussions today, I thought that I would highlight a couple of key areas that we have worked hard on in the last fiscal cycle, as we set the table for the future. Of course, no discussion about our recent history in the context of budgets and estimates etc. can take place without talking about COVID and the COVID response. And this, in my estimation, is one of the more successful stories in terms of a relationship between the province and Indigenous leadership. In fact, I've had an opportunity to discuss with people like Alvin Fiddler, the former Grand Chief of the Nishnawbe Aski Nation, and others who participated in intensely frequent and substantive discussions formally at the First Nations vaccination distribution table. There, we talked openly about the issues, but also, as importantly, as I like to think of it, the opportunities: the urban Indigenous vaccine distribution table to advise on the distribution of vaccines to Indigenous populations across the province, to take the time to recognize the nuances, the difference, between Indigenous communities in southern Ontario, those more accessible to communities in the southern part of northern Ontario, as we might think of it, and then, of course, the isolated and remote Indigenous communities. At every turn, these are characterized by Indigenous-led tables.

Operation Remote Immunity is perhaps the single biggest success story coming out of the pandemic. It's a story of collaborative effort between our government and Nishnawbe Aski Nation, who worked diligently together to build a team of diverse partners to effectively develop and implement a unique and critical vaccination rollout plan for the remote Indigenous communities. Between January 2021 and February 2022, Operation Remote Immunity, versions 1.0, 2.0 and 3.0, administered more than 42,000 doses to protect residents living in those communities.

We also discussed and acted on outbreaks, spreads of the COVID, and provided those additional supports, again,

by Indigenous-led to discussions. I'm pleased to say, between my ministry and the Ministry of Health, we are providing \$20 million to continue COVID vaccinations and related public health work. On that point, it would be easy for me to talk as somebody who has lived and worked as a nurse in isolated Indigenous communities across this country but primarily in northern Ontario. It perhaps has set a new expectation in a very positive way and anticipation of how we can build a more effective public health model for the isolated communities—a shared responsibility, shared leadership and the resources to support it. There will be more about that, I'm sure, in estimates committees to come and as NAN, for example, and the Mushkegowuk tribal council do their important work. But they know, at all relevant points and times, we are there.

I want to talk a little bit about land and flood claims. Our government, unlike any other by comparison, has moved quickly to negotiate settlements with our Indigenous communities and fair compensation to right past wrongs in honouring outstanding obligations. These settlements bring long overdue economic prosperity potential not just for individual members of the community but for the economic developments that they act upon. Last month, I joined, for example, Chief Lorraine Cobiness, a dear friend of mine from Niisaachewan Anishinaabe Nation, and Marc Miller, my federal counterpart, to announce a historic agreement between their community, the province and the federal government. The settlement provided the nation with more than \$83 million in total compensation. Ontario's contribution was close to \$20 million. But it's not about the money; reconciliation comes in the form of the crown honouring, fairly and responsibly, negotiated settlements, and we continue to do that across the province at a pace, frankly, as somebody who has worked this space in a capacity as legal counsel, and as a federal, now provincial, politician, to make sure that these claims get settled.

1610

The Algonquin land claim is another example of the kind of progress we've made.

The Williams Treaty: I got to provincial politics, colleagues, and there it was, still hanging around. I thought that, in my federal capacity, we had finished that business, and that the provincial government at the time would finish it up. That wasn't the case. We moved swiftly to bring that treaty settlement to bear, and the Williams Treaty First Nations communities are enjoying a level of success in modern times that they have not, unfortunately, in the past.

Economic development, then: As I mentioned, this is a top priority and focus for us. That's why we committed to advancing Indigenous-led approaches to economic development, prosperity and wealth creation. This harkens back to our work with RoseAnne Archibald, then grand chief, now national chief, parlaying her success at building effective relationships with our provincial government and taking it across this country. We wish her all the best. But she was replaced ably by Regional Chief Glen Hare, and those prosperity tables that are led by Indigenous leaders,

both in business and politics, have translated into a very recent tangible success.

I'm speaking, of course, of the \$25 million over the next three years that we'll be providing to support economic development in our Indigenous communities. The loans, the capacity for grants and training will focus on ensuring that young Indigenous people have a pathway to a good job, Indigenous businesses have leverage through capital, access to capital, in the form of a grant or a loan to build out their businesses, and whether it's the nuclear sector, the mining sector, the health sector or the forest sector, to be an integral part of the supply chain. That's real. That's happening now, colleagues.

We will continue, in addition to that, to provide multi-year funding to provincial-territorial organizations to ensure that they have a rightful place in any of the economic opportunities that this province has at its doorstep. And they're massive, as the Premier might want to say. They include, but are not limited to, opportunities in mining, in forestry. Through enhanced sustainable forestry licences, Indigenous communities and/or their representative as a corporation are now implementing forest management plans. They're deriving real economic benefits from our resource revenue-sharing agreements, as an example, to put themselves in an equity position in forestry operations.

It doesn't stop there, and it won't, since, as a government, we have remained steadfastly committed to economic prosperity as a top priority for Indigenous communities.

I want to talk a little but more about reconciliation. Treaties Recognition Week marked the seventh annual recognition week—we, as a government, encouraging students and the public service, the general public writ large to learn about treaties from Indigenous perspectives and develop a greater understanding of these treaties in the context of how the province of Ontario should move forward with Indigenous leaders and their communities. We're the first province to legislate the observance of an annual Treaties Recognition Week and demonstrate the continuing significance of the treaty relationship in Ontario.

The Indian residential school burials investigation support: In two different fiscal cycles, we committed a leading resource as a province. In fact, one might argue that we prompted the federal government to put new dollars into our support for the Indian residential school legacy, most specifically around an Indigenous-led framework to assure that funding is available for culturally appropriate, trauma-informed mental health wellness supports throughout this process, including considerable resources provided to communities leading burial investigations at former Indian residential school sites, as they are referred to.

Of course, the additional resources that we provided in specific mental health and addictions are complemented by the extraordinary work of at least one of my colleagues, the minister responsible for mental health and addictions, to ensure that the resources we have designated for Indian

residential school burial investigations are not used up by a significant demand for mental health but, rather, that there are other resources in other ministries.

In short, colleagues, we took a whole-of-government approach and I'm pleased to report that there is a high level of satisfaction from the communities that are participating in these unfortunate processes, one might say, but with the resources to complete them, to bring, hopefully, closure to the survivors and to the future youth of our Indigenous communities.

I mentioned resource revenue-sharing agreements; this is an exciting piece, colleagues, that we have built out. I can report to you that Ontario has shared more than \$94 million in forestry and mining revenues with Indigenous partners since they were first signed in 2018. We now have nine resource revenue-sharing agreements with Indigenous organizations on the books. A handful of those are happening in the here and now, but they represent 41 First Nations communities, manifest in two agreements with organizations also representing Métis communities.

In closing, colleagues, our actions show that we are committed to a relationship, to a working relationship, understanding how my ministry can continue to engage with Indigenous businesses, and businesses that want to do business with Indigenous businesses and communities, to improve the user experience for Indigenous businesses and entrepreneurs to access business supports, to feel like they are a vital part of supply chains in key sectors. Of course, to continue our important work at the community level, we will continue to listen to the perspectives of Indigenous people and their leadership, and, whenever and wherever possible, ensure that any important work is led by Indigenous peoples.

I think I'll close there, colleagues, and I look forward to an opportunity for questions, answers and comments on this ministry and the important work that it does. Thank you.

The Chair (Mr. Lorne Coe): Thank you very much, Minister.

We will now start with 20 minutes of questioning from the official opposition. MPP Mamakwa, please.

Mr. Sol Mamakwa: Meegwetch, Chair. Meegwetch, Minister, for your presentation. I know that a lot of good work—yes, prosperity, reconciliation. It's a lot of good work, by the sounds of it. Sometimes when you hear, and live in these First Nations, it just seems very different. It sounds good, but it's been like that for a long time, where things are happening but you don't really see it.

As you know, there are 14 long-term boil-water advisories in my riding. The longest one is on its 28th year. I remember, as well, growing up, that we didn't get clean running water until 1995. All our nursing stations before that had running water, where the nurses lived. All the schools and where the teacher stayed, only, had running water, but the residents of those First Nations did not have running water until 1995.

1620

Sometimes I hear you say, Minister, that you lived and worked there. You had running water. You had a place to stay where there was running water.

Hon. Greg Rickford: Not always, Sol.

Mr. Sol Mamakwa: I know. I think, sometimes, it sounds as if you know how we grew up.

But I want to go back to the questions. You spoke about settlement funds. I want to be able to—if the ministry could detail how much the Ministry of Indigenous Affairs paid out, if any, in the settlement funds this past fiscal.

Hon. Greg Rickford: Thank you. I would be happy to provide that material, those specific amounts, to you.

What I can tell you is that, as you know, historically, these have taken much longer than they ought to have. I think you would even share the view that there have been more settlements in the past four or five years on significantly long and outstanding claims. I'm not asking for a medal or chest pin on it, Sol. But nonetheless, some of the communities both in Treaty 3 and in other parts of the province have come to make very recent settlements that are not on the books. In other words, we've announced them. They'll show up in future estimates.

But the good news, of course, is that they're being settled, and they're being settled at a pace that has not been seen before, at least in the two chapters of my political career. We personally think that the less money lawyers get and the more money the communities get for these claims will benefit them. And we've heard that. We know one of our mutual friends, Chief Bull, in the Lac Seul flooding claims—a very, very long time settling in courts. We made commitments to ensure that these would be settled through negotiation.

Mr. Sol Mamakwa: So you will be providing the settlement amounts. Is that what you're saying to me, that you will be providing those amounts? Then, how much was allocated as well? I guess those are my two questions.

Hon. Greg Rickford: I'm happy to provide you the specific amounts of any settlements that are reflected in the estimates for the fiscal year that this committee is entertaining, yes.

Mr. Sol Mamakwa: Okay. How much is estimated for 2023-24?

Hon. Greg Rickford: That's difficult to estimate. There are some significant claims that we are currently—I should say, if I could—moving very quickly to hopefully settle. Their implementation can go well beyond the fiscal year that's at hand, but the important point, as I said earlier, is that we commit to negotiated settlements.

Mr. Sol Mamakwa: Greg, can you clarify that these are one-time funds?

Hon. Greg Rickford: I can clarify that, to the extent that the settlement specifies it, that may be the case. Depending on the content of the actual settlement agreement itself, these payments may be staged. They may come over a couple of fiscal cycles. But again, these are negotiated and settled by legal representatives from the communities themselves and representatives of the federal government and the provincial government.

Mr. Sol Mamakwa: How much of these ministry resources or the budget comes from the federal transfer amounts?

Hon. Greg Rickford: Sorry, I'm not sure I understand that. I know that for each negotiated claim, or to the extent

that it's settled in the court—and there are fewer of those over the past four years—it's a function of how it's negotiated, the historical significance of the claim and who had jurisdiction over it. That has, in many cases, been represented by a 60% share of the federal government, and that's settled and agreed to in a negotiated settlement. Sometimes it's 40% for the province; sometimes it's 50%; sometimes it's 20%. It really depends on the substance of the claim.

Mr. Sol Mamakwa: But how far ahead does the ministry forecast what will be required in settlements for possible settlement funds?

Hon. Greg Rickford: Again, having a specified amount of money is not necessarily the most useful exercise. The claims are settled at different points in time in a fiscal year, and their implementation on years out may be staged. So the exercise, pretty typically—at least it has been my experience—has been to go to the Treasury Board and seek the allocations as they're contained in a given settlement.

Mr. Sol Mamakwa: Okay. Consultation: When we talk about—we're still on the settlements, the claim settlements. If there's no forecast, is there a breakdown of any settlements? How much is legal fees? How much is consulting fees? Or even consultation tables—do you have those types of numbers that could be provided?

Hon. Greg Rickford: Again, if you're looking at the specific settlements in the time frame that this committee is seized with analyzing, we would be more than happy to show you. I think the point, Sol, that you would reach very quickly is that we are always in a better position to negotiate these settlements so lawyers get less money, their consultants get less money—unless people want them to; I've never met anybody who does—and the lion's share of a negotiated settlement winds up where it belongs: with the community and, as is often the case, shared out by payment to individual members, at least as a portion of that.

That's not our decision to make, and obviously the other X factor here is a decision by a community or a plaintiff to litigate it. That drives higher legal fees, as you can well imagine. You would have to ask them about their level of satisfaction or dissatisfaction with how much they pay in legal fees.

Mr. Sol Mamakwa: Okay. I see what you mean. I was just going to ask about the Indigenous affairs spending on outside counsel, but also outside consultants and third-party providers of services administered on behalf of—

Hon. Greg Rickford: Again, if you're looking for ones in that fiscal cycle, Sol, we'd be happy to provide them. We prefer to do it in-house with our negotiators. I have an incredible team at the Ministry of Indigenous Affairs. In fact, I'm joined here by one of my ADMs, Grant Wedge, who probably wouldn't like me to say how long he has been doing this, but I've known him, Sol, from way back in the day, working in Treaty 3. I think it was for free, Grant, wasn't it, when you first started?

Mr. Grant Wedge: Limited.

Hon. Greg Rickford: Limited, and he now leads a very talented team of negotiators in an effort, for the government's purposes, to save as much money as we can, to ensure that any negotiated settlement for the province's portion is not accounted for in legal fees.

The Chair (Mr. Lorne Coe): Thank you, Minister. I have a point of order, please.

Mrs. Jennifer (Jennie) Stevens: Yes, in all due respect, Mr. Chair, through you to the minister: We're sitting in committee here, and I'm hearing the minister calling MPP Mamchuck by his first name—

Ms. Natalia Kusendova-Bashta: He called him Greg.
1630

Ms. Christine Hogarth: He called him Greg.

Mrs. Jennifer (Jennie) Stevens: I think we should all respect each other within committee. We're not in the lunchroom, Mr. Chair.

Hon. Greg Rickford: I apologize without reservation. I would note that your pronunciation wasn't what it was supposed to be, but that notwithstanding, if you'd like me to call him MPP Mamakwa, I'm happy to do that.

Mrs. Jennifer (Jennie) Stevens: Yes, please.

Hon. Greg Rickford: Would you prefer that, MPP Mamakwa?

Mr. Sol Mamakwa: I called you "Minister," and when you started calling me "Sol," I just called you "Greg."

Hon. Greg Rickford: Right. So I don't know if this is a precedent here. I'm not sure if MPP Stevens—

Interjection.

Hon. Greg Rickford: Okay, whatever works.

The Chair (Mr. Lorne Coe): Can we come back, please, to your questions?

First of all, the ruling on—that wasn't a point of order. Notwithstanding that, we have been addressing each other as MPPs and as ministers, and I think we'll continue to be doing that. Thank you.

To your questions, please. You have eight minutes left.

Mr. Sol Mamakwa: All right. Thank you.

Again, how often does the Ministry of Indigenous Affairs update the executive council or other branches about ongoing land claims—or, rather, settlement negotiations?

Hon. Greg Rickford: Because we're so busy settling as many of these as we can, quite frequently. I'm before cabinet on a regular basis seeking approval for these settlements.

Mr. Sol Mamakwa: What about absorbing some of the resources into Treasury Board or cabinet long-term budget forecasts? Is that a process that you guys have with the Treasury Board and cabinet in the long-term?

Hon. Greg Rickford: I'm sorry, MPP Mamakwa, I don't understand the question.

Mr. Sol Mamakwa: The resources, the settlements that you have: Are they part of that process where you work with the Treasury Board and the cabinet?

Hon. Greg Rickford: I mean, it may be that, as we land nearer to a settlement, to the extent that we can assess what that amount might be, there may be a contingency. But, pretty frequently, these are matters for the treasury at

large, and I come before them for amounts that are contemplated in a settlement that is either negotiated or one settled at law, vis-à-vis the courts.

Mr. Sol Mamakwa: What land settlements are outstanding or ongoing right now?

Hon. Greg Rickford: We can't anticipate them all, as you know. They can be discovered, but there are a number of flooding claims—particularly, I'm thinking out in Treaty 3—that are being negotiated right now. Many of them are close, as I discussed; I highlighted a couple of them. There are more that we've just very recently completed. And, of course, there are some significant land claims in other parts of the province that we continue to work on.

Mr. Sol Mamakwa: I'm wondering if you can explain, on a step-by-step process, how funds flow to the Ministry of Indigenous Affairs: the process from Treasury Board, presumably, I would think, and through Indigenous affairs to the different nations, trusts, PTOs and so on.

Hon. Greg Rickford: We go through what they call a multi-year planning exercise. We establish base funding to the extent that any of it is predictable. The base funding for the various activities that the ministry performs is set out and is a matter of information that's readily available. We try to anticipate new opportunities. For example, I mentioned the wealth and prosperity table's important work that translated into a \$25-million investment. This was a proposal exclusively drafted by the participants, all Indigenous political and/or business leaders, that was submitted to us. It was more than fair and reasonable. We were, based on their submission, able to identify and allocate the resources that we would be prepared—I can break down that \$25 million, if you'd like, for the record.

Mr. Sol Mamakwa: No, that's fine. I think what I was getting at, the point I was trying to make, is you don't have programs that impact First Nations, such as housing, health, natural resources, education and so forth. It goes more to relationship-building, studies or advising other branches of government. That's what I was getting at.

Hon. Greg Rickford: I can help you with that if you want, Sol.

Mr. Sol Mamakwa: No, it's okay.

Hon. Greg Rickford: I think you would want this information, Sol—sorry, MPP Mamakwa.

Mr. Sol Mamakwa: How does Indigenous affairs determine what to request of Treasury Board or cabinet?

Hon. Greg Rickford: Sorry, again?

Mr. Sol Mamakwa: As the minister, how do you determine what to request from Treasury Board or the cabinet?

Hon. Greg Rickford: How do I determine the request for Treasury Board?

Mr. Sol Mamakwa: Yes.

Hon. Greg Rickford: Well, as I say, we have base funding for the programs that we currently offer. There may be, at the time we make our presentation to the Treasury Board for multi-year planning, some known expenditures that may not occur in other fiscal years, by comparison. They come in the form of negotiated settlements, for example, and, in this case, an additional request

to meet the wealth and prosperity table's submission for the additional \$25 million. Every other minister does that.

Mr. Sol Mamakwa: How much has the government spent so far on the appeal of the Robinson-Huron annuities case?

Hon. Greg Rickford: I can't comment on—

Mr. Sol Mamakwa: I'm just asking for an amount, not the case itself.

Hon. Greg Rickford: I can't comment on any of those matters, as they pertain to litigation currently.

Mr. Sol Mamakwa: Okay, let me go this way: How much would the settlement be if you were to drop the appeal?

Hon. Greg Rickford: Let me try it this way: I cannot comment on litigation that's before the courts. I can say that we are working closely with the federal government, and at a political level we remain committed to make best efforts for a negotiated settlement, if that's helpful.

Mr. Sol Mamakwa: You know, sometimes—I'm going to go somewhere else. I wanted to share something that happened, how some of the stuff we talk about, some of the policies and legislation, impacts First Nations. I was at this dinner of Indian residential school survivors in Thunder Bay. They had this letter that they read out that should have gone to the government of Ontario—not only that, the government of Canada—dated October 19, 2022. It referred to a bill that has an impact, Bill 7.

Here's what they said: "Bill 7 traumatizes Indian residential school survivors again. Survivors will ... be moved forcefully because of a lack of long-term care facilities in our communities."

That's what I meant. Sometimes we see these things that are not steps toward reconciliation, that are still colonial, that are still oppressive.

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The Chair (Mr. Lorne Coe): Thank you, MPP Mamakwa. Your time is concluded for the official opposition. We now move to the independents and MPP Shamji, please. You have 10 minutes, sir.

Mr. Adil Shamji: Minister, thank you very much for joining us. You're a health care worker; you've worked with Indigenous communities, and I believe your commitment to help is genuine.

I wonder if we could start with whether you might be able to clarify what efforts are being made to achieve a consistent approach to consultation amongst the various ministries outside of Indigenous affairs.

Hon. Greg Rickford: That's a great question, and it's one that's in a bit of a transition, because—I don't make this comment with any specific agreement or disagreement—the previous government had put a particular emphasis on the capacity within each ministry to carry out the duty to consult as it was pertinent to its activities.

When we came to government in 2018, we saw an emerging problem with this. I can't speak as to whether they did or not. But the Ministry of Indigenous Affairs is pretty typically the ministry that at least should have—in our case I'd like to think we do—a more unique relationship that's able to respond on the ground to some

of the capacity to support the duty to consult for a variety of projects from other ministries. We call it capacity funding.

If you will, there's an effort afoot to bring that work, not in a technical way, but to create a one-stop shop in the Ministry of Indigenous Affairs so that all duties to consult on any given project come to us, so that there isn't another ministry out on a project and then in a scenario where it gets into a difficult set of circumstances—there may be litigation that arises within or outside of our control—to be there at the very front end.

We're doing that. We're getting better at it. We need to get better at it. And as I say, this is not a comment on the policy approaches of a previous government as much as it is to say that what has come home to roost, if you will, is the need to centralize a lot of our duties to consult.

And that's important as well, if you'll indulge me. I don't want to eat into anything—but there is a request from Indigenous leadership to do this as well. There is the Haldimand Tract, for example, and other corridors where a more streamlined duty to consult is on the table.

Mr. Adil Shamji: I'll just pause there, respectfully.

Hon. Greg Rickford: Sorry?

Mr. Adil Shamji: No, no. I understand. So what you're saying has potential merit. Of course the devil is always in the details. The reason I brought this question up and the reason I find your explanation particularly illuminating is the value-for-money audit in 2020 conducted by the Auditor General had actually recommended increasing the capacity of individual ministries, for them to individually conduct consultation themselves.

Just for the record, are you clarifying that this government has taken a different policy position from the Auditor General?

Hon. Greg Rickford: No. First of all, the Auditor General is entitled to her opinion. I have a great long-standing relationship with her. We appreciate her work. But she's not a policy expert in this area. I'm telling you that, from learned experiences, we want to make sure that the Ministry of Indigenous Affairs is on the front end of the duties to consult, to support ministries as they engage in those activities.

Mr. Adil Shamji: There was a minister response endorsing a desire to support increasing the capacity of those other ministries. It's fine. I've got other questions—

Hon. Greg Rickford: They're not at cross-purposes with each other. I'm just saying, for the purposes of Ministry of Indigenous Affairs, we've heard really positive feedback from Indigenous leaders that the Ministry of Indigenous Affairs' participation on any and all activities around the duty to consult is very much appreciated and helpful, frankly.

Mr. Adil Shamji: Okay. Thank you, Minister. Interestingly, you mentioned Alvin Fiddler in your remarks. I had a conversation with him a few weeks ago as well. He had identified, from his perspective, one of the major concerns being inadequate funding for clinic- and hospital-based infrastructure for some of the northern communities. I wonder if you could perhaps clarify on some of the efforts

that are under way, and whether any financial commitments have been made in order to help with that.

Hon. Greg Rickford: This has a lot of interesting features to it. I appreciate the work that Alvin is doing in health transformation. As I said, COVID provided an extraordinary example, if there's a silver lining in all of this, of how public health can work better, not just in the context of pandemics, but good public health and good community health.

The disconnect has always been—and you would know this, as a physician who has served in a few isolated communities—that the federal government has, historically, almost exclusively delivered primary health care through, for the isolated communities in particular, nursing stations. They have their corresponding prenatal, public health and chronic disease portfolios, and nurses lead those, and nurses practise in the extended role with support from physicians.

Where it is broken down over the course of time is that, especially with higher comorbidity, the treatments there, to some extent, wind up requiring support from a hospital, which necessarily implicates the province. Sioux Lookout is one of the gold standards, the cost-sharing between the provincial and federal government for a facility there. There may be more required in the future. There are other health authorities that are in negotiation for these models so that the province can rightly be involved in more of the health access and delivery opportunities in the community—

Mr. Adil Shamji: You'll forgive me for being direct as I—

Hon. Greg Rickford: —so that they can anticipate what those expenditures might be as they arrive. You and I could talk forever on this—

Mr. Adil Shamji: Absolutely.

Hon. Greg Rickford: And I'm happy to, by the way.

Mr. Adil Shamji: Are there any planned investments currently?

Hon. Greg Rickford: Are there any planned? I can't speak for the Minister of Health on this. I can only assure you that the Ministry of Indigenous Affairs, especially given my level of interest and background in this area, is involved in those discussions. We're currently working with Grand Chief Alison Linklater on an exciting health summit in the coming month or so, and we make it our business to be part of their planning, to help break down some of the structural challenges in health human resources and service delivery in any given community.

Mr. Adil Shamji: Thank you. Earlier in your remarks, you had addressed Operation Remote Immunity 1.0 and 2.0, and these have been excellent. Forgive me if I missed this: What is the current effort at this time to get bivalent vaccines and influenza vaccines out into northern communities?

Hon. Greg Rickford: Well, Operation Remote Immunity lives on. The First Nations vaccination table continues to meet to ensure that those bivalents are made available to the communities. I should say that at every point of time in the COVID response, those Indigenous

communities and the Indigenous population writ large have always been in category number one, as I'm sure you would have known at the time when you were in private practice as a physician, and now in your capacity as a member of provincial Parliament.

Mr. Adil Shamji: Are you able to update on the progress in reaching Indigenous communities in northern Ontario, specifically with the bivalent vaccines?

Hon. Greg Rickford: It's going better than the first wave. We're always building on past experiences. But I have not heard any negative feedback from Indigenous leadership on the availability of immunizations for those communities.

Mr. Adil Shamji: Are there any concerted efforts to increase vaccination rates in that community right now, apart from simply making them available?

Hon. Greg Rickford: Look, we share in that responsibility. On the ground, if you're speaking about the remote communities, important work is being done by nurses in the extended role, something that I did for a number of years. The federal government's partnership demands that we continue to make every effort to raise awareness about the importance of additional vaccination—

The Chair (Mr. Lorne Coe): Thank you, Minister. Thank you for that answer. Your time has concluded, sir.

Now we're going to move to the government. I have MPP Hogarth.

1650

Ms. Christine Hogarth: Thank you, Minister, for your comments today. I've actually learned quite a bit from your commentary, so I thank you for that.

One thing I wanted to discuss is COVID-19. We all went through that while we worked here. Being from a Toronto riding, it's different. But we have a beautiful province that's large, and not everybody has access to pharmacies on every corner. Not everyone has access to the GO-VAXX bus that went around. Some people don't even have access to roads.

So, Minister, I would just like to know: While we were at our Standing Committee on Public Accounts, we talked a lot about the vaccine process and what was done, but we didn't talk about Indigenous communities and remote communities. I wonder if you could share with us today a little bit of what the government did to support these communities during the pandemic. But more importantly, what is our plan moving forward to ensure that these communities are supported?

Hon. Greg Rickford: It's a great question. The success moving forward has to be based on the success that we've had in the past. As I mentioned in a response to a question asked by our colleague here moments ago, that's not to suggest that there haven't been lessons learned. That's the purpose of the First Nation vaccination table; it's a dissemination of information. The assessments are made on the quality and effectiveness or efficiency of our response; understanding, trying to anticipate the surges, and how communities will respond.

I had a brief but important conversation with a dear friend of mine—an old friend of mine, as the years go by—

the chief of Kitchenuhmaykoosib Inninuwug, just checking in to see how the response was going to a spike in numbers there. The response was very positive: that we were nimble and that the Ministry of Health and other key ministries were doing the work, in his assessment, that was required to be done.

But we have to remain vigilant. The essential elements of planning are to make best efforts at an emergency management plan, an outbreak response, as we talked about moments ago, the availability of vaccinations and—I appreciate the quality of the question, frankly—the effectiveness of the uptake of those vaccinations on an ongoing basis.

I can tell you that since March 2021, we've committed, I want to say, \$59 million to culturally safe vaccination distribution, through First Nations and, importantly, urban Indigenous organizations. There are significant populations in many towns and cities, particularly in northern Ontario, of Indigenous people living there, and they're not always accounted for in the census. So making sure that we're working closely with municipalities, of course, and health providers in those places is an important activity.

There's \$5 million to support the public health providers support initiative extension for the first six months of the fiscal year, April through September. This funding supports the services of public health nurses working specifically in Nishnawbe Aski Nation communities. I'm sure MPP Mamakwa appreciates that extra attention, and I appreciate his advocacy for that. So there's been considerable success, but—

Mr. Sol Mamakwa: They jumped the line.

Hon. Greg Rickford: What's that?

Mr. Sol Mamakwa: They jumped the line.

Hon. Greg Rickford: He jumps the line all the time, yes. But we appreciate his representation as somebody who has lived in those communities for a number of years. His advocacy is appreciated and understood. His relationships with many political leaders and health leaders has manifested itself in some of the things that we've been able to deliver. I don't know why he votes against it in the Legislature, but anyway.

We have to be serious about our ability to be nimble in our response. The newer forms of COVID and the combination of the respiratory syncytial virus and the influenza have particularly more profound impacts on the isolated Indigenous communities. I have personally spent many hours managing dozens and dozens of children with active, acute RSV illness. Throwing COVID and more profound influenza into the mix has made it particularly challenging.

This isn't all just about COVID. It's a level of preparation that we have not seen before that is required. I can speak with some confidence that the Minister of Health is doing a great job with that and we'll continue to play an important supportive role in that exercise.

Ms. Christine Hogarth: Thank you, Minister, for that. I also want to thank you for your work during the pandemic. I saw you putting needles in arms yourself. I thank you for your work.

The Chair (Mr. Lorne Coe): Thank you, MPP Hogarth. I have MPP Bailey. MPP Bailey, you have five minutes and 20 seconds left.

Mr. Robert Bailey: Thank you, Chair. Through you to the Minister of Indigenous Affairs: Thank you for appearing here. I'll be very short. I've heard you speak about prosperity across Ontario for everyone. Could you, in the few minutes that we have, explain what, through your ministry, you're doing, Minister, to provide investments in the Indigenous community and how that's been reflected in their communities?

Hon. Greg Rickford: How much time do I have, Mr. Chair?

The Chair (Mr. Lorne Coe): You have four minutes and 46 seconds.

Hon. Greg Rickford: Oh, well, that's a long time.

We're really proud of this latest version in the fiscal cycle of the work that the wealth and prosperity tables have done. There is no basis for comparison here across any sub-sovereign jurisdiction in Canada. I do recognize that my dear friend and counterpart in Alberta, at the time the Minister of Energy, had put forward a world-class program in scope and in resources, but it was targeted to their energy opportunities. This is a more broad-based opportunity. It focuses on the established programs put forward by Regional Chief Glen Hare—an extraordinary man. His counsel in Ted Nolan—more than just a great NHL player and coach. He has a great capacity for economic development and relationship-building and the important people that do their work at the Chiefs of Ontario.

What this amounted to was more than \$10 million to increase access to low-interest loans and grants or combinations for Indigenous businesses and entrepreneurs. Access to capital is probably the single biggest barrier that Indigenous businesses face to being start-ups, integrated into supply chains etc. Capital support for digitization and e-commerce—as you know, computers are all the rage, and the ability to set up platforms on the Internet and through various applications is something that businesses have to do. There is \$2.5 million allocated to that.

The other one that I really like is the \$800,000 to map and better understand Indigenous supply chains and facilitate solutions to increase opportunities. We've heard loud and clear that our electric vehicle battery capacity, from mines to motors, from the earth to electric vehicles—this might be the single biggest environmental policy advanced by a sub-sovereign government, maybe a government the world over. Indigenous communities and businesses have responded and said, "Hey, we want in." The question is, how do they do that? This might even be seen as a trial balloon, to try to understand where those barriers are and how we can support them.

1700

Significant funding for training opportunities: Again, having an opportunity for that young Indigenous entrepreneur or person that wants to work in a skilled trade to have an effective pathway to a good job. I do some additional work, in my capacity as the Minister of Northern

Development, through the Northern Ontario Heritage Fund. That was explored at a previous committee.

And then, finally, \$4 million to reduce financial barriers for Indigenous apprentices, getting that Red Seal. We've all heard about the legacy infrastructure projects that are required to support some of these resource projects, how to be involved in a Stellantis electric vehicle battery plant. Some of these processing facilities will be built in northern Ontario. They cannot proceed without understanding the importance of a trained Indigenous workforce. They simply, by virtue of population alone, represent the single greatest opportunity. Thank you for that question.

Mr. Robert Bailey: Thank you, sir.

The Chair (Mr. Lorne Coe): And thank you, Minister. We have 44 seconds, so if you have a quick question—

Hon. Greg Rickford: I'm happy to go on about that, if you want.

Mr. Robert Bailey: I'm sure you could.

The Chair (Mr. Lorne Coe): MPP Kusendova, please.

Ms. Natalia Kusendova-Bashta: We only have 30 seconds, so I was wondering if you could comment very briefly on the work that your ministry is doing on human trafficking, anti-human trafficking strategies, as it relates to Indigenous women and girls.

Hon. Greg Rickford: First, I've never been known to comment briefly on anything, Natalia, as you know from caucus.

But listen, we play an important support role. My colleague Minister Williams is obviously leading the charge. I know you've been involved in some of those activities. We work jointly, particularly with respect to missing and murdered Indigenous women and girls. In fact, I had a meeting with Minister Miller on that subject matter. There's a forum on the horizon in the coming weeks that Minister Williams will be participating in, and the Ministry of Indigenous Affairs has played a supportive role helping to resource that and build capacity around how we can optimize our support for those initiatives, most of which are Indigenous-led.

The Chair (Mr. Lorne Coe): Thank you, Minister, very much.

This concludes the committee's consideration of the estimates of the Ministry of Indigenous Affairs. Standing order 69 requires that the Chair put, without further amendment or debate, every question necessary to dispose of the estimates. Are the members ready to vote?

Shall vote 2001, ministry administration program, carry? Those in favour? Those opposed? That item is carried.

Shall the 2022-23 estimates of the Ministry of Indigenous Affairs carry? Those in favour? Opposed? That item is carried.

Shall the Chair report the 2022-23 estimates of the Ministry of Indigenous Affairs to the House? All those in favour? Opposed? That item is carried.

Thank you. We'll now recess the committee until 5:15 p.m.

The committee recessed from 1704 to 1715.

MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY

The Chair (Mr. Lorne Coe): Committee is now back in session. Good evening. The committee is about to begin consideration of the estimates of the Ministry of Government and Consumer Services for a total of two hours.

I'm now required to call vote 1801, which sets the review process in motion. We will begin with a statement of not more than 20 minutes from the Minister of Government and Consumer Services. The remaining time will be allotted for questions and answers in rotations of 20 minutes for the official opposition members of the committee, 10 minutes for the independent members of the committee and 20 minutes for the government members of the committee.

Minister, welcome to the committee. The floor is yours, sir.

Hon. Kaleed Rasheed: Good afternoon—actually, it's almost good evening—and thank you for the opportunity to speak today. It is a pleasure to be here with my team to present estimates for the former Ministry of Government and Consumer Services for 2022-23.

As we all know, the Ministry of Government and Consumer Services was transformed in June into a new forward-thinking and transformative ministry, the Ministry of Public and Business Service Delivery. We deliver vital programs, services and products ranging from health cards and drivers' licences to birth certificates to address consumer protection and public safety and to help create a better quality of life for Ontario families. It is an honour and privilege to work for the people of Ontario in this capacity and a responsibility that I take to heart.

Consumer protections continue to be at the core of my ministerial mandate, as they were under the Ministry of Government and Consumer Services. The Ministry of Public and Business Service Delivery is well positioned to continue leading change across government and actively partner with other ministries and organizations to provide better service delivery to the people and businesses of Ontario. Like the Ministry of Government and Consumer Services, my ministry provides services 24/7, 365 days a year. Our broad mandate, which previously included one of the largest real estate portfolios in Canada, permits to us support the government with enterprise business services and solutions. It also empowers us to strengthen consumer protection and public safety, and provide vital programs, services and products to individuals and businesses.

I must note that some of our previous functions recently transferred to other ministries. For example, the real estate portfolio transferred to the Ministry of Infrastructure, and officials representing these areas are present should the committee wish to discuss the estimates related to these areas.

We continue to offer both front-line service delivery and back-office supports that help all other ministries, agencies and the broader public sector. Our work revolves around three basic goals: to improve service to our clients

and to the people of Ontario, to support businesses and job creation and to make government better for the people.

We are strongly focused on protecting consumers and ensuring public safety, both through the efforts of our ministry's Consumer Protection Ontario team and our administrative authorities. We enforce consumer protection statutes and protect consumers as they make decisions like signing a contract for home renovations, taking out a payday loan, making new home and condo purchases, booking a trip with a travel agent and buying a car. In doing so, we promote a fair, safe and informed marketplace for consumers and businesses in our great province.

Most recently, we strengthened measures to better protect consumers, specifically new home buyers embarking on the biggest purchase of their lives. We did so by doubling the maximum fines for unethical builders and vendors of new homes who unfairly cancel a new home project or terminate a purchase agreement. These protections are part of the government's plan to uphold the high standards of ethical behaviour that consumers expect from their government.

As we protect consumers while supporting job creation, we are also continually improving our services to the people of Ontario. Our ministry continues to play a fundamental role in the continuous recovery of our province and to support the government in achieving its transformational goals. As we help to keep the province running 24 hours a day, seven days a week, 365 days a year, we do so by delivering high-quality services and programs that 14.5 million Ontarians rely on.

1720

At the same time, we coordinate and manage services and processes within the Ontario public service, the OPS, and many of these services we offer to the OPS are also extended to the broader public sector. Our ministry creates value for the people and businesses of Ontario by centralizing commonly needed services, making it easier and faster to access them. In the same vein, we create economies of scale by helping ministries get their work done by managing some of the business functions that all ministries need, allowing them to focus on the core business that only they can do.

With a focus on service excellence to the people and businesses of Ontario and to other government ministries, we deliver together as one organization, and our delivery of vital public programs, services and products are reflected in our estimates. That is because investments in our ministry generate cost savings for our partners and direct more resources towards critical programs serving the people and businesses of Ontario.

We are relentlessly focused on better meeting the needs of people and businesses now and in the future. Every day, we improve on our vision to provide high-quality public and business services, acting as the one window to access government services.

Our standards are on par with or exceed private sector experiences, and we offer personalized, client-centric services that include proactive outreach and engagement. Our focus is on improving government services to the

public, supporting businesses and making government function efficiently—all critical to fuel our economy and strengthen our global position.

We continue to take a customer-focused approach to building simpler, faster, better access to services, saving Ontarians and businesses time and money. To meet those expectations, our government is continuing its work in becoming a trusted steward of public and business data; a technologically advanced organization that leverages all available tools to ensure modern and efficient high-quality service for people and businesses; an equitable organization that provides support and opportunities for under-represented populations to grow, develop and advance into formal and informal leadership roles; and a collaborative organization that ensures optimal outcomes for clients and partners. That is why my ministry is purposefully and proactively evolving who we are, what we do and how we do it. By putting the tools in place now, we can better serve the people of this province through priority areas we have identified to reform digital delivery, deliver cost savings, generate revenue, modernize our public services and strengthen consumer protection.

We know people expect the government to be online by default and available 24/7, and we can not be an off-line government in an online world. That's why we are making great strides now in our digital transformation across Ontario and in driving service excellence to meet those expectations. Our focus is on supporting the public in every channel with easy-to-use, accessible, digitally enabled services that ensure customer success.

People are already accessing government services online more than ever before. The COVID-19 pandemic set the wheels in motion on many levels, including the need to move more services and initiatives online for easy access. This digital-first approach coupled with our in-person ServiceOntario centres save Ontarians and businesses time and money.

ServiceOntario, the public face of government, offers more than a hundred services, and these services connect with Ontarians at important moments in their lives, including birth, marriage, adoption, organ donation and when securing drivers' licences, health cards and accessible parking permits. ServiceOntario typically handles over 50 million interactions annually through our in-person offices, online, by mail and through our telephone contact centres. And our digital services are now more convenient than ever, with expanded online offerings through ServiceOntario that people can access 24/7 to keep their government-issued identification and permits up to date. For example, holders of Ontario photo cards can now sign up to receive free digital reminders by e-mail, text or phone call that will give them a heads-up 60 and 30 days before it is time to renew. These same free digital renewal reminders are available for photo health cards, drivers' licences and licence plates.

Our government is focused on providing user-centred services that make life more affordable and convenient for the people of Ontario. In March of this year, we worked with our ministry partners to eliminate licence plate

renewal fees and stickers for passenger vehicles, light-duty trucks, motorcycles and mopeds. That meant a savings of \$120 annually for drivers in our province. Our government cut these costs for families and made life more affordable, putting money back into the pockets of nearly eight million vehicle owners and hard-working Ontarians.

We also helped cut costs for 40,000 vulnerable Ontarians by permanently eliminating the \$35 fee for birth certificates for Ontarians who may be experiencing homelessness or who are marginally housed, working in partnership with not-for-profit organizations who deliver programs to support the homeless. We also removed barriers for Ontarians with disabilities by making it easier to apply for and renew accessible parking permits online, building on the services I have mentioned, as well as other online offerings such as requesting a change of address or applying for a traveller's permit or motorcycle decal.

Speaking of vehicles, we launched the digital dealership registration service that enables certain dealers to register new vehicles online and issue permits and licence plates directly to purchasers, making it easier and faster for Ontarians to buy a car and enjoy it almost immediately after purchase. With our digital-first, not-digital-only approach, there are so many examples of how we are laying the foundation for more digital transactions in our daily lives.

But what good are online services without reliable Internet? Our government is bringing high-speed, reliable Internet to our underserved and unserved communities to remove barriers, duplication and delays, building stronger communities and making life easier for all people across the province, while laying the foundation for long-term economic growth and creating jobs. It is important to mention that we are improving our internal information and information technology systems so we can ensure that we can support all these offerings to the public. It is important that we continue to adopt cloud technology across our government to ensure we can maintain and evolve IT service excellence for the OPS and for the people of Ontario in what is becoming a world of increasing demand for digital services. Better services is our plan, and all our systems and networks must be stable and reliable internally and externally to ensure we can operate with continuity and resilience.

That is also why our government is focusing heavily on cyber security. We learned over the past few years that if our systems go down or they do not operate smoothly, our plan will be compromised. Our government is leading the way in transforming the delivery of services to the people and businesses of Ontario, and in doing so, we have made the safeguarding of data and information our top priority as well. We are making huge progress in our Cyber Security Strategy and recently released the cyber security expert panel report that identifies cyber security challenges across government, municipalities and the broader public sector. With the help of this report and by working collaboratively with our partners and cyber experts, we will bolster our existing networks and build up stronger defences that are more adaptable and sustainable,

especially as we continue on our ambitious agenda to move more and more government programs and services online.

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At the same time, we must ensure that we offer businesses the solutions they need to transform how they do business with Ontario. We help Ontario to be open for business by enabling business name registration, business incorporation and corporation dissolutions, and supporting not-for-profit corporations. At the same time, we will continue to maintain the operation of the existing consumer protection systems while exploring opportunities for further efficiencies such as automating manual processes and opening up services of other lines of business such as licensing and burials.

Through the Transfer Payment Ontario system, we are streamlining and reducing the administrative burden and costs for 19,000 partner agencies and at the same time increasing efficiency and value for money for internal government operations.

We are also implementing the Ontario vendor portal to make it simpler, faster and better for up to 40,000 businesses who provide goods and services to the government of Ontario.

It truly is all about making things simpler, faster and better, including putting measures in place to address many of the lessons we learned during COVID-19. For example, our government introduced the Building Ontario Businesses Initiative to strengthen the province's supply chain security and economic growth. This will reduce barriers and provide companies in Ontario with greater access to public procurement opportunities, helping them to sell more goods and services, create jobs in their local communities and recover from the economic effects of the COVID-19 pandemic. This key program will help strengthen our supply chain resiliency and allow us to be better prepared for potential future emergencies.

We have also contracted with the supplier to build a state-of-the-art factory that will create a secure and reliable source of medical-grade gloves, and we introduced legislation to ensure that a healthy and robust stockpile of personal protective equipment and critical supplies and equipment is available at all times for the entire public sector in Ontario.

Upfront, I mentioned the importance of working with our administrative authorities to support consumer protection and protect public safety. We have also provided critical support to owners and operators of amusement devices and ski lifts, and the travel agent and wholesaler sector, some of the hardest-hit industries during the COVID-19 pandemic. As the backbone of government, we understand that it is essential that we deliver business-critical functions that keep government operating while protecting consumers and improving our offerings and services to the people of Ontario.

We are a trusted steward, and people need to know that they can trust the equitable, accessible and secure government products and services we offer and that they can count on in their daily lives. We work together with

our partners across government, internally and externally, to deliver together on service excellence in a way that puts people at the centre of everything we do.

The Chair (Mr. Lorne Coe): You have two minutes, Minister.

Hon. Kaleed Rasheed: Every transaction represents an individual, a family or a business that we have connected with an important moment, and our purpose is to empower consumers, businesses and employees, any time and anywhere.

Now, before I conclude, I would like to take a brief moment to sincerely thank all my administrative colleagues for their hard work in preparation for our committee appearance today. The deputy minister, all of our associate deputy ministers and all the staff who work tirelessly behind the scenes are an enormous part of my ministry's mission to deliver better service to the public and businesses of this province, and for that I am very grateful.

I know you will have thoughtful and valuable feedback on what we have shared with you today, and I look forward to your questions on it. Together I know we can and will make our vision, and a bright future for all Ontarians, a reality. Thank you.

The Chair (Mr. Lorne Coe): Thank you, Minister. You had 55 seconds left.

Hon. Kaleed Rasheed: I'll take two drinks of water.

The Chair (Mr. Lorne Coe): We'll let you take a drink before we start with the 20 minutes of questions from the official opposition. Who's starting? MPP Mamakwa, please, to the estimates.

Mr. Sol Mamakwa: Meegwetch, Minister, for your presentation. I was just looking at your website about name changes. There's a part that says, "Reclaim a traditional Indigenous name." It reads:

"If you are a survivor of a residential school, you, and your family can reclaim your Indigenous name.

"You can also change to a single name, if it is part of your traditional culture or your child's traditional culture."

The next one is, "You will not be charged a fee for a name change from now until March 31, 2024."

Why is there a specific ending date of March 31, 2024, for when you can change your name for free?

Hon. Kaleed Rasheed: Thank you so much, MPP Mamakwa. Before I pass it on to the deputy, I just want to say our government supports advancing meaningful reconciliation with Indigenous people through the continued implementation of various initiatives as part of our response to the Truth and Reconciliation Commission of Canada: Calls to Action.

MPP Mamakwa, this is something very near and dear to my heart. I have said this many, many times: that whenever it comes to Indigenous communities, First Nations, I want to make sure that we are there to support the communities—

Mr. Sol Mamakwa: So does that mean that reconciliation will end on March 31, 2024?

Hon. Kaleed Rasheed: Since January 2017, change-of-name fees have been waived for residential school

survivors and their families seeking to reclaim traditional names that were changed by the residential school system. This was a call to action by the Truth and Reconciliation Commission of Canada, and we continue to work with IAO and Indigenous communities to identify and also investigate and commemorate residential school sites as well, too.

But I'm sure the wonderful deputy will have something to add to your question as well, too.

Ms. Renu Kulendran: Thank you—

The Chair (Mr. Lorne Coe): Excuse me, Deputy. Before you start, for the record, we need your name, please. Thank you.

Ms. Renu Kulendran: My name is Renu Kulendran. I'm the deputy minister of the Ministry of Public and Business Service Delivery.

Thank you to the member for the question. Thank you, Minister, for the referral. I do want to situate my comments in context to identify the many ways we are working to address the recommendations of the Truth and Reconciliation Commission. Across our ministry, we have responsibility not only with respect to the Registrar General at ServiceOntario but also through information, privacy and archives. We are working not only with the commission but also with First Nations communities directly in an effort to support a number of initiatives that are related to the recommendations. As part of that, we have been working with the federal government at the National Centre for Truth and Reconciliation. We have been working to complete a search of our records to identify death registrations of student-aged Indigenous children. We have worked very closely with the federal government—

Mr. Sol Mamakwa: I just want—why is an end date there?

Ms. Renu Kulendran: This fee waiver has been extended for a number of years. I think we will continue to assess uptake and demand and find a way to continue to support individuals who are looking to reclaim and reflect their traditional culture as we are continuing to work in other ways to fulfill not only the recommendations but the spirit of truth and reconciliation. That includes a lot of the work that we're doing with First Nation communities and ServiceOntario to establish agreements. You may be aware that we recently formed a partnership with North Shore Tribal Council—

Mr. Sol Mamakwa: I want to go to the next question.

The Chair (Mr. Lorne Coe): Yes, go ahead.

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Mr. Sol Mamakwa: This spring, the ServiceOntario in Pickle Lake was closed. We have to understand, if you live in Pickle Lake and you need in-person service, you have to make a drive all the way to Sioux Lookout, which is a two-and-a-half-hour, three-hour drive to the next ServiceOntario office. The ServiceOntario that was in Pickle Lake also provides services to the Mushkegowuk First Nation. It's about 28 kilometres away. What I'm hearing from the people who live in that area is that constituents from both places are extremely disappointed

that they no longer have access to a service that, of course, everyone in Ontario enjoys, a service that's important.

Also, in October, I'm aware the first Indigenous-run ServiceOntario centre had its grand opening in Serpent River First Nation. In addition to the permanent location, which is housed in Serpent River Trading Post, they also have a mobile ServiceOntario unit that can travel to nearby First Nations. Now, this is something that would be of great value to the people in Kiiwetinoong and I would like to see it there. My question is, will this be expanded into the riding, where we greatly need it?

Hon. Kaleed Rasheed: Thank you for your question, MPP Mamakwa. First of all I just want to say thank you to the incredible team at ServiceOntario across the province for doing such a great job, especially during COVID-19. Very recently I was in Thunder Bay and met the team and personally thanked them for the incredible sacrifices that they made, especially when it comes to birth certificates, death certificates and all those things. They were working around the clock and I just want to say thank you. Thank you to the ADM as well, that she was on top of things when it comes to ServiceOntario.

But to your question, our government understands the importance of good customer service. I come from a customer service background and I want to make sure that Ontarians are getting the service they deserve. That is why we are making it faster, simpler and easier for Ontarians to access critical services and building a stronger Ontario.

I always use this example, where I say what we are trying to do is—yes, we are bringing services online, more than 40 services right now. Our top 40 services are now available online right from the comfort of your home, including drivers' licences, health cards and licence plate renewals. I always talk about this, that my own father, one of the things he loves to do is to go to ServiceOntario for his accessible parking permit. He will put his best suit on just because he wants to go and renew his accessible parking permit. Even though I sometimes say to him, "Papa, I can do it for you from the comfort of home," he says, "No, I want to go there."

What we are doing is that we are trying to find ways we can bring services online but continue to have those services available. ServiceOntario plays an important role in the delivery of government services across the province. Recently, ServiceOntario worked collaboratively with the North Shore Tribal Council to co-design and establish a two-year pilot program. I'm very excited and I'm very proud of this program. The pilot program enables the North Shore Tribal Council to provide full support and government services to their community members and local residents. As of July 2022, I believe, customers can complete their government transactions from a new ServiceOntario location in Cutler, Ontario.

As I said, we continue to work. We want to make sure that we are providing the best customer service possible. I always say, whether you are a young family from Mississauga or anywhere from across Ontario, you have to have quick and convenient access to services that we all need to live our lives.

But maybe, Deputy, if you want to add something to this?

Mr. Sol Mamakwa: Minister, I'm wondering if there's an opportunity—I know in my riding of Kiiwetinoong, there's 24 fly-in First Nations. It's not as simple as reaching out to ServiceOntario. It's not that easy. There's people that never hardly come out to an urban centre. Would you be open to having some type of a mobile unit flying to the fly-in First Nations to provide that service?

Hon. Kaleed Rasheed: I know that ServiceOntario has responded and analyzed the community services needs and will forward a recommendation. But I know, Deputy, you want to add something to this.

Ms. Renu Kulendran: Sure. Deputy Renu Kulendran. I'm with the Ministry of Public and Business Service Delivery. When we talk about a pilot, it means that we are really looking for alternative ways of delivering services that meet community needs.

The purpose of this pilot that we're describing is to learn lessons through this two-year partnership and make recommendations and start to look at other expansion of partnerships. Certainly, we really want to evolve not only our digital services but our in-person services, and so we'd be happy to continue the dialogue with respect to how we continue.

We already have 60 locations across northern Ontario. We are working with partnerships with Nishnawbe Aski Nation, with IAO and others to look at how we can decrease barriers for, particularly, young Indigenous people accessing information—

Mr. Sol Mamakwa: Thank you very much. I think I got my answer.

The Chair (Mr. Lorne Coe): Thank you. I have MPP Stevens next. MPP Stevens, there's seven minutes left of the opposition's time.

Mrs. Jennifer (Jennie) Stevens: Thank you, Chair, for that information. And thank you to the minister and his members that are here today.

In 2019, CBC reported that several residents in the Ottawa subdivision of Cardinal Creek had building defects in their homes, including mould, leaky walls, cracked foundations. Several residents have stated that they had to spend their life savings and some of their own money to prove that defects existed, and there were long delays in getting any compensation from the government or the developer to make necessary repairs.

The builder responsible is Tamarack Developments Corp., which is a subsidiary of the Taggart Group. The Taggart Group is owned by the Taggart family, and the president of Tamarack is Christopher Taggart. I hope you're following the theme here. Christopher and multiple members of the family are active donors to the PC Party.

Groups like the Canadians for Properly Built Homes have been drawing attention to the inadequacy of the Ontario Builder Directory for decades, as the directory does not provide timely, accurate information to consumers.

So, Minister, I guess the question I would like to ask: Given that the CBC has reported that building code violations were discovered in at least nine homes in the

Cardinal Creek neighbourhood, how is it possible that the Ontario Builder Directory still only shows three chargeable consolidations and \$9,959.55—they've even got the cents here—total dollars paid in claims to the Tamarack Developments Corp.?

Hon. Kaleed Rasheed: Thank you so much, MPP Stevens, for your question.

Look, our government understands that buying a home is one of the most important investments Ontarians will make in their lives. That's why we have rebuilt Ontario's new home warranty protection program from the ground up, focusing on consumer protections, transparency and access to information and governance. Our government is improving Tarion to better support consumers and homebuyers through multiple means, like bringing their governance and transparency rules in line with other administrative authorities.

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Now, as I said earlier when I was addressing MPP Mamakwa's question about customer service, the very first thing I did was that I met with all administrative authorities, their chairs, their CEOs, and I said to them, "I want to make sure that we are providing the best customer service." And to your point, MPP Stevens, when you talk about the service issue, that's why we want to make sure that the homeowners who are making the biggest purchase of their lives are getting the service—

Mrs. Jennifer (Jennie) Stevens: Thank you, Minister. I think I want to direct you back to where, I guess, the underlying girth of this question is: How is it possible that the Ontario Builder Directory still only shows three chargeable consolidations of the total dollars paid in claims for the Tamarack Developments Corp.? We're wondering, how much did they actually pay the residents? There are nine of them in this neighbourhood that have had to put their own money forward. I'm wondering how this ministry will deal with that in the future. Will these homeowners get some kind of compensation in the near future?

Hon. Kaleed Rasheed: Thank you for your follow-up question. Look, we continue to work with Tarion. I just wanted to mention that in 2021, in a follow-up report to the Auditor General's 2019 audit of Tarion, the AG reported that 76% of the recommended actions were fully implemented. Tarion has also announced that it has completed 22 of the 25 recommendations directed towards it by the AG. Deputy, do you want to add something to this?

Ms. Renu Kulendran: I want to build on what the minister has been saying about the improved measures and oversight and changes with respect to the Tarion organization. We have taken steps to improve the Ontario Builder Directory. In fact, on—

Mrs. Jennifer (Jennie) Stevens: That's great. Sorry, to interrupt, Chair. Sorry, but I just want to move on. Thank you very much for that clarification, but we're fighting for time here and I've got a couple more, and I know MPP Wong-Tam wants to ask one too. I'm glad you're going to continue to work with this group and I'm glad to hear that,

because I'm sure some of them are watching this afternoon.

Now I want to get into instances of price gouging, just quickly, and food inflation. We see them constantly going up. I personally just went to the grocery store and saw the level of pricing for a head of lettuce was almost \$6 at my local grocery store. With our pediatric emergency rooms filling up at an unbelievable rate—yesterday, the Globe and Mail reported that children's Advil was being sold online for \$200, and that's just the Advil; I guess the Tylenol has almost doubled.

My question is, how many fines have been issued in relation to price gouging to date? Can you answer that? And then I've got a subsequent question for you.

Hon. Kaleed Rasheed: Sure. Thank you for your question, MPP Stevens. Unlike the former Liberal government—and we have talked about this many, many times—we are focused on building and strengthening consumer protection for Ontarians. You know, when bad actors sought to take advantage of the people of Ontario, our government, under the leadership of Premier Ford, issued an emergency order prohibiting the sales of necessary goods at unconscionable prices—

Mrs. Jennifer (Jennie) Stevens: I'm wondering about the \$200, though, right now.

Hon. Kaleed Rasheed: MPP Stevens, we are leveraging the Consumer Protection Act and building protections that better reflect our province's changing technologies, marketplace innovations and—

The Chair (Mr. Lorne Coe): Thank you, Minister, for that response. That concludes the time allotted for the official opposition.

We'll now turn to the government. I have MPP Riddell, please, for your questions.

Mr. Brian Riddell: Good evening, Minister. How are you tonight?

Hon. Kaleed Rasheed: Thank you very much.

Mr. Brian Riddell: In my riding—and it's something I've heard all over the place in Ontario—is unethical developers price-gouging new homebuyers, cancelling contracts and then selling the same location and home for tens or hundreds of thousands of dollars more. What is your ministry doing to try to stop this?

Hon. Kaleed Rasheed: Thank you, MPP Riddell. I appreciate the question. The Ontario government is offering stronger protections for new homebuyers by cracking down on, as you said, the unethical developers with harsh new fines. MPP Riddell, why are we doing this? Because, honestly, hard-working Ontarians deserve to be treated fairly when making one of the biggest purchases of their lives.

We have heard stories. You have heard, I have heard; we all have heard stories from new homebuyers who have been ripped off by unethical developers who simply try to cancel contracts, only to sell the same unit for tens of thousands of dollars more. Premier Ford has said, and we have heard it many, many times, that this is unacceptable and something needs to be done about this.

That's why we announced that we will be now doubling the maximum fine for unethical builders who unfairly cancel contracts, and that will be now up to \$50,000, with no limit to additional monetary benefit penalties; it depends on the financial gain by developers. They can be charged for tens of thousands of dollars.

Why are we doing this? Because we want to punish these unethical developers, who could now seriously be on the hook. And this is the first time ever that money from these penalties will actually go back into the victims' pockets who, unfortunately, were affected by these unethical developers. We want to make sure that we continue to support Ontarians.

Deputy Minister, if you want to add something to this?

Ms. Renu Kulendran: The minister is speaking about some of the proposed legislation under the New Home Construction Licensing Act, which would increase those fines.

We're also building on changes that were made under the More Homes for Everyone Act, and that would increase the HCRA's authority, the registrar's authority, to discipline individuals who are not in compliance and create greater penalties under the code of ethics for licensees, as well as to increase the maximum fines that can be issued by the discipline committee. That would be up to \$50,000 for individual licensees and \$100,000 for non-licensees.

As part of the proposed new changes under the New Home Construction Licensing Act, monies that the Home Construction Regulatory Authority, the HCRA, collects could be used to make payments directly back to

consumers, which is a significant change. If passed, there are a suite of additional tools and measures that can be deployed to support individuals who are purchasing new homes.

Mr. Brian Riddell: Thank you for your answer. That makes me feel a bit better.

The Chair (Mr. Lorne Coe): MPP Saunderson, please.

Mr. Brian Saunderson: I know we're running short of time, but my question for the minister—and thank you very much for being here today with your staff. Throughout the pandemic, we saw many areas in my community, many manufacturers that quickly switched over to making PPE to fill in the gap that we needed. Now that we're working our way through the pandemic, I'm wondering if you can speak about changes that you've made in the procurement processes that will help to streamline that so that we're a little more nimble in the future.

The Chair (Mr. Lorne Coe): We're going to stop right now because all the time we have for today stops at 6 o'clock. The committee will resume on November 17 at 9 a.m., so we'll hear your response to that question tomorrow morning.

I wanted to thank all the committee members for your work today. Thank you for your assistance and co-operation. We'll see you all tomorrow morning at 9 o'clock.

This committee is adjourned until November 17 at 9 a.m.

The committee adjourned at 1801.

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