

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

SP-22

**Journal
des débats
(Hansard)**

SP-22

**Standing Committee on
Social Policy**

Garrett's Legacy Act
(Requirements for Movable
Soccer Goals), 2023

1st Session
43rd Parliament

Thursday 13 July 2023

**Comité permanent de
la politique sociale**

Loi de 2023 sur le legs
de Garrett (exigences relatives
aux buts de soccer mobiles)

1^{re} session
43^e législature

Jeudi 13 juillet 2023

Chair: Brian Riddell
Clerk: Lesley Flores

Président : Brian Riddell
Greffière : Lesley Flores

Hansard on the Internet

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

<https://www.ola.org/>

Index inquiries

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

Le Journal des débats sur Internet

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

Renseignements sur l'index

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

House Publications and Language Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400
Published by the Legislative Assembly of Ontario



Service linguistique et des publications parlementaires
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400
Publié par l'Assemblée législative de l'Ontario

ISSN 1710-9477

CONTENTS

Thursday 13 July 2023

Garrett's Legacy Act (Requirements for Movable Soccer Goals), 2023, Bill 99, Mr. Bresee / Loi de 2023 sur le legs de Garrett (exigences relatives aux buts de soccer mobiles), projet de loi 99, M. Bresee.....	SP-635
Mr. Ric Bresee	
Mr. David Mills; Ms. Jacqueline Palm	SP-642

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Thursday 13 July 2023

Jeudi 13 juillet 2023

The committee met at 1000 in committee room 1.

**GARRETT'S LEGACY ACT
(REQUIREMENTS FOR MOVABLE
SOCCER GOALS), 2023**

**LOI DE 2023 SUR LE LEGS DE GARRETT
(EXIGENCES RELATIVES AUX BUTS
DE SOCCER MOBILES)**

Consideration of the following bill:

Bill 99, An Act to provide for safety measures respecting movable soccer goals / Projet de loi 99, Loi prévoyant des mesures de sécurité pour les buts de soccer mobiles.

The Chair (Mr. Brian Riddell): Good morning, everyone. The Standing Committee on Social Policy will now come to order. We are here to conduct public hearings on Bill 99, An Act to provide for safety measures respecting movable soccer goals. We are joined by staff from legislative research, Hansard, and broadcast and recording.

Please wait until I recognize you before starting to speak. As always, all comments have to go through the Chair.

Our first presenter today is MPP Ric Bresee, the sponsor of Bill 99.

You will have 20 minutes to make an opening statement, followed by 40 minutes for questions and answers—two rounds of 7.5 minutes for the government members, two rounds of 7.5 minutes for the official opposition, and two rounds of five minutes for the independent members.

Are there any questions?

MPP Bresee, you have 20 minutes for your presentation. You may begin when you're ready.

Mr. Ric Bresee: Thank you, Mr. Chair. Good morning, colleagues. We are expecting the family of Garrett Mills—Dave and Gwen Mills—as well as the family of Jaime Palm—Jacqueline Palm—to be arriving fairly shortly.

I would like to start by thanking all of you for coming here today to hear the stories and to advocate for a piece of legislation that will truly make a difference here in Ontario. I want to thank everyone for taking time out of their busy summers to convene today to discuss a very important bill to me and to many others, Bill 99, Garrett's Legacy Act (Requirements for Movable Soccer Goals).

Garrett's Legacy Act provides the Minister of Tourism, Culture and Sport with a mandate to create regulations to establish requirements for organizations and entities respecting the safe use of movable soccer goals that they

make available for use by members of the public. The act provides for inspections and requires the minister to establish a mechanism to report complaints of alleged non-compliance with the act.

I first learned of the risk involved in movable soccer nets as a result of the tragic loss of Garrett Mills, a 15-year-old, near my home in 2017. I didn't know the Mills family then, but I had seen the reports and was as shocked as everyone in the community. Unfortunately, that same—

The Chair (Mr. Brian Riddell): I'm sorry, MPP Bresee; I'm going to have to ask you to pause. There's no audio right now. So let's just get that repaired, and then we'll start over again.

The committee recessed from 1003 to 1011.

The Chair (Mr. Brian Riddell): So now that we gave MPP Bresee a practice session, he's going for the real thing.

Would you please start again for your 20 minutes?

Mr. Ric Bresee: Thank you very much, Mr. Chair, and good morning, colleagues. Again, we will be joined by the families of Garret Mills and Jamie Palm here shortly. I believe they are also on the agenda to be speaking at about 11 o'clock.

I thank you all for coming here today to hear the stories about these children and to advocate for a piece of legislation that will truly make a difference here in Ontario.

I want to thank everyone for taking time out of their busy summer schedules to convene together here today to discuss this bill very important to me and to many others. Bill 99, Garrett's Legacy Act (Requirements for Movable Soccer Goals). Garrett's Legacy Act provides the Minister of Tourism, Culture and Sport with a mandate to create regulations to establish requirements for organizations and entities respecting the safe use of movable soccer goals that they make available for use by the public. The act provides for inspections and requires the minister to establish a mechanism to report complaints of alleged non-compliance with the act.

I first learned of the risks involved in movable soccer nets as the result of the tragic loss of Garrett Mills, a 15-year-old boy, near my home in 2017. I didn't know the Mills family at that point, but I had seen the reports and was as shocked as everyone else in the community. It was horrific. Unfortunately, the very same year, I experienced the loss of a child through illness, and was contacted by Dave Mills to express his sympathy, to extend a hand, an ear, a voice in helping me through my grieving process. Let's just say that no parent should ever have to bury a child.

When I first began my research while drafting this bill, it came as a surprise to me to learn that there have been more than 40 fatalities across North America involving movable soccer goals. Even more tragic, most of these fatalities have been children. I think we can all agree that with more than 40 fatalities, there are many, many more significant injuries, incidents causing injury, possibly life-changing injuries.

Now I'm not saying that there's anything inherently wrong with movable soccer goals or the sport of soccer as a whole. Soccer is a wonderful sport, and I believe it's one of the fastest-growing sports in North America. We don't want to stop the players from using these nets or even to stop the players from jumping up on the bars. When I met with the Thornhill soccer association, they emphasized to me the importance of soccer goalkeepers stretching to reach the bars in all directions. It's part of the practice and the routine for all the elite goalkeepers to build that mental understanding of the location of the bars.

Garrett's Legacy Act does not advocate for more red tape on soccer. I don't want to increase the cost of playing soccer, and the bill does not drive up the cost of soccer as it is a very affordable sport to play. But rather, the bill proactively mitigates possible death or injuries with minimal red tape.

This bill, if passed, recognizes that the nature of these movable soccer nets and the fields that they are used on have many variations. For example, some nets are used on artificial surfaces and, if they are designed so, can be anchored with the appropriate attachments. Mobile nets that are used on natural surfaces can sometimes be anchored with pegs or with weights to hold them down.

There are a wide variety of nets being used, of different materials and for different purposes. Again, this bill recognizes that, and, if it receives royal assent, it will provide the authority for the Minister of Tourism, Culture and Sport to draft regulations that address the different situations and provide for the enforcement and the penalties for failing to comply. The minister may also appoint inspectors who may perform inspections, in accordance with the regulations, for the purpose of determining compliance with Garrett's Legacy Act. The inspectors will also be the ones who will follow up on complaints from the public.

Garrett's Legacy Act even addresses the opportunity to provide signage, stickers and other educational tools to inform people, especially to inform the parents about these risks. Prior to the incident that Dave Mills, father to Garrett, will tell you about, I never knew that mobile soccer nets presented a risk. I'm willing to bet that, like me, many parents have seen their kids play on or near soccer nets without ever stopping to think that they could tip over. All in all, this bill is a flexible response to reduce the risk of these nets and I know that preventing these incidents, saving lives and preventing injuries is a priority for all members of this House.

The creation of these regulations will actually not be very difficult. There are examples all around us. Several jurisdictions, including the Yukon, Virginia, Illinois, New York, Arkansas and Wisconsin, have all already passed

laws requiring nets to be secure, and almost all soccer associations in Canada and across the world have some kind of guidelines on how to do this. That's an important note: Almost all local, regional, provincial and national soccer associations already have some type of guidance statements or policy for their members. This legislation, if passed, will help to complete that process and create both an education system and an enforcement system to ensure compliance with these goals.

The jurisdictions that I've mentioned have all experienced a tragedy involving movable soccer goals that led to the creation of the legislation to regulate and enforce safety measures for movable soccer goals. New York state, for example, enacted a law in 2014 addressing movable soccer goal safety. The bill was provoked initially by an incident that occurred in 2002, when a toppled soccer goal broke the femur of an eight-year-old girl. The law requires the Department of State to establish rules and regulations pertaining to the "anchoring, securing and counter-weighting" of movable soccer goals.

In other words, they are leaving the mechanics of securing the goal to best practices, which is exactly my intention with Garrett's Legacy Act: To allow for soccer goals to be secured in a way that is most suitable for the type of net, the field and that particular situation. Furthermore, the state of New York enforces a \$500 fine on any person, corporation or firm that erects a non-compliant soccer goal. Bill 99 has a similar enforcement fine of between \$100 to \$500, with subsequent fines of \$500 to \$5,000.

I believe, from my conversations with stakeholders and with the minister, that these costs do not deter soccer associations from continuing to organize soccer. Nor does it deter new organizations from starting to organize soccer. What it does is punish repeat offenders and deter negligence. We are sending a message that safety matters and that the children of Ontario matter.

Another jurisdiction, Illinois, enacted a law in 2011 to improve movable soccer goal safety in response to the death of a six-year-old boy when a soccer goal tipped over and fell on him. Zach Tran was that six-year-old boy. He died in 2003. The movable soccer goal weighed 180 pounds. The coroner reported that it only takes 25 pounds of weight to tip over the movable soccer goal that was involved in the accident, and 25 pounds is not a lot of weight. A toddler weighs more than 25 pounds. A strong gust of wind can move well more than 25 pounds. Zach was playing soccer when it happened. He was playing goalkeeper. The accident happened during this game. This is the type of accident that we can prevent with this piece of legislation.

1020

The Illinois law requires organizations to create policy that outlines how they will address safety issues associated with movable soccer goals so that the goals will simply not tip over.

Onto Wisconsin: In 2011, the state enacted a movable soccer goal law in response to the death of that same Zach Tran, with the legislation being very similar to New York's legislation. The legislation enforces a \$500 penalty, outlines

policy must be in place to ensure movable soccer goals are safe through anchoring, securing and the use of counterweights.

Zach's mother said that after her son died, she hoped that some good would come of it and a law would be put into place to prevent deaths similar to her son's. That's exactly what happened: Multiple states have introduced legislation because they knew, much like I do, and the Mills family, and the Palm family, that these deaths can be prevented and should be prevented.

Looking at Canada now, in 2013, the Yukon enacted the Movable Soccer Goal Safety Act following the death of a five-year-old who was injured in an accident involving a movable soccer goal. That's the story of Jaedyn Amann-Hicks. On July 4, 2012, five-year-old Jaedyn was playing soccer with friends in Watson Lake, Yukon, when a friend leaned against the collapsible soccer net. The net fell down, striking Amann-Hicks in the back of the head. She was rushed to hospital but died hours later from her injuries.

The Yukon legislation that was introduced to honour Jaedyn applies to movable soccer goals weighing more than 18 kilograms, or 40 pounds: permanently display bilingual signs warning about the dangers of climbing or hanging on the goal, have anchors for outdoor goals, wall or floor fasteners for indoor goals and routine inspection for all movable soccer goals. Furthermore, if a person who makes a soccer goal available has reason to believe that the goal is defective, the person must immediately remove it from use. Similarly, if a public operator of a recreation facility determines that a movable soccer goal is defective, it must take immediate steps to remove it from use, which brings me back to the legislation outlined in Bill 99, Garrett's Legacy Act. This legislation has been considered necessary in other jurisdictions, and I want to bring that same peace of mind and safety to the people of Ontario that their children will not be injured during their recreational activities of playing soccer or just while playing around a movable soccer goal.

There is something very unique about Garrett's Legacy Act, though, and that's the education about movable soccer goals. In drafting this bill, I've had extensive conversation with the Minister of Tourism, Culture and Sport, and we both agree that there is a responsibility to make sure there is a strong education and signage mandate within the regulations. He wants to work with the manufacturers to make sure that the nets are as safe as they can possibly be. So if there's a single step we can take to save a child, surely it's something we have an obligation to do.

My final point is about effectiveness of this legislation. The United States Consumer Product Safety Commission put out a report stating that as of 2017, 42 people have died in North America from accidents involving soccer goals. In the six jurisdictions that have introduced legislation regulating movable soccer goals, not a single person has died from a movable soccer goal since the legislation came in effect. You can see the effectiveness of this type of legislation and what we together can accomplish here in Ontario. Securing movable soccer goals saves lives. It simply works.

It's a sad note to me that all of these pieces of legislation that I've mentioned were enacted prior to 2017. I don't have a crystal ball, nor am I prone to the hypothetical, but if Ontario had similar legislation prior to 2017, the world would possibly be very different for the families who are here today.

I hope that you, the members of the Standing Committee on Social Policy, see fit to send Bill 99, Garrett's Legacy Act, back to the chamber for third reading and royal assent.

I want to thank you all again for being here today. I also wanted to mention MPP Stan Cho and MPP Todd Smith, who have previously brought Garrett's Legacy Act to the Ontario Legislative Assembly.

I think we can all agree that the safety of the athletes, the public and especially the children is a cause that we can all stand behind. What this bill will do, if passed, is not only give Garrett Mills a legacy but also save lives.

It is a privilege to come before you today to promote the game of soccer and to increase the safety of the beautiful game. I'd also like to thank the wide number of soccer associations across the province and across the country who organize the sport. They're the ones who make it safe for our kids, make it fun for our kids, and we are now, with this bill, going to equip them with another tool to make the sport better while keeping the players on the field and the public safe.

This bill today will hopefully see, through education, signage, enforcement and securing soccer goals, that there are no more preventable accidents involving movable soccer nets. I thank you all very much, and I look forward to hearing the stories from Dave Mills and Jacqueline Palm as they share their stories. Thank you, Mr. Chair.

The Chair (Mr. Brian Riddell): Thank you, MPP Bresee. We will now go with questions with the government for 7.5 minutes. You can start now. Any questions? MPP Martin.

Mrs. Robin Martin: Thank you very much, MPP Bresee, for bringing this forward and for bringing it forward after MPP Cho and MPP Smith had also brought this forward and tried to get it through the Legislature.

Obviously we all agree—I think I speak for everybody—that it's important to protect children especially, but also everybody who's out there trying to enjoy the outdoors, enjoy the beautiful game, as it's called. My own son played competitive soccer from the time he was seven until—well, he's still playing. He's 30 now, but he was in a very competitive league from the time he was seven. We spent a lot of time on soccer fields and I have seen situations which have caused me some concern. Thankfully nobody was seriously injured, but it is obviously something that happens quite a lot and it's a shame to have something like that potentially disrupt what is otherwise such a healthy and great activity for young people to be involved in.

I know you mentioned other jurisdictions—I think you said there were six that already had passed legislation, and I got down Yukon, Virginia, Illinois, Arkansas, Wisconsin, and I think you said New York State as well. Have you looked at those pieces of legislation at all? Do you know if they're similar to what you're proposing here? Do they

have any suggestions for us as to how we can enhance this legislation?

Mr. Ric Bresee: As noted, there are several other jurisdictions that have done similar legislation. In some cases, the legislation is more prescriptive, describing exactly what to do with the soccer nets etc. In other cases, it is more regulation-based, more flexible to accommodate a wide variety of different types of nets.

That is what we're proposing here with this piece of legislation, to make sure that it covers all of the various possibilities. As technology changes, as the game changes and as the manufacturers of these nets change, we want to be as flexible as possible to ensure that safety continues, not just have a fixed set or have to come back through this legislative process to be able to change the legislation as the variables change.

Mrs. Robin Martin: Right, and I think that makes a lot of sense. You didn't mention it but it's also true that the field and what the field is made of is also something that technology has added various things to. It's not always just a grass field anymore and that can probably make a difference as well as to how it should be anchored, which is the relevant issue.

Mr. Ric Bresee: Absolutely. We're seeing many more hard surface fields, as they're referred to, as opposed to natural fields, and yes, the anchors and the potential methods for securing nets change based on the surface that they're on.

1030

Mrs. Robin Martin: Right. Obviously it's a terrible tragedy that anybody should pass away in such a thing. You mentioned 42 fatalities across North America and, of course, probably many other injuries, such as a broken femur that you mentioned in the one example. Those can have life-changing results as well for people. That is something that nobody wants to see, and that's why I think we're all pleased that you have brought forward this legislation to try to do something about it.

You also mentioned that the minister might work with manufacturers—I think you said the minister, or you might; I don't know—on how to make soccer nets better, safer. Can you tell us a little bit about that?

Mr. Ric Bresee: In my conversations with the minister leading up to this, we did discuss the idea that, especially for signage requirements and things of that nature, the manufacturers themselves could be putting the nets out with the signs already on them. If there are some variations to how to utilize these nets, the manufacturers can be producing that.

So this legislation would give the flexibility to the minister to continue that type of work, to have those conversations with the manufacturers to make sure that we have the best possible scenarios. If they don't need to be screwed down to a surface because of the way they're built, all the better. If they can be built out of softer or lighter materials without risking them collapsing, obviously, then all the better. Those are the types of conversations that can go on with the manufacturing side, with the sport side, to improve overall safety.

Mrs. Robin Martin: Okay. That seems to make a lot of sense to me. I like the education aspect of what you're proposing. A couple of times you have mentioned the signage that could be on the equipment. You also talked about how soccer associations already often have guidelines about maybe education, but also what people should know when using these things. I'm wondering if you could just give us a little bit of a taste of what that is like and how you foresee education being helpful to making sure we don't have any accidents of the kind we're trying to avoid with this legislation.

Mr. Ric Bresee: Absolutely. Again, this is what I would envision; it will be up to the minister to set these things out over time. I know that when my own children were in soccer—I'm a soccer dad like you were a soccer mom—yes, we received some formal information from the soccer association that I signed the bottom of and handed my cheque over to register my children. I'll be honest; I don't remember what was written on that form. I'm sure there were some safety regulations, and I'm sure that there was some guidance to documents that would provide me with the rules for soccer and the rules for safety around those events, but I honestly didn't pay much attention to them at the time, and that's on me.

But I had no idea that soccer nets could tip over—absolutely none. My children were younger than the Mills family, so when I first encountered a tragedy like this, my kids were already past the age of playing soccer. I never knew that risk was there.

The Chair (Mr. Brian Riddell): One minute remaining.

Mr. Ric Bresee: I think that most parents don't know that risk is there.

So it is something that we want to continue to pursue, working with the soccer associations to make sure that their staff, their coaches, their referees—everybody is informed and well educated toward that safety so that the parents can have confidence that their children are going out and playing that wonderful game without any risk to them, or at least minimizing the risk to them as much possible.

Mrs. Robin Martin: Yes, thank you very much. I also coached soccer with my daughter's team—not my son's—until she turned about eight, and then all the kids were better than me. But I didn't really know that soccer nets could fall over at that point either. That is obviously something that could be the cause of terrible tragedy that would ruin what is otherwise a glorious day and a glorious sport to participate in. So thank you very much for having brought this act forward, again.

The Chair (Mr. Brian Riddell): Thank you for the government side.

We'll now go to the official opposition, and I recognize MPP Gates.

Mr. Wayne Gates: Thanks for everybody coming today, and thank you for sponsoring this legislation. I know this bill has come forward a couple of times by your party and, unfortunately, it hasn't gone through and got passed. Hopefully, today and as we go forward and get called back on September 25, it does get passed.

I myself spent a lot of time coaching in minor sports. I never did coach soccer, but I did coach baseball. The concern is always the safety of our kids. There's nothing more important than our children, without a doubt.

But before I ask the question, I just want to be clear that the soccer organizations right across this country and particularly in my riding are great organizations. They work extremely hard. I think we need to thank all the volunteers. The number of hours that go into soccer, especially the travel soccer, is incredible. So I want to make sure that we say to the groups, "Thank you very much, but also this may be an opportunity to make it safe for those same kids you're trying to help and mentor as you go through."

Could you outline your outreach and conversations with the youth soccer community in Ontario regarding this legislation? What did the feedback look like? The other one I'd like to know is, did you have any conversation with the official opposition critic at all?

Mr. Ric Bresee: Thank you for the question, and I'll start with the same place you started. Absolutely, 100%, I want to thank all of the soccer organizers across the country, across the province and in each of our own local areas. They do an amazing job. I know Carlos in my area was always the guy who was running it, and I can't imagine how many hours he and his volunteers, the other volunteers on his committee, put into this. They do an amazing job. Their goal is to make a wonderful event for those children and, of course, along with that, their goal is to make sure that they are safe while they do this.

I will be honest, I did not consult with the opposition critic on this. Being a new member, I didn't know about that option. So I can't claim that outreach.

I did speak with many of the members of my own caucus, the minister and several soccer associations. I made reference to the Thornhill soccer association and I spoke with several in my own area in Hastings-Lennox and Addington and the neighbouring Kingston area.

I wanted to make sure that this piece of legislation wasn't going to be onerous, wasn't going to be a stopper for those organizations, and the feedback I got from all was, "Well, we're already kind of doing something like that." They are already aware of the risks at the executive level within these organizations. This piece of legislation will simply make sure that this is universal, that all soccer associations and all organizations are following this type of regulation.

Mr. Wayne Gates: Thanks. I appreciate that.

Jacqueline Palm, who is here with us today at 11 a.m., has put forward several written suggestions to slightly alter the language of the bill. As I'm sure you're aware, her 15-year-old daughter tragically died in 2014 from an accident with movable soccer goals. Could you discuss those suggestions and how you would be acting on them as a sponsor of this legislation?

Mr. Ric Bresee: Again, unfortunately, I became aware of those suggestions this morning, so I haven't had an opportunity to review them. I am open to having any such discussions. The goal here is to make sure that the legislation gets through so that we can have the safety regulations

put in place, and I'm always open to discussing any type of amendment or adjustment as necessary.

Mr. Wayne Gates: So I guess my follow-up question to it—because the bill is basically getting done today before it goes back to the House and you have already heard from our critic that they'd be supporting the bill, but unfortunately the amendments have to be in today. So can we get a commitment from you today and from your party that as part of the regulations that will come forward, that you'll take a serious look at Jacqueline's suggestions that she's put forward to slightly make the bill better and the safety of our kids better?

I know it's a little strange to do it that way, but I think in fairness to all of us, all we want to do is make sure this is the best bill possible and to make sure our kids are going to be safe, how we get there. Obviously the family members have lived this for a number of years. One of the parents said that if this would help the bill get stronger, that's our intention. I think it's your intention, and I think it's the intention of my colleagues on the other side—

Mr. Ric Bresee: Absolutely.

Mr. Wayne Gates: Could you say that you'll seriously look at doing that even if we don't have any amendments coming forward today because of the lateness?

Mrs. Robin Martin: Chair, a point of order.

The Chair (Mr. Brian Riddell): I recognize MPP Martin.

Mrs. Robin Martin: Yes. Sorry to interrupt, I think seriously looking at the proposed amendments would be the role of the committee members, not necessarily the role of the person who's presenting his bill. He can look at them as well, but he's not in the position to vote on the amendments.

1040

Mr. Wayne Gates: I think I was clear in saying that because a lot of the bill here is being left up to the minister and a lot of the bill is being left to regulations, what I'm saying is that the suggestions that are brought forward by the parents should weigh heavily on how to make the bill better. That's my goal. I think that's your goal. I understand there's procedure stuff, but the reality is there's lots of things that we can do with regulations to make sure that Jacqueline is heard during this. That's all I'm saying. I understand that the opposition can jump in wherever they want, but that's all I was doing. I wasn't trying to do anything outside the normal.

I'll move on to the next question, but at least you get the drift of what I'm saying.

Mr. Ric Bresee: If I can provide an answer—

Mr. Wayne Gates: Pardon?

Mr. Ric Bresee: If I could provide a bit of an answer, anyway, Mr. Chair—thank you. I will actually commit to reviewing and working with Ms. Palm and with any parent or any organization that is looking at adjustments, but as is already noted, this is a bill about creating the authority for the minister to create regulations, and so making sure that that information gets through to the minister and we continue to work to make the best regulations possible, I think, is a solid commitment.

The Chair (Mr. Brian Riddell): One minute remaining.

Mr. Wayne Gates: I appreciate that.

The fourth noted suggestion included some comments on the frequency of inspections, coming from Jacqueline. I see that the legislation does not outline the details of how inspections will be conducted and how enforcement will be completed. Could you provide the committee with an overview of how that will take place?

Mr. Ric Bresee: Again, that will be at the discretion of the minister to create those regulations, and we will take all input to make sure that that is the best available and the best practice.

Mr. Wayne Gates: So a lot of this is going to rely on the Minister of Tourism.

Mr. Ric Bresee: Absolutely.

Mr. Wayne Gates: Can I make a suggestion that the Minister of Tourism and yourself talk to our critic, who, I believe, is MPP Stevens, and maybe work together to make the bill better? That would be my suggestion—again, only a suggestion, because I'm smart enough not to tell you guys what to do, but I can make a suggestion. I think that would be a good suggestion. If we work together to make the bill as strong as possible, I think—

The Chair (Mr. Brian Riddell): Thank you, MPP Gates.

We'll now go to round two, with the government side starting. I recognize MPP Jordan.

Mr. John Jordan: Thank you, MPP Bresee, for the presentation. Going back to the inspection piece, I'm wondering if you can expand a little bit on your vision on how those inspections would work, and is there a relationship with the CSA standards in our current health and safety act for regulations? Is that something that we'll be looking at for the regulations with this bill, or how do you envision that working?

Mr. Ric Bresee: In all honesty, what I end up envisioning is—many of these facilities are municipally owned facilities. The parks and recreation organizations across the province have weighed in on this. They have their own guidelines as well. They have, I'll say, rules and regulations that they encourage and mandate their members to follow. This is a mechanism that I believe can be used. There are a number of these types of organizations that can oversee a process of inspection.

Part of the legislation includes a reporting mechanism. The public has to know and understand that they can report when they see something that is to be a problem, is perceived as a problem, and then there will be a follow-up process. Again, it will be up to the minister to make the final decisions on the inspection process, but I believe, through the municipalities and through the various organizations that are already heavily engaged in this, we have a strong foundation to build an inspection process.

Mr. John Jordan: Thank you.

The Chair (Mr. Brian Riddell): I recognize MPP Quinn.

Mr. Nolan Quinn: Thank you again, MPP Bresee, for bringing this up. I was a soccer goalie as well and not a good one, but when you mentioned touching the post and touching the crossbar, that was something I always did.

I'm curious if you could expand a bit more on the education or signage side of it, because quite often it's not happening during a soccer game; it's happening at night or on weekends when there isn't a soccer game going on. And then the other factor I think that we need to take into consideration is when the lawn is being cut. Ultimately, they need to know that they need to be re-secured, as well. To me, there's a bit of a risk with the companies that are going to be cutting the fields to ensure that they're going to re-stake them back in and ensure that they're not going to be moving. So could you just clarify a little bit of the signage and/or the education piece that's going to be outside of the soccer leagues?

Mr. Ric Bresee: I would actually like to talk a little bit about the thought process that went into building this because we've talked about this being the responsibility of the coaches and the referees on the field, but you made a very good point—and we thought of this point as well—that these incidents don't always happen during a soccer game. In fact, the Garrett Mills incident itself had nothing to do with a soccer game. It was a movable soccer goal that was left on a field long after the official users were using it.

This is why the legislation references the owners—the entities, the municipalities, the schools, whomever that is that owns that property—being the ultimate authority about who is on the property and what tools, including movable soccer goals, are on the property. Do they all need to be carted at the end of every day? Do they need to be locked and chained to a fence? How to do that in a practical sense that works and is verifiable is a key question, and I think the answer lies in how it is highly variable.

It will depend on the particular circumstance. This is one of the reasons why having a flexible regulatory process that the minister can develop to work with the associations and work with the municipalities or the school boards or whomever that is to make sure that this actually works and is deployable in a practical sense, to my mind, is the ultimate tool that this legislation provides, this flexibility.

Mr. Nolan Quinn: I guess just one follow-up comment or suggestion is possibly having it in the contracts moving forward for the lawn care companies, so that they know there is a risk or liability. So whenever we sign the new contracts for next year, for who's going to cut the lawn or cut the fields, ultimately, it's an asterisk that's going to be put in moving forward.

Mr. Ric Bresee: One of the discussions that we did have at the time—again, I was heavily involved in the municipal for a very, very long time, and recognized one of the challenges in ball fields, baseball fields, is the pop fly, that ball going up over the nets. Over the years, municipalities put up higher and higher and higher nets, and finally, they turned to all of their baseball associations and said, "You're going to implement a rule that says, 'If you pop it up over the fence, it's an automatic out,'" because it disincentivizes people from popping that ball up over that net, because it was a safety risk.

And the municipalities ended up, exactly as you're saying, putting it into the rental contracts back to the associations

to make sure that those rules were applied. It was very low cost—a lot lower-cost than building higher and higher nets, certainly. So that type of creativity, that type of partnered management of these risks is really what we want to see coming out of these regulations.

And if I could add—I don't know how much we've got left here—

The Chair (Mr. Brian Riddell): You have two minutes and nine seconds.

Mr. Ric Bresee: If I could continue on for a moment, one of the things that really struck me in the conversations that we had is that, yes, we've talked about the lives lost, the injured players, the injured citizens, kids on the field after all these different things. I attended a lot of soccer events, with literally hundreds of parents and kids on those fields—multiple-field properties, hot dogs going, everybody having fun—a wonderful summer activity. If you've ever seen a serious injury on one of those fields, it is shocking not just to the immediate family and the individual that's hurt, but it is traumatic to the entire group of children there.

This goes well beyond the immediate families. This is permanently impactful to everyone there that day. This is something that we can regulate and we can make sure we at least minimize, the potential for it happening.

The Chair (Mr. Brian Riddell): One minute remaining.

Mr. Ric Bresee: The trauma involved in that is just unimaginable to me.

The Chair (Mr. Brian Riddell): Forty-nine seconds.

Mrs. Robin Martin: I have something to add, Chair.

The Chair (Mr. Brian Riddell): Go ahead, MPP Martin.

Mrs. Robin Martin: Thank you. I was just going to add that there was a famous case in Britain built around cricket balls going over fences and being injurious to people as well, so I'm not surprised to hear about the pop fly rule.

Just in a committee hearing yesterday, we had a municipality talking about how challenging it is to manage some of the risks that come from lawsuits. This was on road safety, but I'm sure it is a big issue for them, and they would want to make sure that those balls were not going in areas and that people were safe on the fields.

Mr. Ric Bresee: I believe that this is mutually desired by the owners, the municipalities, the school boards, the soccer associations, the parents, the teams, the refs—everybody wants this.

The Chair (Mr. Brian Riddell): We'll now go to the official opposition for the second round. I recognize MPP Gates.

1050

Mr. Wayne Gates: Thank you very much. I'm going to start. Because this is a big issue here, I think, quite frankly, could you outline who will be fined for contravening this act? Will it be the individual soccer clubs, people working within the soccer clubs, the municipalities that are operating the soccer fields? Then, I'll give you a second part of the question around the educational part of it.

Mr. Ric Bresee: In the legislation, it speaks to the owners: the entities that own and manage the soccer fields. That could be a private organization. It could be a soccer

organization in some cases. I believe in most cases, it will be the school boards or the municipalities across the province.

Mr. Wayne Gates: Have you had any conversations with the municipalities on this particular bill?

Mr. Ric Bresee: Again, I've had casual conversations with many of them, and they are all, so far, very supportive.

Mr. Wayne Gates: You did mention one thing that I think we should get on the record that I think is also important, being a soccer dad like yourself. There are some soccer moms on both sides of the House. To make sure that everybody does read the documents that are handed out at the start of the season that outline the roles and responsibilities not only of the parents but of the soccer clubs, I think that's a good way to start. Now, when this bill gets passed, they can add that to what they're handing out as well, to advise them what they're doing and the responsibilities. I think that would be good.

The other issue that I think has to be talked about here: Soccer clubs, although they, as you know, are probably the least expensive to play—thank God, because hockey is getting too expensive to play for sure in this country—insurance on these soccer clubs is very, very expensive. So I'd like to make a suggestion—again, only a suggestion, before somebody jumps in on me—that you have a conversation with the insurance companies. Because when you're talking about the education part of it, the insurance companies have a role and responsibility, too. They could also maybe help pay some of the cost of that education for the new soccer nets, and it would be a way for them to lower their fees to some of the soccer clubs that are really challenged right now on paying bills. Maybe you could respond to that, too, on the education part.

Mr. Ric Bresee: I'll start with saying thank you for the suggestion. I do understand that as the minister develops the regulations, conversations with all relevant parties—and maybe the insurance companies are a very reasonable, relevant party to be involved in those conversations. I do like your concept of making sure that people take their part, the parents reading the education materials. Again, I fully admit that I did not, but I recognize there is a joint responsibility. It is not just the soccer associations, the conveners, the refs, the coaches; it's them and the players and the parents and the field owners and managers. It's everybody that has the responsibility to make sure that our children remain safe. This provides the minister with the authority and the power to create a regulatory framework to make sure that that happens and it's standard across the province.

Mr. Wayne Gates: I think it's a fair comment, what you said, being hard on yourself, quite frankly. I would think that most parents that are involved in soccer don't realize what could happen when those come over. Very few realize just how much weight is there. I think some of them can weigh up to 200 pounds.

Mr. Ric Bresee: Or more, yes.

Mr. Wayne Gates: Yes. So I think that's a fair comment. The more we educate, the better. That's why I think it's important to read the documents and add it on the document.

What has your consultation with municipalities looked like during the creation of this legislation? Will they have a role in enforcement of the regulations that could eventually be made by the minister—in other words, talk to him and say, “How do we go about doing this to make sure it’s active relatively quickly?”

Mr. Ric Bresee: I will certainly encourage the minister, but the minister obviously is able to make these decisions on his own and, I’m sure, wants to make the best decisions possible. As far as the consultation, in my local riding, I have 22 different municipalities, so I have had direct contact with a lot of different municipalities, almost all of which do have some kind of recreational program. No, I have not reached out to all 444 municipalities across the province, but I think I’ve got a pretty good cross-section of them. I specifically aimed at speaking to the recreation directors, the property managers, the people that manage these fields, as well as the politicians involved.

Mr. Wayne Gates: Thanks. I’m going to turn this over to my colleague MPP Glover.

Mr. Chris Glover: Thank you so much. Do I need to be recognized?

The Chair (Mr. Brian Riddell): I recognize MPP Glover.

Mr. Chris Glover: I want to thank MPP Bresee for bringing forward this bill. It’s a really important piece of legislation, and it’s a risk that I think most of us were unaware of until this came forward, so thank you so much for doing that.

The other thing: At the beginning of your comments, you mentioned that you had lost a child. I’m really, really sorry for your loss. It’s just a horrible, horrible tragedy for any family to have to face. If this bill can prevent some families from facing something similar, then we’ve got to do it, and we’ve got to get this right.

You also mentioned that there’s 40 fatalities. I coached both boys’ and girls’ soccer for many years—

Mr. Ric Bresee: Thank you.

Mr. Chris Glover: Yes, it was a blast. It was so much fun. But when you’re the adult on the field, you’re the coach on the field, those kids are essentially your kids. I can’t imagine the trauma that all the other kids, the other families, must have experienced with this, so thank you for bringing this forward.

I’ve got a couple of questions. One is—because we want to make sure this gets through, and we want to make sure that it’s implemented and implementable. This bill was brought forward before. Why didn’t it go through, and what can we do to make sure that this actually gets passed? Because there’s a lot of trauma involved with this—

The Chair (Mr. Brian Riddell): One minute remaining.

Mr. Chris Glover: Oh, okay.

Mr. Ric Bresee: I will answer that. As mentioned previously in my comments, MPP Todd Smith brought this forward, at the time co-sponsored by MPP Sophie Kiwala, out of Kingston and the Islands, as they were, I’ll say, the relevant MPPs to the incident with Garrett Mills. But that happened in 2017, and we all know that we went to an election in 2018. So unfortunately, the timing did not work

for that, and then when it was brought forward the second time, we ended up having a proroguing in government, and so it died on the table at that time as well. So this time, I perceive that we have good timing and good will. I have seen good support from across the assembly, so I am very confident that we will see this move forward.

Mr. Chris Glover: How much time?

The Chair (Mr. Brian Riddell): Four seconds.

Mr. Chris Glover: Oh. Will there be funding to support the soccer clubs—

The Chair (Mr. Brian Riddell): That concludes the official opposition questioning.

I want to thank MPP Bresee for appearing before the committee today.

MR. DAVID MILLS

MS. JACQUELINE PALM

The Chair (Mr. Brian Riddell): Today’s remaining presenters will have been scheduled in groups of three for each one-hour time slot. Each presenter is allotted seven minutes for an opening statement, followed by 39 minutes of questioning for the witnesses, divided into two rounds of 7.5 minutes for government members, two rounds of 7.5 minutes for official opposition members and two rounds of 4.5 minutes for the independent members of the committee. Are there any questions?

The schedule adopted by the committee limits the numbers of in-person presenters to one per presentation. However, the committee has received a request to allow Gwen Mills to sit at the witness table with David Mills. Does the committee agree to this request? Agreed.

Witnesses, please take your seats. At the witness table, I will now call on Dave Mills. You have seven minutes when you are ready to start, and you will be able to begin.

Mr. David Mills: I’m ready.

The Chair (Mr. Brian Riddell): Go ahead.

Mr. David Mills: Good morning, everyone. First off, I’d like to thank the Ontario Legislature for affording me the time to present to you this morning. I’d also like to thank the Honourable Todd Smith, the Honourable Stan Cho and, of course, Mr. Ric Bresee for this keeping this bill alive for the past six years.

I’m not here to discuss the strategies for implementation, simply to underscore the necessity.

Our son’s death has been described by some as a freak accident. I would like to quote a segment from an op-ed piece written by Russell Wangersky, whose column is published in 30 SaltWire newspapers and websites serving Atlantic Canada: “It’s hard enough for parents to deal with the unpreventables, the bad luck and the being in the wrong place at the wrong time situations.

“Anyone who is a parent knows how it feels: When someone else’s teenager dies in a drinking and driving collision, when another child is seriously injured in a freak hockey accident, there’s a small part of you that feels like your teen, your family, has only just dodged a bullet ... you watch them go out the door and cross your fingers and toes

that everything will be all right, that they'll stay safe and out of trouble; that you've given them enough tools to recognize and avoid dangerous situations.

1100

"Like I said, it's hard enough dealing with the unpreventables.

"But the preventables?

"If we can't stop those from happening, what the heck is wrong with us?

"There should not be a single set of soccer goalposts anywhere in this nation that are not properly and permanently fastened down by now. Not indoor nets, not practice nets, not movable nets.

"There is a point where things just aren't accidents anymore. If you've been warned and warned, it eventually crosses the line into sheer negligence.

"And we've been past that point for years."

That piece was published on June 5, 2017, just three weeks after Garrett's passing.

Whenever this bill has been before the Legislature, I've been asked by multiple media outlets to talk about it. One of the questions I'm asked is whether or not I've grown frustrated with how drawn out this process has become. Yes, it would have been wonderful to have seen this bill come into law a while ago, but like I've said previously, the upside to having to talk about this repeatedly is that it allows me to at least spread the awareness of the potential risk inherent with an unanchored soccer net.

I'm also asked in most of these interviews to retell the events of that day—May 12, 2017. I have mostly glossed over those details in previous conversations because, to be honest, I have struggled to remove those images from playing over and over in my head. However, for the sake of context, I feel that if there was ever a time for me to share what we as Garrett's parents went through that evening, this is it—call it dotting my i's and crossing my t's.

My wife, Gwen, and I were just getting ready to go out for dinner with my daughter and her partner, followed by an evening of fun at a fundraiser for brain injury awareness, of all things, when my phone rang. It was a member of the OPP. He addressed me as Buzz Collins, my trade name I use for radio and my live performances. In that brief moment, I thought he was looking to book me for a show, so I was a little thrown off when he asked me if I had a son named Garrett Mills. He went on to inform me that he had been injured on a soccer field that afternoon and that we needed to get to the hospital right away. I actually asked if this was some sort of a joke. After all, why would a police officer address me by my stage name? He responded by assuring me that it was not a joke and that he was in grave condition and we needed to get to the ER as fast as possible. He offered to send a car to pick us up, which I declined. At that point, my heart dropped. It was that word "grave" that stood out so glaringly. I tangibly felt something building in my chest that I couldn't ever recall experiencing before in my life. It was true panic. The message relayed to me had been clear and concise, but as I hung up the phone, the prevalent emotion was mostly that of confusion. As I sped through town towards the hospital,

the panic continued to build. What did he mean by "grave"? Surely no one could be on the brink of death from playing on a soccer field? What's the worst that could happen? A ball to the face, maybe? How could that result in an injury that would leave someone in such a perilous situation? The strange thing is, not once did I ever consider why it was the police calling to notify me rather than a hospital staffer.

As I got closer to the hospital, I began to pray out loud. It was pretty basic and primal—"Please, God. Please, God. Please, please, please, please, please, God. Please, God. Please, please, please." That was all I could muster. In my mind, I was hoping that whatever happened would not leave him brain-damaged. We could adjust if he was paralyzed—life would be dramatically different, but as long as he isn't in a coma or suffering serious brain injuries, we'll get through this. Not once did I consider anything beyond that.

As we entered the ER, we were immediately directed past a clinic, where we were then met by the same officer who had called us less than 10 minutes previously. After confirming that we were Garrett's parents, he informed us very matter of factly that our son had not survived his injuries. My legs gave out and I dropped to the floor, screaming and weeping.

In the hour that followed, I had to reach out to my other three children to get to the hospital as soon as they could, and then as each of my kids arrived, I had to tell them their little brother was gone.

Hospital staffers gave us a private room where we could have time to grasp the reality of the situation, while at the same time, they prepared his body so it would be presentable for us to view.

I've never shared the following details with anyone, not even my wife. I'm the only one in the family who has read the coroner's report. I hesitated to share this today, but if there was ever a time for anyone to realize what carnage can come from an unanchored soccer net, this would be it.

His skull was fractured in three places—essentially, crushed. The coroner's report detailed how there was brain matter visible in his right ear. There was substantial blood coming from his ears, nose and mouth. The coroner claims that the weight of the crossbar, when striking his head, would have been 200 to 300 pounds. According to the report, the crossbar literally bounced off his head. Needless to say, everything about this was traumatic, so much so that one of the attending firefighters experienced such debilitating PTSD that, as I was told, he eventually had to quit his job.

We sat with Garrett's body for quite some time before we each said goodbye in our own way. I gave him a final kiss on the cheek and then we went home and sat silently in the living room, trying to grasp what had happened.

The Chair (Mr. Brian Riddell): You have one minute remaining, sir.

Mr. David Mills: Both my parents have died, as well as several dear friends, but I assure you, those losses pale in comparison to that of losing your child. It changes your life, it changes you as a person, and it is not something I would wish for anyone to have to endure, which is why I am here today. Of course, those who oversee those nets

had every good intention for those nets to be anchored, but good intentions were not enough and, frankly, are never enough. I firmly believe that if those responsible for those nets had an actual law to abide by, Garrett would likely still be here.

I want to close by mentioning how, just four days before his death, Garrett had told us in his words, “When I go, I’d like to leave a legacy.” Thus, the name of the bill: Garrett’s Legacy Act. Thank you for your time this morning.

The Chair (Mr. Brian Riddell): Thank you very much for your presentation.

I will now call on Jacqueline Palm. You will have seven minutes for your presentation. Let me know when you want to begin.

Ms. Jacqueline Palm: This is my beautiful Jaime.

The Chair (Mr. Brian Riddell): If you want to take a minute, we can pause for a second. So we’ll just pause. Tell me when you’re ready. No rush.

M^{me} Dawn Gallagher Murphy: Would you like your son to sit with you? Is it okay?

The Chair (Mr. Brian Riddell): That’s fine. The committee agrees? Yes.

I recognize MPP—

Mr. Chris Glover: I ask for unanimous consent if we give Ms. Palm whatever time she needs to make her deputation.

The Chair (Mr. Brian Riddell): Yes.

Take your time.

Ms. Jacqueline Palm: My name is Jacqueline Palm, and on July 30, 2014, my daughter Jaime Anne Palm was playing with a friend on a soccer field in Bradford. The soccer net that was above Jaime’s head fell on top of her and crushed and killed her. Had this net been properly secured after the lawn was cut, my daughter would still be with us today. This was a movable soccer net. Tragically, it had not been securely anchored.

Jaime was a beautiful, vibrant 15-year-old young lady. She was extremely athletic and outgoing. She played competitive volleyball and was captain of her team. She played on her school’s OFSAA field hockey team and was also a member of the provincial field hockey team, for which she was going to compete at the Ontario Summer Games. Jaime was also a competitive gymnast. She excelled academically in her grade 9 year and was one week away from starting her grade 10 year. Jaime had a zest for life like no other. She was kind, she was compassionate and she was caring to all. Jaime was a leader amongst her peers.

Losing Jaime as a result of a preventable, avoidable tragic accident is heartbreaking. Our lives will never be the same. A part of me left with her that day. I wake up every morning knowing that I will never be able to hear her laugh again or her teasing her brother. I will never be able to feel that loving two-legged wraparound hug that she never forgot to give me—of course, she was much taller than I am. I now look over at the couch beside me, only to feel the pain of no longer seeing her sprawled out watching the same silly shows and movies we enjoyed. I used to drive to school with Jaime and her friends every day as they attended the same school at which I taught health and physical education. I will never get to play punch buggy

with her while driving, nor will I ever be able to go on the variety of sports-related road trips and look over to see her falling fast asleep in the front seat beside me. Now, every day, when I am outside, I desperately look for that butterfly that is symbolically stopping by to say hello, or to let Cody—her younger brother—and I know that she is with us when we are stopped at a red light on one of our many drives and trips.

1110

It is not only Rob and I that have suffered the loss of Jaime, but her older brother, Andrew, and her younger brother, Cody, who was only 11 at the time of her death. They, too, have to live every day without their sister. Jaime’s grandparents, James and JoAnne Brodie, feel the emptiness left by her loss, as do her aunts, uncles and cousins. Her phys-ed teacher, Ken Milne, as well has been impacted by this loss, and lastly, all of Jaime’s friends and teammates, including her best friend, Victoria, who had to witness the loss of her friend at such a young age and miss her dearly. You see, Jaime’s wasn’t just our daughter; she was the best sister, granddaughter, niece, cousin, friend, captain, teammate and human.

It is our hope that this Bill 99 will help to prevent any other parents like Rob and myself from having to suffer the loss of a child in a completely senseless, avoidable way. It is our hope and wish that this bill is passed and put into legislation so that our beautiful children like Jaime and Garrett can have the opportunity to live the full life they are so deserving of.

Then, I made a handful of suggestions after working with my MPP, Ms. Gallagher, with regard to the bill. Do you want me to go through them? Okay.

M^{me} Dawn Gallagher Murphy: How much time?

The Chair (Mr. Brian Riddell): Two minutes, five seconds.

M^{me} Dawn Gallagher Murphy: You have two minutes.

Ms. Jacqueline Palm: Okay. The first point is with requirements of the movable soccer goals in point 2. I think there should be a point (iv) added, subsection (a)(iv), that the net would be replaced if any of (i) to (iii) were not met.

As well, in point 3, under the “Inspectors” section, using the word “may” opens it up to so much subjectiveness. In this case, it should be “shall.” Otherwise, why would we have this legislation? Why does this bill even go forward?

Under the subsection of “Offence,” considering a fine of \$100 to \$500 is insulting to me as a parent. And I know from the Mills, \$100 to \$500 for your child’s life is insulting. I can’t believe that a dollar value was put in there for a fine. Then, subsection (b) is talking about for subsequent offences. So you mean we get to have one child die, and then they get fined \$100, and then another child can die because the net wasn’t secured? “Subsequent offences” should be just—if the contract is out to an organization that cuts the lawn and they don’t meet what they’re supposed to, then they should not be able to renew their contract if a child’s life is lost there.

The Chair (Mr. Brian Riddell): You have one minute remaining.

Ms. Jacqueline Palm: Then, finally, under the “Regulations” section, again, we have the word “may” in there. It says, “The minister may make regulations.” The minister shall make these regulations; otherwise, why have this bill? I think that word is a key change.

And, under 6(a), it needs to be stated the frequency in which these inspections are taking place. In subsection (b) under 6, it needs to be identified who exactly will be responsible and accountable for posting these signs and affixing these stickers, and what the follow-up is that takes place with this.

Thank you very much for allowing me to provide some of Jaime’s story. Please remember, over 40 children in North America since 1979 is the latest statistic; that’s 40 children’s lives too many. This bill needs to be passed.

The Chair (Mr. Brian Riddell): Thank you for your presentations. I can’t imagine what you’ve gone through. It must be very traumatic.

We’ll now start with our round of questions. We’ll start with the official opposition for 7.5 minutes. I recognize MPP Gates.

Mr. Wayne Gates: Thanks for coming to committee today and speaking to this Legislature. I want to offer my sincere condolences for the tragedies you’ve experienced. I know this has been a long process, and hopefully it will come to an end very shortly.

I do have some questions. I’m going to start with David, if that’s okay. I understand, David, you participated in some social media advocacy in hopes of educating more people about the dangers with movable nets. Could you discuss with the committee how that experience was? What was the feedback like from other communities, parents and athletes?

Mr. David Mills: I was, to be honest, overwhelmed with the response. Quickly, the reason I set out on this mission shortly after the loss of Garrett—like I’m sure the Palms did—is that you ask why. You ask the universe, you ask your God, “Why, why, why?” And you realize real quick you’re not going to get any answers. You’re going to bump up against a wall every time. So I changed that to, what can I do to keep this from happening again? And God forbid it would ever happen again within our community when I am aware of this risk. That’s why I set out on social media to start spreading awareness.

The response? Like I said, I was caught off guard. I was getting feedback from literally around the world: Denmark; South Africa, where somebody reached out to me in Johannesburg just a couple of days after we lost Garrett—another young boy, 14 years old, doing the same thing Garrett was doing, a chin-up on a soccer net. It tipped over. A week later he died from his injuries in hospital. I’ve gotten responses from Australia, Texas—everywhere.

But like anything, it’s a popular topic in the days and maybe the weeks afterward, but the news cycle is quick to let things die. That’s why I feel it’s necessary beyond just spreading awareness to have this kind of legislation in place.

Mr. Wayne Gates: Thank you very much. It’s still about educating and awareness as well, right? They’re important things to continue every day.

Mr. David Mills: Absolutely.

Mr. Wayne Gates: As politicians, we know about news cycles. You’re in the news for a day and forgotten about the next. That’s what you’re trying to make sure doesn’t happen with your son and daughters, so that’s really important. The fact that you did it was important. I thank you for that, because it’s tough, and I could tell that through your presentation.

Jacqueline, is it okay if I ask you a question? Are you okay? In regards to your comments on regulations that will be created after the passing of this legislation, I did raise this with the MPP earlier. Unfortunately, this is something we see a lot. It’s just common in government bills. We fully believe that the details of the legislation should be laid out in the bill itself and given appropriate time to be reviewed by the Legislature and the committee, because it’s important. It’s important to you, and I can tell that through your presentation, with you and your husband.

You hit on something that I’ve—just quickly, I’ve bargained a lot of collective agreements, and one of the words that most corporations always want in is “may.” Quite frankly, being honest with you, I call them “weasel words,” because that’s what it is. Could you discuss further why you feel so strongly it should be adjusted to say “shall make regulations” rather than “may” in both parts of the bill? And I gave you the reasons why I agree with you 100%: Saying “may” means it may never get done; saying “shall” means it shall get done. There’s a big difference in a word in language. Maybe you could explain it so the committee understands how important that is to you and to the family, and I’m sure to your family as well.

1120

Ms. Jacqueline Palm: Thank you. When I first read through the bill, I didn’t understand the process that was taking place. I’m a high school phys-ed teacher and have been for 30 years, so I don’t understand the bills and legislation and everything. I was lucky that MPP Gallagher helped me to understand what this was all about, and as we started to read through it, the first thing that jumped out at me was if we put in the word “may,” that’s a scapegoat for whomever. Somebody could say, “Oh, well I didn’t have to do that. It was a ‘may.’” Well, why have a bill if it’s not “you must”?

I’ve been a referee in hockey for too long, and you know what? There are lots of rules in our rulebook that are “may,” but there are some that are “shall,” like an offside and an icing. Those are musts. So why have the bill if it’s not a must?

Mr. Wayne Gates: You okay with that?

Ms. Jacqueline Palm: Yes.

Mr. Wayne Gates: Okay. I’m going to go back to Jacqueline. I’m not ignoring you, David. I have questions for you too as well, but I think her comments and what you’re asking the committee to do are very, very important, and I can tell you I agree with them. I want to get the bill right, and I think you answering may help the committee agree with that, okay?

Jacqueline, you have stated you believe that the current penalty structure for non-compliance is too low. I can tell you under the Highway Traffic Act, if you make an illegal

left turn, it's a \$500 fine if you kill somebody. We've been trying to get that changed for a number of years. It is too low. So I want you to understand that's where that \$500 maybe came from; I'm not sure. I'd agree with that position.

What do you think it should be, and how do you think it should be appropriately enforced across the province? What role do other levels of government or organizations have to play in the enforcement of the legislation and the penalties as we try to save kids or have not another child die unnecessarily?

The Chair (Mr. Brian Riddell): One minute remaining.

Ms. Jacqueline Palm: Earlier, when MPP Bresee was speaking, he talked about all the associations and organizations that are associated with soccer fields, and that's soccer clubs, municipalities and private associations. A fine of them of \$500, really, let's be honest, is nothing. It's like saying to a professional athlete, "Oh, you're going to be fined \$1,000." It means nothing to them. It has zero impact.

The fine has to be something of significance that will have an impact to make sure whoever is responsible for these nets and making sure that they are reattached and only safe nets are put up will follow through with their job. So if that fine is \$10,000, \$50,000—I don't know what the number is. You could give me \$50 million today, and I would throw it in the garbage can if you gave me back Jaime.

Mr. Wayne Gates: Thank you.

The Chair (Mr. Brian Riddell): Thank you for your response. We'll now go to the government side. I recognize MPP Pierre.

Ms. Natalie Pierre: Thank you for coming today. I'm probably going to get a bit choked up, so I hope you'll bear with me. I wanted to thank you for sticking with this. I know it's not easy. I've lost a child as well, so I understand what you're going through. I also know that this doesn't end with the legislation. I know your family situation and the suffering, not only to yourselves but to siblings, to your community.

The Chair (Mr. Brian Riddell): Please speak closer to the mike.

Ms. Natalie Pierre: Okay; sorry.

David, I appreciate your comment about continuing to spread the news and about education and educating people, so I was hoping—I heard that you had some posts on social media. I'm wondering what else you've done in your advocacy to talk about this.

Mr. David Mills: I have a morning radio show. My listeners are awesome, because they've heard me multiple times preaching about this. Anybody who listens to my show is very aware of the risk inherent with unanchored soccer nets. People constantly, still to this day—people I don't know personally, on my Facebook—will report back to me: "I saw some kids the other night swinging on a soccer net. I was sure to get them off and told their parents about the danger." I've used that benefit as best as I could, having that microphone each morning.

Like I said, the social media awareness, and chances I've had to speak onstage for one purpose or another—we

can have the legislation in place, and there could have been legislation in place that very day, but it's worth noting that we're not soccer parents. Garrett was just hanging out with his friends that afternoon, waiting for another person to show up so they could go off to the movies. He just did a chin-up, which I know I did in my youth on a soccer net, and that was the only soccer net in town that wasn't anchored, believe it or not. His best friend and his girlfriend were there. They witnessed the tragedy; they were the ones that called 911. The girlfriend's father checked all the other soccer nets, even the other net on that same field. They were all anchored.

As I alluded to in my presentation this morning, if the awareness isn't out there, the legislation isn't going to be much help for that kid or those parents who are oblivious to the risk. I've said it before: If we had known about that risk ourselves, we would have told Garrett. I know every parent wants to say this, but Garrett was an amazing kid. We never had a single argument with him his entire life. We never had to discipline him. He was so quick to pay attention to what we instructed of him and the advice that we gave him. If we had known of that risk, I swear he would be here today. So that's why I've used every ability that I have at my discretion and my freedom to get the word out there, just to get the awareness out there.

The Chair (Mr. Brian Riddell): I recognize MPP Gallagher Murphy.

M^{me} Dawn Gallagher Murphy: Good morning, everyone. I would like to start by thanking Ric Bresee, MPP for Hastings–Lennox and Addington, for bringing forth this important private member's bill, An Act to provide for safety measures respecting movable soccer goals.

To my esteemed colleagues on the Standing Committee on Social Policy, thank you for your consideration of my constituent Ms. Jacqui Palm's deputation today, made on behalf of her family: Rob, Jaime's father, and Jaime's brothers Cody and Andrew.

Children are supposed to enjoy the outdoors, play and make use of public amenities like parks, fields and soccer pitches. When these amenities, meant to bring joy, instead bring grief, we know that there is a problem, and that needs to be addressed. By introducing this bill, it will allow the Minister of Tourism, Culture and Sport to make regulations to ensure that a movable goal is (1) located on level surfaces; (2) securely anchored in accordance with regulations; and (3) meets any prescribed requirements, but in addition, meets any education, training or other requirements that may be prescribed. With this type of legislation, these are steps that will move us to a more safe playing environment.

I must say, I was astonished when I learned of an incident somewhat similar to young Garrett's from Napanee that happened in my riding of Newmarket to a young constituent in 2014: Jaime Palm, who was 15 years old, a young athlete and a blossoming soccer, field hockey and volleyball team player. Jaime died when a soccer net fell over and she was caught under the crossbar. I felt that pain that this incident caused the entire Palm family when I met with Ms. Palm. As the MPP for Newmarket–Aurora and

as a mother, I was compelled to be here today to support Ms. Palm, as this bill will indeed save lives. Together we can protect the innocence of our youth and prevent any unnecessary grief in our families, in our communities and across our province. Thank you for providing me with this time to support my constituent and advocate in support of this well-overdue bill. Thank you.

1130

The Chair (Mr. Brian Riddell): Thank you. There is one minute remaining.

Ms. Laura Smith: Actually, I'll take the minute. So, first of all—

The Chair (Mr. Brian Riddell): I recognize MPP Laura Smith.

Ms. Laura Smith: Oh, I'm so sorry. Through you, Chair. I appreciate this.

First of all, I want to thank you from the bottom of my heart. Fair notice, I am a soccer mom. I'm a proud mother of a competitive soccer player who has been in cleats for 13 and a half years now. I spend more of my time on a pitch than I probably do in the Legislature, so I absolutely emphasize how much I feel for your situation.

I wanted to ask you what this will do for you. When this remedy is put through, what kind of peace—your lives will never be the same; you've explained that. But what will this do for you as a parent and as a community member?

Mr. David Mills: Again, it certainly doesn't bring closure. But I will know in my heart of hearts I did everything I possibly could to prevent this from happening to anybody else. It sounds cliché, but God's honest truth, this is the worst pain we've ever experienced in our lives, and I would not wish it, as they say, on my worst enemy. That's essentially why we've been pushing for this: If you're aware of the risk, what can you do to keep it from happening again?

The Chair (Mr. Brian Riddell): Thank you. We'll now turn to the official opposition. I recognize MPP Gates.

Mr. Wayne Gates: I appreciate that. This is for Dave and Jacqueline, please.

If you had the ability to implement this legislation once it's passed, what would you want to achieve in terms of a realistic timeline? How soon do you think all facilities should be in compliance, and have you communicated that to the government or the sponsor of this legislation?

Mr. David Mills: 2014, was it?

Interjection.

Mr. David Mills: Nine years ago.

Mr. Wayne Gates: I think that was the first time it came forward, right?

Mr. David Mills: Sorry?

Mr. Wayne Gates: How long ago was the first time the bill came forward? Was it 2017?

Mr. David Mills: It was 2017. I reached out to Todd Smith probably within a week to two weeks after the accident.

Mr. Wayne Gates: Jacqueline, do you want to comment?

Ms. Jacqueline Palm: Your question is, how quickly do I expect to see this put into action?

Mr. Wayne Gates: Yes. Realistically, how quickly would you like to see this bill move forward?

Ms. Jacqueline Palm: Realistically? Well, if it's the fall that this bill might possibly be passed, that all soccer nets prior to the start-up of the season—and usually teams are allowed on grass fields at the beginning of May, just knowing that from my teaching background. I believe that all nets should be checked and make sure that they are safe prior to May 1, 2024, and on a regular basis moving forward from then.

Mr. Wayne Gates: And to your point, I think our colleague spoke about the soccer field. Your son wasn't playing soccer. He was doing what I think most kids do who are tall enough—that wasn't me, by the way—the chin-ups. I think our goalie over there has said they do it all the time. So it is important that it's not just communicated for the soccer community, that it's educated for everybody.

Mr. David Mills: Exactly.

Mr. Wayne Gates: I think that's an important point that you raised, and I think it's an important point that we have to raise: It's not just soccer; it's kids that just play in the park who might not know. So the education part is important. Also the signage is very important on those facilities. I think it's a great point that you raised.

Do either of you believe—and I just said about just playing in the park—that this legislation will help to not only keep kids safe on soccer fields and in the playground, but it will potentially help encourage more youth to become active, whether it be at the park or on the pitch? Do you think knowing that it's safe to do that would encourage kids to get off the couch or get out of their bedrooms and get back into the parks and into the fields to do what they enjoy?

Mr. David Mills: I don't think any child refrains from going to a park because they think there's some sort of a risk. We all assume that a park is going to be a safe place for kids to frequent. I don't think any child is hesitant to go to a park right now because they think there might be some kind of an inherent danger.

Mr. Wayne Gates: That's fair.

Jacqueline?

Ms. Jacqueline Palm: I'm a high school teacher, so I work with high school kids. Kids don't fear running out to the field to play and to hang out. I agree that kids are fearless. I see it every day when I go to school. The feeling I get, the nausea I feel when I see the kids jumping up on the net, on the poles, is unbelievable. So it's adults who have the fear; kids don't. They believe they're invincible, and they just want to play and have fun.

Mr. Wayne Gates: I've got one more question for the both of you, and then I'm going to turn it over to my colleague. If there was anything else you could add to the bill, what would it be?

Mr. David Mills: Make the nets plastic as opposed to metal.

Ms. Jacqueline Palm: I was doing some reading last night—I applaud you for being able to do anything within two weeks of losing Garrett, because I don't remember

much of my first year. I was reading some stuff in the news, and just making the nets—some of the comments some of the people said, about material that they use to make the nets. I've played soccer my entire life as well. We all know that they have to be sturdy in order to withstand the attacks they get by the soccer ball from some strong players. But I think all nets have to be approved so that they are un-tippable—I don't know if that's an English word; sorry, I don't teach English. So if they are a net that is tippable, that they need to be secured and with weights on the back end of them so that that child who does think that they're just going to hang from them isn't going to be able to—Jaime wasn't 130 pounds.

Mr. David Mills: I would add, perhaps the upkeep of the nets themselves: The net, which wasn't anchored, that Garrett was doing his chin-up on, as it turned out, according to the coroner's report and the OPP report, was rusted away dramatically near the bottom. As a matter of fact, part of the metal was coming apart on the base. And I believe it was the coroner who pointed out how this net, which weighs 200 to 300 pounds, could be tipped over with the push of a finger.

The Chair (Mr. Brian Riddell): One minute.

Mr. David Mills: So certainly, if there was the possibility of adding anything, I would say the required upkeep of the nets themselves.

The Chair (Mr. Brian Riddell): I recognize MPP Glover.

Mr. Chris Glover: We don't have much time left. I want to thank you all for being here and your families for being here to support and bring forward this really important piece of legislation.

I'll just ask one quick question to Jacqueline. You've asked for an amendment to change the "may" to "shall." What would it mean if that change is not made?

Ms. Jacqueline Palm: Truthfully, it would mean that the bill might just get shuffled under the carpet and people forget about it—so every time we drive past a soccer field and get on there and wander around, it's for naught.

Mr. Chris Glover: So you really want to see that amendment made?

1140

Ms. Jacqueline Palm: I do, yes. If this is going to work, I think there's only one way that it can: if it's a must, not a may.

The Chair (Mr. Brian Riddell): Thank you for your comment.

We'll now go to the government side. I recognize MPP Martin.

Mrs. Robin Martin: Thank you very much, Chair, and thank you to everybody for being here today and for sharing the stories of your beautiful children. We all share the sadness that you feel, obviously not as much as you feel it, but we understand that losing a child is the most awful thing that could happen to anybody, and nobody would want to have that happen to any child. I can certainly feel your loss, as we've all indicated.

You've given us a lot to think about here with these stories. I particularly like the way David put it about making

sure that we address the things that are preventable. One of the things that should be preventable—we know these things can be dangerous—is making sure that these soccer nets are anchored to the field if they're going to be set up there and pose a danger, because that is something that is preventable and can have severe impacts on people, as we've learned through these tragic stories and the 42 fatalities across North America already that we know about, and all the injuries as well.

I think MPP Bresee's purpose in bringing forward this legislation is encapsulated in section 2 of this legislation, which says, "Any organization or entity that makes a movable soccer goal available for use by members of the public shall,

"(a) ensure that the goal,

"(i) is located on a level surface,

"(ii) is securely anchored in accordance with the regulations, and

"(iii) meets any prescribed requirements; and

"(b) meets any educational, training or other requirements that may be prescribed."

Passing the legislation will make that happen. It will make that a law. Whatever else happens, it will make that a law. So I think it's a great step forward, a step in the right direction, because there will be a requirement, which doesn't exist right now, for the entities to do that in Ontario. So I want to thank MPP Bresee for bringing forward the legislation.

I think the amendments which we've just seen recently and the talk about "may" to "shall" we also talked about with MPP Bresee. Part of the issue is that the types of nets, the types of fields, how they should be anchored etc. is a changeable thing. As you found out during this process, it sometimes takes a long time for pieces of legislation to get through the Legislature, and they're hard to change. So one of the reasons we do things via regulation as opposed to in the act is because regulations can be changed much quicker. They're posted for public comment often on the website so you can make public comment on how the regulation should be different before it's passed, but it's a much faster process than having a piece of legislation go through the Legislature.

There's always a danger, in prescribing too much in a piece of legislation, that you will not be able to pass the piece of legislation because you've put things in it that the government can't agree to at that moment to do. For example, a private member's bill is not supposed to cost the Legislature any money. It's not provided for in the budget of the government, so you can't say things like "you have to appoint inspectors"—that's why it says "may"—because otherwise, that would cost money and then it would be a reason not to pass the legislation into law.

I passed a private member's bill for making defibrillators accessible through a registry which all the parties supported and agreed to. People wanted to write things into it, but we passed it in a frame and then allowed the minister to make regulations, which they're in the process of doing right now. My point is, part of the way this works

is that we get the legislation passed, and then we make sure the regulations are the way we want them to be, and then we change the regulations if we need to, to enhance them etc.

But I think the most important objective here is to get this legislation passed so that there is a requirement—I pointed out in the beginning in section 2—that organizations have to do this. Will it solve all the problems? No. But it is the beginning of making sure that there is a requirement and that people actually comply with it and that there are penalties if people do not comply with it.

That's the beginning of making a rule that will exist in Ontario everywhere and will be the requirement, and then we can enhance it through how we put the regulations out and change them if things happen over time that mean we're using a different kind of a net or a different kind of field. Because I know that now, they have not grass fields—they have turf fields.

So I just wanted to add those comments. I think, obviously, that the most important thing here is to get this legislation through so that we do have a law on the books that says these things should be anchored and that people will be held accountable if they're not.

I don't have any questions.

The Chair (Mr. Brian Riddell): There's one minute and 18 seconds remaining for the government side. Is there any further comment? I recognize MPP—and I'm going to slaughter your last name.

Mr. Vijay Thanigasalam: I would like to start off with thanking both families for being here. And through this process—I think that David mentioned it earlier—you already started communicating and talking to the world through other means, like social media platforms. After hearing both of your deputations, I feel like we need to present the importance of this safety and the importance of inspection more towards not just not the soccer families and the educators, but also to the young folks.

With the limited time we have, my question is, how can we as a Legislature and as the families—how can we work together to bring more education to young people? Is there any education aspect you want to see throughout the province or the country?

The Chair (Mr. Brian Riddell): The time has now expired, but I'll allow a response to that question.

Mr. David Mills: I think it would be a great idea to have that included. It's been a long time since I've gone to school, but in phys-ed class, when the kids are in the soccer phase, as much as they're learning how to kick a ball, that's the type of information that I think could be relayed in school.

Mr. Vijay Thanigasalam: Thank you, David. Thank you, Jacqueline.

The Chair (Mr. Brian Riddell): Thank you for your response. That concludes the second round.

The time for public hearings has now expired. The motion adopted by the committee on June 6, 2023, states the committee will meet for clause-by-clause consideration on Bill 99 immediately following public hearings. Is the committee ready to begin clause-by-clause? All for?

Does the committee want to pause or take a break right now? Put your hand up if you would like to take a break. We'll now recess until 1 p.m. today.

The committee recessed from 1149 to 1312.

The Chair (Mr. Brian Riddell): We're back in session. We will now move to clause-by-clause consideration of Bill 99, An Act to provide for safety measures respecting movable soccer goals. We are joined today by legislative counsel Ralph Armstrong. Are there any comments or questions to any section of the bill and, if so, what sections?

I recognize MPP Glover.

Mr. Chris Glover: I'm proposing a couple of amendments for sections 5 and 6 of the bill. We've got those amendments. Is this the appropriate time to make comments about that or should I wait until we get to those sections?

The Chair (Mr. Brian Riddell): You can comment on the amendments once we get to those, but we'll start with 1 to 4 first.

There are no amendments to sections 1 to 4; therefore I propose that we bundle these sections together. Is there agreement on that?

There is no debate. Are members prepared to vote? So let's vote on 1 to 4. Shall sections 1 to 4, inclusive, carry? Okay, carried.

Now we'll go to section 5 and we have an amendment. Go ahead.

Mr. Chris Glover: I'm proposing this amendment to section 5, that the following subsection be added:

“Aggravated penalty

“(2) Despite subsection (1), in the case where a contravention causes injury or death, the fine shall be,

“(a) for a first offence, not less than \$500; and

“(b) for a subsequent offence, not less than \$5,000.”

Should I comment on this now?

The Chair (Mr. Brian Riddell): We'll go to debate. Is there anyone who would like to make a comment? I recognize MPP Glover.

Mr. Chris Glover: I was quite moved, and I think all of us were moved, by the deputations that we heard this morning. Monday, I was in another committee meeting and we were looking at the vulnerable road users act, and one of the challenges with that act is that, when somebody makes an illegal left turn, if they cause death, the maximum fine is \$500. It seems completely inadequate to the consequence of that. And so for this bill, currently, if the soccer posts are not maintained in a proper condition and it causes death, the maximum penalty currently set out would be \$500.

That's why I'm proposing an aggravated penalty: If it causes injury or death, the fine would be set by a judge, but the minimum fine would be \$500 for the first offence and \$5,000 for any subsequent offence. That \$500 is set as a minimum, because it could be a very minor injury. But if it's a minor injury that's caused, you want to raise the red flag to whoever's in charge of those soccer nets and to the organizations. Usually, it's going to be a municipality or a school board. You want to make sure that they are aware of this and that there is some fine, so that even if it's

a minor injury the first time, they're aware that they need to maintain these soccer nets, so that nobody is going to get injured again and nobody is going to get killed. So I hope that all members will support this amendment.

The Chair (Mr. Brian Riddell): Any further debate? I recognize MPP Martin.

Mrs. Robin Martin: Thanks very much, Chair. I just wanted to say that, of course, we were all moved by the comments that we heard. That's why we're here considering and hopefully passing this legislation today. But the point of the act, as I understand it, is to try to prevent accidents by requiring that organizations have to meet a certain standard and ensure that the goal is securely fastened etc.—for example, is located on a level surface. Any person could make a mistake about a surface being level, because you probably don't have your protractor out there or—what is it?

Mr. Chris Glover: A level.

Mrs. Robin Martin: The level that an engineer might use to ascertain if it's exactly level. But the point of having these requirements is to encourage the organization, the entity, to actually take care when they're putting these things up and to make sure that they're done well.

I was also at the committee that discussed the bill that you were referring to on vulnerable road users or traffic safety. No amount of money in a piece of legislation like this is meant to compensate for the loss or serious injury of a person. As I said, I think, at that committee, the justice system has many parts to it, not all of which are contained in this kind of a bill or, in that case, in the Highway Traffic Act. A person can bring a wrongful death lawsuit and get civil damages to compensate for loss, for pain and suffering. There are also Criminal Code violations where someone has, with ill intent, done something to cause the death of somebody else or serious injury.

So I don't think it's necessary to increase the fines in this way. I think the act sets a fine which is appropriate for a piece of legislation which is new and which is trying to get people to follow a reasonable standard for soccer nets.

The Chair (Mr. Brian Riddell): Further debate? I recognize MPP Glover.

Mr. Chris Glover: The purpose of this legislation is also to increase awareness of the dangers that are posed by soccer nets, because there have been 40 people killed in North America since 2003, from what I recall in the deputations this morning. We want to make sure that people are aware and that organizations are aware.

I was a trustee of the Toronto District School Board, and I was very involved in trying to get our fields refurbished. In all the years that I coached soccer, in all the years that I was a school trustee, I never knew about the potential danger posed by soccer posts. So I think part of this is an education program, but part of it is that there needs to be a penalty that raises the red flag that if a child—particularly a child, but if a student or anybody is injured by a soccer goal, that there's enough of a penalty that the organization takes a look at this and makes sure that all of their soccer posts are safe across their jurisdiction.

That's why I'm proposing this. I think that the \$100-minimum fine is just not enough. The minimum \$500 fine, I think, would at least raise some red flags. Then, beyond that, if there is an injury or death caused by this, it would be up to a judge to set the fine. So I do hope that the government members will support this.

The Chair (Mr. Brian Riddell): Any further debate? I recognize MPP Gates.

Mr. Wayne Gates: Well I'm only going to comment on the part because MPP Martin raised this. On the illegal left turn—the reason why it was raised was that the penalty didn't fit the crime. The reason why it was raised—

Interjection.

1320

Mr. Wayne Gates: You let me talk. You seem to jump in a bit. But I'm serious about this.

It was raised because a husband and wife were killed on a motorcycle. Somebody made an illegal left turn, and they died—that was the reason why.

I believe that somebody's life is worth more than \$500. I think that's an injustice in the Highway Traffic Act, and it should be corrected. In this particular case, it's not really about the fine; it's about saying, what is that life worth if somebody is killed? I think my colleague—because it's the NDP bringing forth the motion, not Chris. I think what he's saying is, there could be an instance where there's a minor injury and that particular penalty would fit what happened to that individual. But if somebody gets killed—and you heard it from the family today, very clearly, with tears, that they feel that their daughter is worth a lot more than \$500, or somebody dying is worth a lot more than \$500. That's why this came about. In fairness to the NDP on this one, this didn't come from us; this came from the family. The family is asking for this. The amendment and suggestions that came from the family. And Jacqueline was very clear on how she feels about it.

So hopefully you guys will consider the amendment. I think it's fair, reasonable, and an amendment that can be easily supported by all parties.

The Chair (Mr. Brian Riddell): I recognize MPP Glover.

Mr. Chris Glover: I ask for a recorded vote on the amendment.

The Chair (Mr. Brian Riddell): Recorded vote.
Any further debate? Ready to vote?

Ayes

Gates, Glover.

Nays

Jordan, Martin, Pierre, Quinn, Laura Smith, Thanigasalam, Wai.

The Chair (Mr. Brian Riddell): The motion is lost.

Shall section 5 carry? All those in favour, please put your hand up. All those against, please put your hand up. The motion is carried.

Section 6: Discussion? Amendment? I recognize MPP Glover.

Mr. Chris Glover: I move that section 6 of the bill be amended by striking out “may” in the portion before clause (a) and substituting “shall”.

The Chair (Mr. Brian Riddell): Debate? MPP Glover.

Mr. Chris Glover: There were some suggestions, recommendations, for amendments made by Jacqueline Palm, who was one of the deputants this morning, and this is one of the amendments that she proposed. It’s under the “Regulations” section of the bill. It says, “The minister may make regulations,

“(a) governing inspections, including the powers and duties of inspectors appointed under section 3;

“(b) prescribing requirements for locating, securing and maintaining movable soccer goals...

“(c) prescribing and governing any matter that this act describes as being prescribed or done in accordance with the regulations....”

This is the section of the bill where there’s an opportunity to make sure that inspections are done. There’s no other section of the bill that mandates inspections of soccer goals.

We heard from David Mills, the father of Garrett, who this bill is named after, and he said that the soccer goals his son was doing a chin-up on and that came down on him weighed 200 pounds and were rusted out at the bottom. So if there’s no requirement for an inspection, then there’s a risk that similar goalposts that are rusted out will stay in place until they cause an injury or death.

The purpose of this legislation is to make sure that there’s no other person—young people in particular, but anybody—killed by these toppling soccer posts. So what this does is—it’s a simple change of one word, from “may” to “shall.” It means that the minister must make regulations regarding inspections. It doesn’t say what those regulations are—that will be up to the judgment of the minister, in the regulations—but that there should be inspections.

This is our opportunity to make sure that this legislation mandates inspections of these soccer goals. If we are to achieve the goal of not having further injuries or deaths caused by toppling soccer goals, then it’s really important that we make this change. So I’m asking all members to support this amendment.

The Chair (Mr. Brian Riddell): Discussion? I recognize MPP Gates.

Mr. Wayne Gates: I appreciate that.

I think we heard very passionately from Jacqueline and Dave, quite frankly, but I think the thing that we have to take a look at—we asked the families to come here to support this bill; somebody reached out to them. I believe the mover would have reached out to the family because we want to hear from the family. That’s what this committee should have done today, and I believe you did. And I

believe you all listened very carefully. I saw tears on your side. This was a very emotional morning, quite frankly.

The MPP who represents Jacqueline, I believe, sat down with the family and showed her the bill, went over the bill clause by clause, and Jacqueline was very clear that this is what we need in the bill to make it better—obviously, not for her daughter, because she’s gone, but for other kids, other families. She sat down with the MPP from her riding, and the MPP said—and I congratulate the MPP for taking the time—“What do you need?” She told her this is what we need. And then, not once, not twice, but three, maybe even four times, I believe, from the mover—I think she said four times—she was very clear and said that if you’re only going to put “may,” the bill is not worth the paper it’s written on. She was the one who said that it’s got to have “shall” in there.

I know, and I’ve said it during—I guess I can repeat it again, because it’s in Hansard. I’ve done a lot of collective agreements, and “may” means they may do it or they may not do it or they may consider it, but when it says “shall,” that means it’s going to get done.

So we wrote this out from the party, in support of the family—quite frankly, in support of your MPP, who helped to write it. What we’re saying to you, sitting on this committee and wanting to make sure that the family feels satisfied with the bill—I think we should support the family on this amendment, and whether you decide to do that or not, that’s up to you. We will be supporting the family, because this is what the family asked for. And quite frankly, I’ll be supporting your MPP who helped to write it.

The Chair (Mr. Brian Riddell): I recognize MPP Glover.

Mr. Chris Glover: I’d ask for a recorded vote on the amendment.

The Chair (Mr. Brian Riddell): Recorded vote.

Further debate? I recognize MPP Martin.

Mrs. Robin Martin: I just want to say that we don’t agree with your interpretation of what the sections of the legislation do, and that the conditional language here in the regulation-making section is standard, and that we also want to support the families. We had a discussion about the purpose of wording in legislation during committee, so I think that the people who came to us also have a better understanding of how legislation is worded and how this will achieve what they want.

The number one thing is that it’s this government which is going to pass this act—which has been around since 2017, and which nobody has done anything about—thanks to the great work of MPP Bresee in bringing it forward again and this committee in managing to do the work we’ve been doing today.

That’s all I have to say.

The Chair (Mr. Brian Riddell): Further debate? I recognize MPP Glover.

Mr. Chris Glover: I don’t understand the government members’ opposition to changing “may” to “shall.” I don’t see the logical reason for not doing it. What it does is it

mandates inspections of soccer posts. If there are no inspections done, if there is no mandate to do inspections, then inspections will not be done. And if inspections will not be done, then there's the chance that another rusty soccer post will topple on another child. The whole purpose of this legislation is to prevent that from happening.

1330

This doesn't prescribe how the inspections are done; this doesn't prescribe how often they're done. It's not burdensome. It just says inspections shall be done. If you leave it saying that inspections may be done, that the minister may make regulations to do inspections, then inspections may or may not be done. And if they're not done, if there's no mandate for them, if this committee is not saying to the minister and to the organizations that maintain these soccer posts—if we're not saying at this committee, "You have to inspect. You have to make sure that these are safe because another child could die."

The whole purpose of this legislation is to make sure that the tragic incidents we heard about today from these families are not repeated. That was their purpose in coming here: so that they could prevent other families from going through the trauma and the grief they've experienced. So I really hope the government will support this minor amendment of changing—which was asked for by one of the families. Just change "may" to "shall."

The Chair (Mr. Brian Riddell): Further debate? I recognize MPP Gates.

Mr. Wayne Gates: I just want to comment on MPP Martin's comment. I want to be clear that in 2017 it was a Liberal majority government, and in—from that point in time, 2018 on, it was a Conservative majority government. Each time that this bill came through, the NDP supported it—there was never a question that we didn't support it. I want to at least clarify that.

I'm going to look you right in the eye over there. You're being asked to do this by Jacqueline, the mother of the daughter who died. All I'm here—I'm an MPP on a committee. It's the mother of the daughter who died, and what we're saying to you—she was very clear. She's begging to you, in her heart—she feels that if you don't change "may" to "shall," the bill is not worth the paper it's written on.

I think Chris hit it on the nail. We just want to make sure inspections are done. We all—and I'm not saying anything bad about anybody on that side, including the mover of the bill. We all just don't want somebody to get hurt again, and we don't want somebody to get killed.

And when somebody says, "I think you're exaggerating," well, 40 kids have died; 90 kids have been injured. I believe the number is around that area; 90 people have been injured.

Collectively, in this room, we can do the right thing, and the right thing is to change "may" to "shall" and support the family.

Jacqueline poured her heart out to this committee today. It was tough to watch.

The Chair (Mr. Brian Riddell): Further debate? Ready to vote?

Ayes

Gates, Glover.

Nays

Jordan, Martin, Pierre, Quinn, Laura Smith, Thanigasalam, Wai.

The Chair (Mr. Brian Riddell): The motion is lost.

Shall section 6 carry? All those in favour? All those against? Carried.

There are no amendments to sections 7 to 9. Therefore, I propose that we bundle these sections together. Is there agreement? Please indicate by putting your—

Mrs. Robin Martin: Which sections?

The Chair (Mr. Brian Riddell): Sections 7 to 9.

Agreed.

Is there any debate on anything with this? Are members prepared to vote?

Shall sections 7 to 9, inclusive, carry? All those in favour? All those against? Carried.

Shall the title of the bill carry? All those in favour? Carried.

Shall Bill 99 carry? All those in favour?

Mr. Chris Glover: Are there comments on the bill as a whole—

The Chair (Mr. Brian Riddell): That would be in the bill part—7 to 9.

Interjections.

The Chair (Mr. Brian Riddell): Recorded vote.

Shall Bill 99 carry?

Ayes

Gates, Glover, Jordan, Martin, Pierre, Quinn, Laura Smith, Thanigasalam, Wai.

The Chair (Mr. Brian Riddell): The bill carries.

Shall I report the bill to the House? All those in favour? All those opposed? Carried.

That concludes our business for today. The committee is now adjourned.

The committee adjourned at 1336.

STANDING COMMITTEE ON SOCIAL POLICY

Chair / Président

Mr. Brian Riddell (Cambridge PC)

Vice-Chair / Vice-Présidente

M^{me} France Gélinas (Nickel Belt ND)

Ms. Patrice Barnes (Ajax PC)

Mr. Wayne Gates (Niagara Falls ND)

M^{me} France Gélinas (Nickel Belt ND)

Mrs. Lisa Gretzky (Windsor West / Windsor-Ouest ND)

Mr. John Jordan (Lanark–Frontenac–Kingston PC)

Mrs. Robin Martin (Eglinton–Lawrence PC)

Ms. Natalie Pierre (Burlington PC)

Mr. Nolan Quinn (Stormont–Dundas–South Glengarry PC)

Mr. Matthew Rae (Perth–Wellington PC)

Mr. Brian Riddell (Cambridge PC)

Mr. Adil Shamji (Don Valley East / Don Valley-Est L)

Mrs. Daisy Wai (Richmond Hill PC)

Substitutions / Membres remplaçants

Mr. Chris Glover (Spadina–Fort York ND)

Mr. Graham McGregor (Brampton North / Brampton-Nord PC)

Ms. Laura Smith (Thornhill PC)

Mr. Vijay Thanigasalam (Scarborough–Rouge Park PC)

Also taking part / Autres participants et participantes

Mr. Ric Bresee (Hastings–Lennox and Addington PC)

M^{me} Dawn Gallagher Murphy (Newmarket–Aurora PC)

Clerk / Greffière

Ms. Lesley Flores

Staff / Personnel

Mr. Ralph Armstrong, legislative counsel

Ms. Sandra Lopes, research officer,

Research Services