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## **Official Report of Debates (Hansard)**

**Tuesday 28 August 2012**

## **Journal des débats (Hansard)**

**Mardi 28 août 2012**

**Standing Committee on  
Estimates**

Ministry of Aboriginal Affairs

**Comité permanent des  
budgets des dépenses**

Ministère des Affaires autochtones

Chair: Michael Prue  
Clerk: Valerie Quioc Lim

Président : Michael Prue  
Greffière : Valerie Quioc Lim

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
ESTIMATESCOMITÉ PERMANENT DES  
BUDGETS DES DÉPENSES

Tuesday 28 August 2012

Mardi 28 août 2012

*The committee met at 0901 in room 151.*MINISTRY OF ABORIGINAL AFFAIRS  
MINISTÈRE DES AFFAIRES  
AUTOCHTONES

**The Chair (Mr. Michael Prue):** We're going to call the meeting to order. Good morning, committee members. We're here today for the consideration of the estimates of the Ministry of Aboriginal Affairs, which was selected for a total of 7.5 hours of review.

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

I will now call vote 2001. We will begin with a statement of not more than 30 minutes by the minister, followed by statements of up to 30 minutes by the official opposition and third party. Then the minister will have up to 30 minutes for a reply. The remaining time will be apportioned equally among the three parties.

Madam Minister, the floor is yours.

**Hon. Kathleen O. Wynne:** Thank you very much, Mr. Chair, and thank you, everyone. Meegwetch. Merci. It's wonderful to be here. Bonjour.

I have to say that I'm in my third and fourth ministries, and this is the first time that I have been called to estimates. So I am absolutely sincere when I say that I'm very grateful to the committee and the members for this opportunity to talk to you about the Ministry of Aboriginal Affairs.

Laurie LeBlanc, my deputy, is here with me, and a raft of people who have all sorts of information are here as well. So I hope we'll be able to answer all of your questions.

I'm here to support our budget estimates for the Ministry of Aboriginal Affairs. My goal is to provide some context for the more in-depth discussion that I know we'll have as the committee hearing progresses and as your questions are raised.

I want to start at the foundation of what it is we do as the Ministry of Aboriginal Affairs, and for me that foundation can be summarized as working towards equity

of opportunity for all Ontarians, and specifically aboriginal people, both on and off reserve.

Le ministère des Affaires autochtones travaille en vue d'assurer un meilleur avenir pour près de 300 000 Ontariens et Ontariennes des Premières Nations, métis et inuits.

So that better future will, in turn, help to ensure that Ontario in the future is as prosperous as it can be.

If I look generally at what our government has been doing over recent years, we've made huge progress. Our infrastructure is being renewed—the power grid, roads, hospitals—our students are doing better in school, and our skilled workforce and competitive business climate are attracting the jobs of tomorrow.

But the question that I have to ask as the Minister of Aboriginal Affairs is: Are these opportunities equally available to everyone? They should be. It shouldn't matter whether a child is a newcomer or from a family from First Nation, Métis or Inuit communities.

Tous les enfants devraient grandir avec les mêmes perspectives d'avenir et les mêmes possibilités.

Too often, aboriginal children will face challenges that are more profound than other children in Ontario.

So when I look at the work we do at MAA, that's the perspective I take. That really is the frame within which I am working. So from my perspective it's about closing the socio-economic gap, and that's what I mean by "equity of opportunity."

Closing that gap is a monumental task. It is one that has to be confronted on many fronts. There's no single organization that can do this on its own. We need everyone at the table working together. So we need First Nation, Métis and Inuit communities and leaders, we need industry, we need non-governmental organizations, we need individual Ontarians, we need all orders of government working together.

Je crois que le rôle principal de notre ministère est de servir de facilitateur.

We are facilitators in the Ministry of Aboriginal Affairs. We don't claim to have all of the answers, and I would hazard a statement that all of the answers don't necessarily exist. They need to be co-created by all those groups I just talked about.

As a ministry, we certainly don't have unlimited resources, but we do have relationships and networks, and our work is to develop those relationships and networks. They're hugely valuable.

Aboriginal communities live day in and day out with challenges that many Ontarians reflect on only when they make the news headlines, and when we look for solutions, we turn to aboriginal community leaders for their insight, expertise and experience. This mindset is at the centre of the new relationship between the Ontario government and aboriginal communities.

I just want to emphasize that when we came into office, we were very clear and explicit that we wanted to put in place a new approach, a new way of working that's characterized by collaboration, humility, and respect for history and jurisdiction. At the provincial level, our ministry, MAA, works across ministries to ensure that the best interests of aboriginal communities are properly reflected in Ontario policy and programs.

Nationally, since 2009 the Aboriginal Affairs Working Group, which has brought together leaders from national aboriginal organizations and provincial and territorial Ministers of Aboriginal Affairs, has been working together to that same end. Ontario served as the chair over that period of time, and now that responsibility is passing to Manitoba.

The work at the Aboriginal Affairs Working Group focuses on three priority areas: first of all, increasing graduation rates for aboriginal students; supporting economic development opportunities in aboriginal communities; and finally, ending violence against aboriginal women and girls. Those goals are intertwined and they overlap, but those are the three separate areas that we have articulated.

The provinces have collectively called repeatedly for the federal government to participate in the Aboriginal Affairs Working Group, and I will continue to call on the federal government to join these discussions. I believe that the issues are just too important for the federal government to remain on the sidelines.

I'd argue that the result of this federal disengagement was very evident in Attawapiskat First Nation this past fall and winter. When I was first appointed, this was an issue that came to the front pages of the newspaper, and you'll remember the images of families sharing shacks that wouldn't be considered suitable for any family living off-reserve, let alone in the dead of winter in Ontario's far north.

I contacted the chief of the community. I also had a conversation with the federal minister. Ontario mobilized the Emergency Management Ontario forces to help deliver building supplies and other materials and to make the assessment of what was necessary.

But in this, which was the first major issue I faced as aboriginal affairs minister, I was introduced to a fact that underlies many of the problems on reserves in Ontario, and that is a federal government that has primary responsibility for conditions, and particularly infrastructure, and yet, in my opinion, fails to take that duty as seriously as it should. Just recently, a federal court ruled that there were concerns about the federal government's handling of the situation in Attawapiskat, so that perspective seems to be justified. We need the federal government to work as a

collaborative partner with First Nations and the other orders of government if we're going to improve living conditions on the reserve.

I'm going to talk a little bit about our approach.

The Ministry of Aboriginal Affairs was created by our government as a stand-alone ministry in 2007. It was a key recommendation, you will remember, of the Ipperwash inquiry.

La création du nouveau ministère était un signe que le gouvernement provincial s'était engagé à mieux faire les choses.

In the five years since, I think we have done better. We've made significant progress working as partners with aboriginal communities, but there is still a lot more that needs to be done. The challenges aboriginal communities face are complex and, in many cases, entrenched over generations. I think any of you who have had the opportunity to read any of the stories or attend any of the events put on by the Truth and Reconciliation Commission looking at the impact of residential schools will know that that intergenerational impact is deep and very real.

#### 0910

I'm sure you know some of the facts and figures. Across Canada, the high school dropout rate for aboriginal youth is two and a half times the rate of non-aboriginal youth. The unemployment rate for aboriginal people in Ontario is twice that of non-aboriginal Ontarians, and it can be much higher in remote First Nations communities. The suicide rates for First Nations youth are five to six times higher than non-aboriginal youth, and the life expectancy for aboriginal people in Ontario is eight to 10 years shorter than for non-aboriginal Ontarians.

There's no single fix to any of these problems. I think the way forward is a combination of working together to address the long-term, underlying causes of these inequities but, at the same time, working with our partners to deliver programs that make communities stronger today. It's a broad-based mandate that we organize under MAA's four key priorities. Our priorities are: stronger aboriginal relationships, improved social conditions, economic opportunity and sustainability, and enhanced land claim settlements and reconciliation. Any activity that we undertake under any of these four priorities has the same ultimate objective, and that is, as I say, to close the gap and equalize opportunity among aboriginal and non-aboriginal children.

I'd like to provide a closer look at some of the ministry's initiatives and successes across Ontario. I think a good way to illustrate this is by outlining some of the experiences that I encountered during my first visit this past winter to Pikangikum. I'm sure you know that Pikangikum First Nation is an Ojibway community in northwest Ontario.

I've made it my business, since I was appointed to this ministry, to travel a fair bit of the time. When I was Minister of Education and Minister of Transportation I also visited some remote communities, but in this role I

have attempted to get to many of the communities that have particular issues that need to be addressed.

I'm sure you know that Pikangikum First Nation is an Ojibway community in northwestern Ontario. It has a population of about 2,400 people. It was the first remote, fly-in community that I visited after becoming Minister of Aboriginal Affairs. Pikangikum, as you know, was the subject of a chief coroner's inquiry into 16 suicides by children and youth between 2006 and 2008. Those young people took their own lives when they were between the ages of 10 and 19. September 2 will mark the one-year anniversary of the release of the coroner's report. My ministry and the Ministry of Children and Youth Services are co-leading the province's response, which is due this fall.

Ontario's 133 First Nations vary widely in their challenges and achievements, but the community of Pikangikum, I think, serves as a snapshot of where we've been able to make a difference and where there's more work to do.

Thirty minutes after my arrival in Pikangikum, or "Pik" as it's often called, I found myself sitting in the band office with the chief and about eight councillors. There was silence. Words didn't come easily, and the conversation was an awkward one. They didn't know me. There had been a number of aboriginal affairs ministers, and so obviously it was going to take some time to build that relationship. But it's with this scene that I introduce the first of the ministry's four priorities, and that is building stronger relationships.

The report of the Ipperwash inquiry set out a road map for the Ontario government to reframe its relationship with aboriginal communities. The contrast between the old and the new relationship, I think, has enabled us to accomplish more together, and we look forward to building on that foundation.

We've made significant progress in building those bridges. The many successful relationship tables we've created in the past five years with provincial-territorial organizations and the Métis Nation of Ontario attest to this.

Last summer, nominated by aboriginal leaders, Ontario was actually recognized by the United Nations for its efforts to build stronger relationships with aboriginal people. We were named first among all nominated governments in North America and Europe.

We appreciate that accolade, but it doesn't mean that we don't understand that there's a lot more work that has to be done. That couldn't have been more evident to me, sitting nearly silent with the chief and council in Pikangikum. But I think, if we're patient on all sides, the conversation can continue, and that's what happened there. We were patient, and the conversation developed. Whether we're talking about at that local community level or province-wide, better relationships are part of the accomplishment that our ministry has had to date, and it means that we have to take time and effort.

You'll recall that the second of the ministry's four priorities is improving social conditions. As we drove

away from the band office, I reflected on the fact that barely 25% of the houses in Pikangikum have indoor plumbing. The rows of privies attested to that. Residents collect water at one of the few community spigots, which in January is different than in June. More of the homes' windows were shattered and patched than remained intact, and many of those small wooden houses were home to a dozen or more people and sometimes mould.

Without healthy homes and stable families, it's very difficult for young people to do well in school and to develop as young adults, so improving social conditions has to be part of any integrated approach to creating opportunity in aboriginal communities.

Much of MAA's work to improve social conditions is found in that facilitator role that I mentioned. We work with and advise other ministries on programs for aboriginal people, or how existing programs and services can be better evolved or developed to serve the aboriginal community. Those programs include Tourism, Culture and Sports' healthy eating and after-school programs, Community and Social Services' Ontario Works, and ServiceOntario's successful aboriginal birth registration initiative.

With the Minister of Education, Laurel Broten, I'm the co-lead in a process across ministries to ensure that there's a coordinated response to the recommendations in the strategic framework to end violence against aboriginal women.

We've developed our own innovative, cost-effective and, I would suggest, extremely successful initiatives as well. For example, we initiated Promoting Life-skills in Aboriginal Youth, or, as the acronym is, PLAY. It's a program developed by Right to Play Canada in partnership with the province and other organizations, and I have to give credit to my predecessor minister, Minister Duguid, who really looked for an organization to partner with us on this leadership initiative.

What this program is doing is helping aboriginal youth to improve their health and their self-esteem and leadership skills and really develop skills that will stay with them through their whole lives. Earlier in August, Right to Play provided its latest progress report, and it captures PLAY's key accomplishments up to July 2012. Some of the highlights are these: 889 youth are reached on a weekly basis by the PLAY program; 134 youth-led events across 39 partner communities are part of the program; 80% of youth surveyed report that youth leadership program workshops have been useful in helping to improve self-confidence as leaders; and 32 community mentors are currently participating in the PLAY program.

What happens is, the kids go through a series of leadership programs, and then they have to lead an event in their own community. They have to coordinate and bring together all of the volunteers and all of the community members to put on an event that will benefit the whole community.

I'm being told—oh, I've got 15 minutes left; I'm all right.

I was really pleased to be able to affirm, in July, that our commitment to PLAY is going to continue and that we are going to continue funding at a rate of \$1 million annually for another three years. This is the kind of program that I think really does enable young people to rekindle or kindle their interest in school and in a positive future, and it's one of the programs that is very successful in Pikangikum.

The youth leader is based in the school in Pikangikum, and I want to talk about school just for a moment, because aboriginal education is obviously fundamental to future success. I use the term "school" loosely. The Enchokay Birchstick school in Pikangikum was burned down in 2007. The federal government promised a new one. Five years later, Pikangikum's kids are still getting their lessons in a collection of portables. There are too few to seat everyone who should be getting classes on a daily basis.

We certainly welcomed the August 10 announcement that the federal government will be investing in a new school for the community. It's anticipated that the construction of the new school will take up to five years to complete. That will be essentially a decade in which Pikangikum students haven't had a proper school. That on-reserve infrastructure really is one of the issues where, when I talk about the interaction between federal and provincial jurisdictions, the federal jurisdiction over on-reserve infrastructure is critical. As I explained to the school's principal, MAA works in the areas where we can, but where we need to, we need to bring in that dialogue with the federal government.

**0920**

Il est important pour nous de continuer à travailler en collaboration avec le ministère de l'Éducation pour promouvoir l'histoire et la culture autochtones dans le curriculum de base de l'Ontario.

I think that talking about the infrastructure in the schools is one thing, but we have to continue to work with the Ministry of Education to promote aboriginal history and culture in Ontario's mainstream curriculum. So it's not just about having a strategy for working on aboriginal kids having more information about their history and culture, but I think it's about mainstream education as well.

If the public were better informed about all of the issues and the history, I think aboriginal communities would feature more prominently on the federal government's political radar, and I think that would lead to more concerted action. Additionally, I think it would mean that there would be a better understanding across our society of our shared history.

Additionally, the Ministry of Education provides targeted funding to support the implementation of the Ontario First Nation, Métis and Inuit Education Policy Framework. That's the policy framework that I just referred to that was launched in 2007 and targets aboriginal students in our schools. It also offers more education for kids who are not of First Nation, Métis or Inuit descent, but it is specifically intended to build the

knowledge base among those kids. But that targeted support includes \$40.2 million in 2012-13 for the First Nation, Métis and Inuit education supplement for the GSN, the grants for student needs, and \$1.19 million annually to the friendship centres to provide additional supports for students such as cultural programs, involvement of elders and counselling.

The Ministry of Training, Colleges and Universities provides \$26.4 million per year for aboriginal post-secondary education, and MAA itself committed \$100,000 per year for three years to One Laptop per Child Canada, and that money ends in 2012-13. One Laptop's program provides a low-cost, low-power laptop customized with aboriginal content to every child six to 12 in five participating First Nation communities. And of course there's our successful aboriginal education strategy, which MAA supports.

Under that strategy, we've taken important steps in making system-wide change. We've supported school boards, for example, in confidentially measuring and tracking aboriginal student success so we can have that data to help us understand whether that gap is closing or not. We've increased targeted funding for school boards in support of aboriginal students. We've supported educators through ongoing development of teaching resources in aboriginal education. We've promoted aboriginal content in the curriculum in consultation with aboriginal organizations. We've supported alternative high school and native friendship centres, and we've supported the development of the first textbooks for native studies in Ontario, and they're approved for the Trillium list for use in classrooms.

I'm going to talk just briefly because I know I'm going to run out of time. I'm going to come back to the education issue because I think there probably will be questions about it, but I just want to be clear that if there's any doubt that First Nations kids are committed, that aboriginal kids overall are committed to learning, I think you just have to meet some of these kids—whether they're Métis kids, First Nations kids or Inuit kids—to understand that they are committed.

I had the pleasure of meeting a young grade 12 student named Desmond. I was in Webequie First Nation, and he came with us on the flight back from Webequie. He's a quiet young man from Webequie. He's halfway through his grade 12 studies, and for him, even going to high school means that he has to spend four years away from home, travelling to Thunder Bay. He's committed to getting that education, and I think from our perspective that we owe it to kids like Desmond to make education more accessible for aboriginal communities.

The third pillar of our work is promoting economic opportunity and sustainability. Another event that I was invited to during my Pikangikum visit was an open house for the Whitefeather Forest Initiative. Some of you may have heard of this. Several Ontario ministries have provided significant support for this project. What this project demonstrates is how targeted Ontario funding and programming—in this case, MAA's new relationship

fund—can help support a community's economic sustainability. The Whitefeather Forest Initiative combines the community's ancestral role as stewards of the forest. The elders really were the foundation and the motivators behind this project. The ancestral role as stewards of the forest was combined with economic renewal to support a commercial forestry and tourism initiative. The project was conceived by the elders 15 years ago as a response to the decline in trapping and commercial fishing, and the elders continue to play an important role in guiding this effort.

They are teaching the youth in the community about aboriginal forest stewardship. When I met with the community in the open house about the Whitefeather initiative, there were the elders who had begun the initiative and some young kids who probably were not even born when the initiative began, but they were getting the elders' knowledge of the forest and how the forest regenerates and how best to reforest as part of this initiative.

Most of the youth standing at the edges of the room will benefit from the jobs and economic renewal that this project brings to Pikangikum, but as I say, they weren't born when it started.

My ministry's new relationship fund, another recommendation of the Ipperwash inquiry, provides resources to assist aboriginal communities and organizations across Ontario to create jobs and provide skills training, develop business partnerships and expand economic opportunities.

I see the fund as a catalyst to that kind of change, as sometimes the beginning of the flourishing of these projects. Since it was established in 2008-09, the fund has supported 465 aboriginal projects, has helped to create 480 jobs and has funded administrative and technical training to over 4,300 aboriginal people.

In May, Gary Lipinski—as many of you will know, the president of the Métis Nation of Ontario—told the Premier, “The new relationship fund has been instrumental in creating employment, building relationships with industry and government and enabling business opportunities.”

The fund is just part of a number of tools which are part of our plan to help build aboriginal economies that will be able to sustain aboriginal people and communities into the future.

I am running out of time. On August 14, we held the official launch with the Métis Nation of Ontario to celebrate the Métis voyageur development fund, which is another part of that plan. It's a \$30-million initiative that will help Métis entrepreneurs and Métis-owned companies to flourish.

Another tool that we've put in place is the aboriginal community capital grants program. We support aboriginal small business centres that provide much-needed services. A recent example of that is the small business centre on the Delaware First Nation in southwestern Ontario.

As of March 2012, ministries across the government are encouraged to take part in the aboriginal procurement

pilot. We put that in place, and that is a significant initiative and something that has been asked for by the aboriginal communities.

I will just say that there are some other things that I'd like to come back to: the Algonquin land claim, which I know is of interest to many of you. I think it's an example of the potential benefits of our enhanced settlement and reconciliation process, and I can speak more about that. The draft agreement in principle we hope will be ready this year.

I'd like to talk about the Wabigoon land claim example. I was in Wabigoon Lake earlier this summer and had the opportunity to celebrate a historic agreement and to deliver an apology to the Wabigoon Lake community. I think that's part of the work that we need to do.

I hope you will also ask me about the urban aboriginal population because, as you know, the majority of aboriginal people live off-reserve. Our ministry is very involved with support for friendship centres, for the work of the Ontario Native Women's Association and the Métis Nation of Ontario, all of whom deliver programs in urban contexts.

There's a lot to talk about, there's a lot of work going on, because there are a lot of issues, and if we're going to get to that equity of opportunity, all of these programs and all of the initiatives—because it's not just about programs; it's about the systemic change that needs to take place in order for aboriginal communities to flourish and in order, I would argue, for Ontario to flourish.

#### 0930

The Ring of Fire—I'll just end on the Ring of Fire—is a perfect example of all of that coming together, where the systemic changes that we've been making will benefit the processes around the Ring of Fire and there are programs that need to be put in place in order to support First Nations communities in their attempt and their requirement, which I completely support, to be involved in and to benefit from the Ring of Fire. That chromite deposit and the other mineral deposits in northern Ontario are a huge opportunity, and it's something that we are now working together with First Nations and with all of the communities in the north on, to make sure that everyone can benefit.

I think I'm probably just about out of time. Is that true?

**The Chair (Mr. Michael Prue):** You have about a minute left, if you want it.

**Hon. Kathleen O. Wynne:** Do I have a minute? Okay. All right.

I'm just going to end with a quick story, because I was telling you about Pikangikum. I want to take you back to Pikangikum one more time just to end on a note of hope. In June, representatives of the Whitefeather Forest Initiative I talked to you about signed the community's first forest management plan. The following day, the community celebrated the graduation of 11 high school students, and that's a remarkable achievement given the conditions of the school that I mentioned earlier. The community is also working to make progress and is

developing a comprehensive health plan to serve the needs of the community, and we stand in partnership with the community, with initiatives such as the aboriginal healing and wellness strategy. We'll be updating the chief coroner on our work.

In July, with the support of MAA, MCYS and the NGO Let Them Be Kids, the people of Pikangikum gave their kids a gift of their own. In an all-community effort, in one day, the people of Pikangikum built a new playground for the young people. When I was briefed by the coroner's office, when I was first appointed and he briefed me on Pikangikum, he said at the end of his presentation, "These kids don't even have a playground." I turned to my officials and I said, "Can we at least do that?" There's a lot more that's happened in Pikangikum, but there's also been a playground built as a result of the bringing together of all those organizations.

*Interruption.*

**The Chair (Mr. Michael Prue):** And with that, I have to stop you.

**Hon. Kathleen O. Wynne:** It's a small thing, but it is emblematic. Thank you.

**The Chair (Mr. Michael Prue):** Excellent.

Please turn off the ringers on the cellphones. It's not the House, but it's not supposed to be done in here, either.

**Hon. Kathleen O. Wynne:** I thought that was maybe the bell that you use to tell ministers to stop, because I haven't been here before.

**The Chair (Mr. Michael Prue):** Okay. It is now the opportunity of the official opposition. You have a half an hour to either make a statement or question the minister as you see fit.

**Mr. Rob Leone:** Mr. Barrett?

**Mr. Toby Barrett:** Yes, thank you to my colleague. Thank you, Chair, and thank you for the banana cake. That was a great way to start the morning.

**The Chair (Mr. Michael Prue):** And by the way, there's lots over there. Please eat it.

**Hon. Kathleen O. Wynne:** If anyone's feeling their blood sugar fall—

**Mr. Toby Barrett:** Please do.

**The Chair (Mr. Michael Prue):** That includes guests.

**Mr. Toby Barrett:** By way of an opening statement and with the permission of my colleagues, I wish to present a somewhat truncated run-through of some past issues, some decisions that have been made along the Grand River with respect to the Grand River over the years relating to Ojibway Mississauga; more recently relating to the Iroquois, as they were at many times known—the Haudenosaunee; the Five Nations, more recently known as the Six Nations. The reason I would like to do this: We can learn from the past, something that this ministry, the Ministry of Aboriginal Affairs, understands very well.

Decisions and approaches by chiefs, by MPPs, by MPs, cabinet, civil administrators, surveyors can have a far-reaching impact into the future. We have certainly seen this with the more recent deliberations and con-

frontations with respect to Six Nations, and we see this and we will see this on into the future with respect to the Ring of Fire, with respect to the Algonquin land claim, the negotiations there with the Algonquin First Nation and questions that are being raised by residents of that area in that part of eastern Ontario; questions raised more specifically by OFAH, the Ontario Federation of Anglers and Hunters; NOTA, the northern Ontario tourism organization; the fishing organizations; and the Canadian Sportfishing Industry Association. I know we have many hours to deal with concerns with respect to Algonquin, concerns relating to the secrecy of the negotiations, concerns with respect to the impact on hunting, fishing, parkland, provincial park property values and the economic impact.

I understand that the process with respect to Algonquin will result in or develop an economic impact study. In fact, that's something that should be done with respect to the Grand River and what has occurred in that part of southern Ontario. I do wish to go back to the Grand River and talk a bit about the historical perspective of some of those deliberations. Again, this is part of the job of this particular ministry and other government bodies, and they've kind of morphed into a number of different structures over, actually, several hundred years—probably close to 250 years.

Particularly, the focus of the last six and a half years—we only have half an hour, so I doubt that I will get up to the point of the last six and a half years, something that has been discussed at length in our Ontario Legislature, before the estimates committee. I think the last run-through would have been with one of your predecessors, Michael Bryant, and much of that, as I recall, was with respect to the economic impact on the city of Brantford and Caledonia and area—and not only Caledonia; it's Haldimand county, it's Brantford-Brant county.

We know that in the media there are concerns as far north as up to the source of the Grand River, in the Dundalk area, with respect to—I think there's a fertilizer plant.

Minister, you indicated, I think it was in February, that you are getting all parties together. I think you were focusing specifically on the subdivision in Caledonia, Douglas Creek Estates. I don't wish to dwell on that right now.

I do wish to attempt to summarize, as I've said, what's gone on before. There are so many books; there are so many references. There's a tremendous history of the Six Nations alone—a tremendous history. The military history is very significant. The First World War: a very small community, and well over 300 people signed up to fight in the First World War. At one time, I was a member of the Six Nations veterans' association—a very proud history just on that area alone. It's a community that provides a leadership role for native communities in North America—and South America, for that matter.

Much of my presentation draws on a summary, an ongoing summary—and you, Minister, and your staff would be aware of some of this work by a former Ontario



government employee, Garry Horsnell. I have one of his documents here. I'd be glad to distribute it to the committee. My assistant is here. He could pull it off the email and we could distribute it. I don't know whether there's a rush to get it right now. I'll just hit some of the highlights. Maybe I'll ask the question.

**The Chair (Mr. Michael Prue):** If you are going to refer to it, it would be nice if all members had it.

**Mr. Toby Barrett:** Yes, okay. It will take a minute to run up and grab it and pull it off. I wasn't sure. I'd be glad to distribute it, because it includes references and sources that I think may be of interest to the research of this committee.

**0940**

Mr. Horsnell has pulled together his version of events. He's been very public about this over at least the last six years. We go back to the mid-1600s. Many will know that at that time—

**Mr. David Zimmer:** Chair, just to help me understand, what is the position of the individual you're referring to?

**Mr. Toby Barrett:** He's retired. He lives in Brantford.

**Mr. David Zimmer:** He was a civil servant?

**Mr. Toby Barrett:** As I understand it, yes.

**Mr. David Zimmer:** Okay, thank you.

**Mr. Toby Barrett:** This is a private citizen. I just thought I would mention that, because I've gotten to know him at meetings and—

**Mr. David Zimmer:** Thank you.

**Mr. Toby Barrett:** Going back to the mid-1600s, the Iroquois—when I say that, I refer to what are now the Six Nations on this side of the border, who were from what is now upper New York state, and again, when you go back 250 years, there were different jurisdictions and different names for the jurisdictions—had conquered native people around them as far west as Chicago and had dispersed and virtually eliminated—I know they did eliminate the tobacco people, the Petun, down in my area, in the Norfolk area, the Neutral Indians, and battles with the indigenous Huron.

In the mid-1690s, the Mississauga Ojibwa fought with and pushed the invading Iroquois out of what is now southern and southwestern Ontario to their homeland in what is now New York state. A peace was made, and they gave up the land in what is now southern Ontario to the Mississauga Ojibwa.

According to a 2003 Indian land claims commission report, "The offer of peace was accepted in June 1700"—I'll do this in chronological order—"and as a result, the Mississaugas secured their control of the territory between Lake Huron and Lake Ontario. They would occupy these lands until the land cessions of the late 18th and early 19th centuries confined them to a very small proportion of their former territory."

On July 19, 1701, 20 chiefs from the Five, later Six, Nations Iroquois Confederacy signed or placed their marks or totems on the so-called Nanfan Treaty—this has been raised in the Legislature. It's named after Sir John Nanfan, who was then acting governor of the British

province of New York. The Iroquois gave up their beaver hunting grounds to the British crown. Quoting the chiefs, "We ... surrender, deliver up and forever quit claim" to this huge tract of land that they had previously conquered on condition that the British would allow Five Nations people to hunt on the land forever. This is of relevance for other native-related issues as well.

Now, at that Nanfan Treaty meeting in 1701, a New York surveyor named Samuel Clowes produced a map showing that the Nanfan Treaty land included land in what is now southwestern Ontario and along the Grand River. This is in the British archives.

Some people question the validity of the 1701 Nanfan Treaty. If the Six Nations had already surrendered the land in what is now southern and southwestern Ontario to the Mississauga Ojibwa, whether it had been surrendered a year earlier in June 1701, why is a treaty signed when the land had been surrendered to another native group? Regardless, surrendered land, including the land along the Grand River, to the British crown in 1701

Fast-forward to October 7, 1763: King George III issued a royal proclamation in which the crown defined Indian territory in North America and reserved "sovereignty, protection and dominion" over that Indian territory. Again, this included land along the Grand River and this would include land in the Algonquin area.

Six Nations Iroquois agreed to accept the 1763 royal proclamation according to a treaty signed at Fort Niagara on July 8, 1764.

Go forward 10 years: In 1774, the British Parliament passed the Quebec Act. It extended the British province of Quebec through what is now Ontario; again, that shows that the land along the Grand River was in British territory.

The American Revolution was very significant for the Six Nations people. And for my family by the way: My real name is not Toby. I'm Theobald Butler. Our family was kicked out of New York state, along with the Dockstaders and so many of the families on the Six Nations.

After the American Revolution, Quebec Governor Haldimand arranged to buy a huge parcel of land, including land along the Grand River, from the Ojibwa Mississauga Indians and, as I understand it, also the Chippewa—I think they were closer to the Niagara River.

On May 22, 1784—and I know I'm moving very quickly through many decades of history—the Mississauga Indians did "grant, bargain, sell, alien, release, and confirm" to the British Crown "forever," for the sum of "1,180 pounds, seven shillings and fourpence of lawful money of Great Britain," land including land along the Grand River. It went to the crown; it was purchased by the crown.

There was a meeting, again at Fort Niagara. Crown representatives, Mohawk leader Joseph Brant—we recognize that name—other Six Nations Indian chiefs, Delaware chiefs and Mississauga chiefs were all present at that meeting, and they all agreed with the sale of the land to the British crown.

That purchase is now called the 1784 Between the Lakes Purchase, and at that point, the land, including the

land along the Grand River, became crown-owned land bought and paid for by the crown.

Governor Haldimand issued an announcement on October 25, 1784, inviting “Mohawks” and “others of the Six Nations” from New York to move from the “American States” to the “British” and “to take possession of”—Garry Horsnell says, in brackets, “occupy”—part of the Between the Lakes Purchase six miles wide on each side of the Grand River from mouth to source. The source is in the Dundalk area.

Haldimand’s document was a unilateral announcement. He was an agent of the crown, the governor. He was the only one that signed the document, other than his secretary R. Mathews. It was not signed by any Six Nations person, was not a treaty in any conventional sense of the term. It was not an official proclamation, was not presented in public on the three separate occasions as required by crown rules and instructions. He did not apply the great seal of the province of Quebec to the document. Haldimand’s document is not considered a patent or a deed, again, from the perspective of Garry Horsnell, who has summarized a lot of this material. In his view, the Haldimand announcement was simply a licence from the governor of Quebec for Six Nations people to occupy crown-owned land—it was owned by the crown—until a final, legal land transfer could be made.

In 1791, the British Parliament passed the Constitutional Act, according to this, which divided the former British province of Quebec into Upper and Lower Canada. Again, Upper Canada became Ontario, and again it shows that the land along the Grand River was British territory.

Now, to correct Haldimand’s mistakes, Governor Simcoe offered the Six Nations a letter patent, a deed, in 1793 which would have allowed them to occupy a strip of the crown’s land six miles wide on each side of the Grand River from the mouth at Lake Erie to the northern boundary near Elora, not as far as Dundalk.

**0950**

Again, the Simcoe deed or patent was a unilateral announcement from an agent of the crown. On November 24, 1796, Joseph Brant indicated, “It does not appear from this grant we are entitled to call these lands our own,” and would not accept this deed. Brant and the Six Nations chiefs refused to accept the Simcoe patent, or deed, and there it lay; the land remained crown-owned land. Much of this came up very recently in a decision by Justice Arrell in Brantford in 2009.

As time passed after 1793, Brant and other chiefs surrendered Six Nations use of various parcels of the crown land back to the crown for sale. Eventually, Six Nations ended up on the Six Nations reserve; it’s officially known as a reserve. It’s the former Tuscarora township down in Brant county. This was around 1850.

Six Nations didn’t surrender the land; they surrendered the ability to use the crown land. The crown said they would put money from the sale into a trust fund for the use and benefit of the Six Nations of the Grand River.

In 1995, just to fast-forward, the elected Six Nations band council took the Canadian federal government and the Ontario provincial government to court and filed a statement of claim. According to the claim, Six Nations wants an accounting of money and it wants the crown to “replace all assets or value thereof which ought to have been received or held by the crown on behalf of the Six Nations.”

I do apologize for the history. I appreciate getting that in Hansard. Again, this is the perspective of Garry Horsnell. It puts into place the history from his perspective. This will be distributed with the references and sources. As David Peterson said to me when he came down to Caledonia, probably six years ago—he was asked by the Premier—he indicated something to the effect of, “I thought this was an accounting issue.” That’s my understanding as a trained lawyer. We were speaking with John Tory, as I recall, another trained lawyer. The perspective was that this was an accounting claim. This is something that the provincial Ministry of Aboriginal Affairs would deal with in co-operation with the federal government. As we all know, things morphed into an awful lot of other issues: policing issues, justice issues, issues of democracy itself, governmental issues, how we deal with this, and, of course, road closures and the mayhem and what we see down there. The burned-out tractor-trailer still sits at the entrance of that subdivision that has been occupied for the last six and a half years. I know the Premier made it very clear a few months ago that he considers it an alleged occupation. The barricades are still up, in spite of the fact that Mr. Peterson struck an agreement—I assume it was a verbal agreement—that the barricades come down in return for transfer of land, transfer of the Burch property in Brant county.

I probably won’t take up any more time. I just wanted to leave that. I appreciate the opportunity to present that in the context. I think it’s very important, as we go forward with the Grand River issues, the Algonquin land claim, for example, the Ring of Fire—and I hope there is somewhat of a rebuttal to this version of the history, but it’s so important that we consider what went on before in the case of the proud history of the Six Nations. I think they went back about 250 years. We know that 250 years from now, God willing, we will be discussing Six Nations and we will be discussing Algonquin. This continues. These issues are passed on to the next guy. I see that in my readings of history—the thought processes that I went through and I saw other people going through. Just with Caledonia alone, I could see the same kinds of deliberations being made 200 years ago—we were a colony at that time—by civil authorities. In many cases, I could see the strategy of delay, the strategy of secrecy and, quite simply, Chair, oftentimes to leave it for the next guy or the next gal.

In this case, much of the responsibility remains with the minister at the witness table today.

Thank you, Chair.

**The Chair (Mr. Michael Prue):** Thank you. There are about seven minutes left if the official opposition wants to use it.

**Mr. Rick Nicholls:** May we use it for questions?

**The Chair (Mr. Michael Prue):** Absolutely. It's your seven minutes.

**Mr. Rick Nicholls:** Thank you very much, Chair. Good morning, Minister.

**Hon. Kathleen O. Wynne:** Good morning.

**Mr. Rick Nicholls:** A question for you: It's well known that the current situation in Caledonia is holding up a \$100-million transmission line project that would supply power to the surrounding area. Have you had the opportunity to address this issue with native occupiers in your recent visits to Caledonia?

**Hon. Kathleen O. Wynne:** Thank you for the question, because it gives me an opportunity to respond to that question and also to make a bit of a comment on what your colleague spoke about, which is related.

I just want to start with, "In 250 years, we'll be dealing with Six Nations." I wanted to start with that statement because I think you can turn that around and you can say, "In 250 years, First Nations will still be dealing with us." I think that statement actually reveals a lot about how we have interacted as peoples in this land. If you think about it from the other perspective, the perspective of First Nations people, we've interrupted a lot of their history, and our histories have become entwined. I just want to start with that.

The second comment I want to make is to acknowledge what Mr. Barrett talked about in terms of the role of First Nations in our shared conflicts. The War of 1812 has just been celebrated and remarked and marked. The role of First Nations in the War of 1812 was significant.

Having said that, in response to your question, Mr. Nicholls, since I was appointed, I've met with the Six Nations' elected chief. I've met with the mayors of Brant, the city of Brantford, Haldimand county. I've met with the Haudenosaunee, the confederacy. I have worked to try to bring together, or be a catalyst for, a conversation on these very complex issues. I think the history that Mr. Barrett outlined from one person's perspective really does speak to how complex these issues are. The very fact that right now the Six Nations have 28 land and accounting claims outstanding, and there hasn't been a conversation for a number of years and the federal government doesn't acknowledge that there is a claim—I think that is, again, symbolic of the complexity, and I'm not going to wade into what is or isn't true, where the truth lies. I think that in order for us to get to that, there has to be a conversation, there has to be some discussion, and there hasn't been any.

Have I met with people in the community to try to say, "Let's find a way to have a conversation"? Yes, I have. I believe that it's extremely important in my role to play that kind of role and not to take a side and not to say that there is blame going only one way, but to find a way to bring people together and to find the shared and common interest.

1000

**Mr. Rick Nicholls:** So what are they saying? What are you hearing them say with regard to this issue? Because, as you just mentioned, it has been going on for a while.

**Hon. Kathleen O. Wynne:** What I'm actually hearing everybody say is that in some ways there is more frustration than there is anything else, and I would say that pretty much on all sides: that there is frustration with the current situation. But I think that everyone also acknowledges—and I haven't met with every single individual obviously, but the leadership that I have met with is sincere in trying to move the piece of the agenda that is most critical to them forward, and obviously there are a whole bunch of pieces. You've talked about an economic development initiative, a power initiative. We can talk about the use of the Douglas Creek estate lands. We can talk about the relationship in the community. We can talk about the land claim issues. There is a confluence of issues in that community, and each one complicates the other.

So what I've tried to do is, I've tried to say: Let's at least find a way to come together to talk, to identify an issue, for example, the use of the Douglas Creek property. Maybe we could have that conversation. We haven't got there yet. You know, I haven't been successful in that, but I have managed to speak with all of the players, and my hope is that building trust will eventually lead to fruitful conversation.

**Mr. Rick Nicholls:** We take a look at—

**The Chair (Mr. Michael Prue):** Just over a minute.

**Mr. Rick Nicholls:** Okay, fine. Thanks.

This has been going on for about six years now, I guess, and I know that the OPP have had a lot of officers down in Caledonia. Do you have any idea what it has cost the taxpayer right now, with regard to having this added security in dealing with the issues that have taken place?

**Hon. Kathleen O. Wynne:** The first thing that I will say is that, just be very clear that we do not direct the OPP, so in terms of their activities and how they respond, we do not direct them.

We have an itemized review of the costs. You can take a look at those. I'm not sure exactly what number you might want, but the total provincial cost is about \$64 million. The police operations is \$45.8 million.

**Mr. Rick Nicholls:** Okay. Thank you very much.

**Hon. Kathleen O. Wynne:** As I say, that's on our website.

**Mr. Toby Barrett:** Chair, I'll just jump in.

**The Chair (Mr. Michael Prue):** There is no time.

**Mr. Toby Barrett:** Did everyone get a copy of the document?

**Interjections:** Yes.

**Hon. Kathleen O. Wynne:** Yes, we did.

**The Chair (Mr. Michael Prue):** And there are extra copies as well.

**Mr. Toby Barrett:** I would appreciate feedback from that. That's the perception of one, I would say, amateur historian. I would request some feedback. Perhaps the committee might consider some—

**The Chair (Mr. Michael Prue):** Well, we have the minister here for another six and a half hours—

**Hon. Kathleen O. Wynne:** I'll come back to that.

**The Chair (Mr. Michael Prue):**—so if you have questions, I'm sure she'll answer them.

Mr. Vanthof, the floor is now yours, and you have about 10 minutes now and the remainder of your time this afternoon.

**Mr. John Vanthof:** Thank you, Chair.

Thank you for the history lesson. It's nice to hear—a part of the province that I'm not really familiar with, and I'd like to thank you, Minister, for your presentation.

I'd like to focus on a couple of things that you focused on: your role as a facilitator, which I think is very important; quality of opportunity for First Nations is incredibly important; and education is also something I'd like to focus on.

First, I'd like to put into context First Nations from my personal point of view. My riding contains Temagami, the Temagami land caution. I'm sure anyone aware of First Nations knows part of the story of the Temagami land caution, and one of the things that echoed when you said "frustration"—frustration on all sides.

But there are some things that my riding contains that a lot of people don't know. There's a mine about to open up in my riding that is, to the best of my knowledge, the first and only mining company owned wholly by First Nations. So when people say—and I'm going to continue in that tone, and there are people who are frustrated—"All they," meaning First Nations, "want to do is stop development," that's untrue. That's very untrue.

But having said that, the First Nations face problems—and the remote First Nations are a whole different can of worms. Right now I'd like to focus on the First Nations that are in my neck of the woods, which some people would consider remote, but don't tell me that. In the case of the Wahgoshig First Nation—it was actually the first case that came across my desk as a newly elected MPP—a company was drilling on what they felt was their land. They went to MNDM to complain. MNDM issued a letter, which I can provide, advising the company to stop drilling. What happened? The company kept drilling. So the First Nation went to court, got an injunction and stopped the company from drilling.

The First Nations are obviously frustrated, because they went to court to do this. But the company is also frustrated, and I think the reason for the frustration is that it's one thing to have a role as a facilitator, but there are no clear guidelines of whose role. The companies are expected to deal one-on-one with First Nations, the First Nations are expected to deal one-on-one with the companies, and everyone kind of just sits back and hopes it works out. I'm not going to ask that question right now, but it's something that's very important here: What is actually the role beyond facilitator? Because, in this case, Chief Babin is very, very frustrated, and I'm sure the company owner is equally frustrated. And they're both frustrated at the government—our government—because we control natural resources, especially when they had the letter in their hands saying, "Okay, MNDM would like you to stop drilling," and nothing happened.

That's one of the big hurdles we're going to have to get over, because with a new development like the Ring

of Fire—and we all hope the Ring of Fire is developed—we have different views on where it will be processed or how it will be done, but I don't think there's anyone in this room who wants to stop development of the Ring of Fire. But if you have, in the case with Chief Babin, and Chief Babin and his contemporaries have letters from MNDM saying, "Stop," and nothing happens, how are they expected to believe that your government is truly going to allow them to be a partner in the Ring of Fire when it doesn't happen in little cases now? My dad always taught me: If you're going to do a big deal with somebody, do a little deal first, and if the little deal works out, you know that his handshake is okay in the big deal. But in the case of Wahgoshig, it's not there. They did the right thing. They went to MNDM, and MNDM said the right thing too, but nothing happened.

We're going to get back to that.

**Hon. Kathleen O. Wynne:** So you don't want me to answer that, as much as I would like to?

**Mr. John Vanthof:** We'll get back to that.

**Hon. Kathleen O. Wynne:** All right. I made a note.

**Mr. John Vanthof:** And it's not that. That case went before the courts, but that case, to us and to the First Nations I speak to, is a bellwether, and I hope you do get back to that.

It's not all bad news. We've got a wholly owned First Nations mining company. It hasn't gotten a lot of press yet, but Temagami First Nation signed an agreement with a mining company. They want to, but the level of trust isn't there. If you're going to be a partner with somebody, you have to be a dependable partner. Sometimes it's not going to be easy, but they have to be able to know, on all sides—and that's the mining companies, the First Nations and the residents. I've got the head of the prospectors and developers in my riding, and he's not always on the side of the First Nations. He's frustrated. He's frustrated because we're unwilling or we use a lot of really good words, but when the flint hits the stone, the words aren't always followed up by action.

**1010**

I think, to comment on Mr. Barrett's—I think that has probably been throughout history. And to your comment, it's not us dealing with the First Nations or the First Nations dealing with us; what we want and what they want is, they want us all to work together as one. We can get there, because in my riding, in areas, we have got there, despite some of the things that we've done, and despite some of things that they've done because they're frustrated. That's one thing.

With the Ring of Fire, for that to proceed, and to proceed without—I might be stepping over, but I don't see anyone from the First Nations here to say it. But I think a lot of First Nations see the Ring of Fire as their last stand on development in Ontario. Because there have been so many problems on both sides throughout our history, I think they have a right to see that as their last stand. They want to be partners, and partners are part of the decision-making process. Partners aren't told after what the decisions are, and, "Oh, we're happy to co-operate and I

see myself as a facilitator, but this is the decision. Live with it.” If we keep that *modus operandi* up, I think we can expect problems with the Ring of Fire, and I don’t think anyone in this room wants that.

That’s why—I’m going to go to questions. Those are long-term. If you’re going to look out 10, 20, 30 years, two years, those are the long-term issues. Because to be truly one, to move forward on things like the Ring of Fire, to move forward on the gold development that’s around Matheson—that is being held up because no one wants to lay out the rules. But short-term, we’ve got, and I think both in far remote—“truly” is the word I’m going to use, truly remote areas, as opposed to perceived remote areas like mine. I got a crash course too, because I went this February to Attawapiskat. The thing that struck me most at Attawapiskat: The conditions were horrible. I don’t think anyone is going to deny that. But the people were—I don’t know if there’s a word I can describe it with, but if the conditions in Attawapiskat were happening in my riding, there would be a revolt. There would be what’s happening there.

The one thing in your presentation, and that’s going to be my first question, regarding education: I know that on First Nations reserves, education is federal. Fine. Even on other issues, I have people coming into my office, and I have to say, “I’m sorry; that’s a federal issue,” or, “That’s a municipal issue and you can go someplace else.” I don’t like doing it even for other things. But in the case of education at Attawapiskat, there comes a point where, if one level of government isn’t doing it, is it enough to just say, “We can’t”? I know about fiscal restraint; I know all that. We will have those arguments for a long time and we will fight each other and work together, but at the end of the day—and I’ll give you an example. During that whole Attawapiskat issue, when the feds wanted to put in a third party management, the kids who were going to high school in Timmins were going to have their funds cut off, so that was it for their education. Have we reached a point where enough is enough? When are we going to reach a point when we no longer—because, you know what? I don’t think the current fed government is really going to take this issue seriously. I could be wrong; I’ve been wrong before. But when are we truly going to say, “Okay, enough is enough”? And to truly move remote First Nations ahead, we’re going to have to take the bull by the horns.

**Hon. Kathleen O. Wynne:** So I think that is a question.

**Mr. John Vanthof:** Yes. Sorry for being so long-winded.

**Hon. Kathleen O. Wynne:** I’ll just speak to the education issue and then I hope we’ll be able to come back to the consultation issue and the mining—just to say that the Ministry of Northern Development and Mines will be coming before you, so you will be able to explore some of those mining issues in greater detail, but I would like to comment on the consultation issue.

On education, I think that we’ve been pretty clear, Mr. Vanthof, that we’re very interested in being part of the

solution around education. Already, I think I said in my remarks that I’m working with the Ministry of Education to find a way to work with First Nations, so there’s a provincial-government-to-First-Nation conversation that needs to happen. But I don’t think it’s as simple as, well, the provincial government just takes over education on-reserve, because that leaves out the key partner, which is First Nations. The reality is, if you look at the work that’s going on right now, for example with the Union of Ontario Indians; right now, the Union of Ontario Indians, 39 First Nations—I think I’ve got that number right—are having a bilateral conversation with the federal government and a bilateral conversation with the provincial government on how to create a new model of education delivery and how to make sure that the curriculum that they have created and the resources that they need are in place, both in terms of professional development and those kinds of educational curricular resources and also the infrastructure and the operating dollars that the federal government has responsibility for. So we are part of that conversation.

Right now, our ministry is working with the Ministry of Education and we’ve got staff who are doing a bit of a listening tour to listen to and talk to First Nations about how they would like to move forward. What are the issues that are most pressing? I think one of the areas that we’ve got to move on very quickly is the transition. You raised the issue of kids going from reserve to high school in off-reserve communities. Those kids don’t do well, so we’ve got to find a way to interrupt that failure cycle, because there are a lot of reasons they don’t do well. They don’t do well maybe because they haven’t gotten the basics that they needed on-reserve, but also, they don’t do well because there isn’t a systematic and solid parent surrogacy in place in the community that they arrive in: who is watching out for them, who is making sure there is a place for them to do homework—those kinds of things. Then, what is the curriculum that they are being delivered?

We’re working on a number of fronts, both in terms of education self-governance with some communities, looking for other communities that might want to have that conversation with us, as well as: Are we managing those transitions? And how can we support the teachers on-reserve? Because, you know, the provincial government runs 5,000 schools, and we run them very well, in my opinion. The resources that we have at the provincial level really should be available, in my opinion, to those educators.

I was struck, when I was in Pikangikum, that the principal was dealing with mould in the teacherages, and she was dealing with a whole lot of personnel issues. I called her after I got back to Toronto and said, “Who do you talk to when you’re having these concerns?” Really, she has to talk to INAC—or what it’s called? AANDC—the federal office. There’s no education community of which she’s a part that can give her the support that she needs. So there are loose networks, and there are some of those resources in place, but they’re not systematic enough,

they're not prevalent enough, and we need to support the development of those kinds of resources. That's what we're doing.

I don't think the answer, even if we had—put the fiscal restraint aside. Let's say we had all the money in the world. I honestly don't believe the answer is that the provincial government say, "We're going to take over where the federal government left off." That is as disrespectful, I think, as other parts of our history have been.

I'm determined to find a way forward on this. We've got good people who have been hired specifically to work on this file, both in the Ministry of Education and the Ministry of Aboriginal Affairs, and I think it is one of those issues that is a top priority. It certainly came up in our meetings with the Premier and the First Nations and aboriginal leaders: Education is a top priority. When I met with the Treaty No. 3 youth council up in Kenora a couple of weeks ago, education and exposure to opportunity was what they talked to me about, so it's the top of my priority list.

**The Chair (Mr. Michael Prue):** I'm going to stop right there. You will have additional time when we come back.

It now being 10:20 of the clock, we are recessed until this afternoon at approximately 3:45, at the end of routine proceedings.

*The committee recessed from 1020 to 1559.*

**The Chair (Mr. Michael Prue):** We are here to resume consideration of the estimates of the Ministry of Aboriginal Affairs, vote 2001. When the committee recessed this morning, Mr. Vanthof had 13 minutes left of his 30-minute opening statement or questions. After that, the minister will have 30 minutes to reply, and then we'll go into rotation until 6 o'clock.

Mr. Vanthof, the floor is yours.

**Mr. John Vanthof:** Thank you, Chair. I believe that when we broke, we were talking about education in the remote First Nations and if someone is going to step up to the plate. By "stepping up to the plate," I don't think I was saying we should impose a solution, because that's been the problem we've done—our society has done—to our neighbours for a long, long time. We're not talking about imposing a solution.

But there is a problem. The average First Nation child receives \$2,000 to \$3,000 less per capita for their education than the rest of Ontario's children, and the standard answer for a long time has been, "Well, it's federal." But I've been there. I've been to Attawapiskat, and they're at the point that, to them, it doesn't matter who it is; we're all failing them. So my question again is: How can we overcome this, because every day is a day lost?

**Hon. Kathleen O. Wynne:** You're not going to get any argument from me that there isn't an issue. There absolutely is an issue, which is why we've made it a priority. It was in our throne speech that we are very interested in pursuing a better education opportunity for aboriginal children across the province, on-reserve and off-reserve, so the fact that we have the aboriginal education strategy in place, that we are working with in-

dividual First Nations to try to work toward a different model and the fact that within our ministry, and working with the Ministry of Education, we are looking for ways of beginning that conversation.

I think the other thing is that as part of the Aboriginal Affairs Working Group—I mentioned in my opening remarks that the Aboriginal Affairs Working Group is the national gathering of ministers of aboriginal affairs, as well as national aboriginal group—and closing that gap between aboriginal academic achievement and non-aboriginal academic achievement is a priority for us—improving those graduation rates. So it's something that across the country we are looking for ways of improving and looking for best practices and sharing those ideas.

At the most recent meeting, which I guess was last fall, I had an exchange with National Chief Shawn Atleo, and we were talking about whether there was one model that should fit the whole country or whether it had to be a jurisdiction-by-jurisdiction discussion, and I think we agreed that there are differences from province to province, there are differences within each province, as to the relationship between the provincial governments and the First Nations communities, so I think that there does need to be a sensitivity to those jurisdictional differences.

In some ways it would be easy to say, "We're going to create this model, and this is what's going to pertain," but, as you said, imposing on the First Nations a model that hasn't grown up as a result of collaboration I think is not the way we should go. So we're going to continue to work with First Nations partners. There's good work being done, and we're going to continue to lend our resources and bring our resources to the table in those conversations while, at the same time, finding ways to bring to bear the knowledge and experience and weight of the provincial education system on the experience of young people.

I'll just give you an example. I mentioned that I had been to meet with the Treaty 3 youth council, and we did talk about education a fair bit. One of the things that they said to me is that they are very interested in finding ways of being exposed to different opportunities—co-op education, for example; those kinds of things that may happen more readily in provincial schools. It was interesting, because they went back to the language of Treaty 3 where there is language about, "You give me one of your children and I'll take one of yours," and that exchange of experience. The young people were referring to that, and what they were saying was, "We want more opportunities. We want to have an exposure to a whole range of employment opportunities, for example, in different parts of the province, and we think that non-aboriginal kids would want to have the experience of learning more about us and more about our life."

I think that's an area, for example, that the provincial education system might be able to assist. I'm not making a commitment to a particular program, but I think it's those kinds of conversations that then give us sort of a mutual insight into how we might move forward. The next time that I meet with them, I hope I'm going to be

able to take some suggestions for how we might be able to work with them, because kids in our provincial schools have the opportunity to do co-op programs, to be in different places other than just in the classroom, and so we need to figure out how to provide those kinds of opportunities to kids on-reserve. And I agree with you that that's not a particular order of government responsibility; that's all of our responsibility.

**Mr. John Vanthof:** You've said a lot of good things, but, at the end of the day, is there a date or a time when we say, "Okay, we've done the conversations; here's one step," at least for one place, and Attawapiskat is my example—we're not going to go back there. How about when we have a mine development—and this is also an education issue—and First Nations want to be part of it? They also want to work. We all want to work. We all want to be fruitful.

There are some—in my riding also—very successful job-training programs. I can name the companies. I'm not going to, but I can name the companies that do a really good job, but there are also very terrible ones. In a lot of cases, it's written into the agreement but it's an after-thought, so the mine is already operating by the time the training program starts.

It's nice to talk about it here, with suits and ties, but back on the land, it's not so nice, and once again, it breeds distrust, and it's very hard to get rid of that.

**Hon. Kathleen O. Wynne:** Yes, I completely agree with you, and I want to read you a bit of a letter, because I think that statement about the upfront need to make those kinds of commitments is very important. Certainly in terms of the Ring of Fire—we use that as the example—from the very beginning of our conversations—I travelled to Webeque in the winter, and one of the first things the folks at Webeque raised with me was that they were looking for training opportunities. They were actually looking for training opportunities in their community, because they want people from the community to be able to take part in the Ring of Fire.

This is a letter that was sent to a number of chiefs of First Nations by the Minister of Northern Development and Mines. It was sent on August 3, and the subject is, "Moving Forward on Ring of Fire Dialogue." I'm not going to read the whole thing, but to this point, Mr. Vanthof, I just want to read the section on "Regional Infrastructure and Social Supports." This is Rick Bartolucci writing to a number of chiefs. He said:

"You have told us that all-weather access roads, electricity transmission, broadband connectivity, education and training opportunities and other social supports are vitally important to your communities in preparing for proposed development. That is why we must work together to move the tripartite process forward, with the federal government at the table. I have asked Deborah Richardson, assistant deputy minister, trilateral process, infrastructure development and community readiness, to work with you to advance this agenda and to provide the necessary foundation for fruitful discussions with Ontario, the federal government and First Nation communities as equal partners in this endeavour."

So there is already a memorandum of co-operation in place with Webeque First Nation. The minister, who I believe will be here to speak to you, will be able to speak to you in more detail about the conversations he's having right now. But the point I want to make is that training is part of that upfront commitment. It is absolutely part of what we know has to happen. The fact is, we're at the beginning of those dialogues, and training is already there as part of the commitment.

**Mr. John Vanthof:** I do take you at your word, Minister, and I hope that that is truly the case in the Ring of Fire.

We spoke earlier about the Wahgoshig First Nation. I'm just going to read part of this letter from MNDM to the company, and then we can discuss it. It's to Mr. Stretch.

"The ministry was contacted by Chief Babin of WFN late this afternoon. He expressed grave concern that Solid Gold had moved its diamond drill rig to a new site, which the chief believed is closer to the community, without any advance notice to WFN. He was extremely upset and stated that your company's conduct is leaving the First Nation no choice but to proceed to court to seek an injunction to stop the drill program."

This is the important part: "The ministry continues to believe that consultation to date regarding your exploration program has been inadequate given concerns that WFN has raised about potential impacts on its aboriginal and treaty rights, and we must repeat—we must repeat—"our earlier request that Solid Gold suspend its drilling program immediately until the ministry is satisfied that appropriate consultation has occurred."

I'm not going to read the whole letter either, but if you go to the next page: "Your co-operation now is essential. The crown is obligated to ensure that adequate consultation occurs. Please confirm immediately whether Solid Gold is prepared to stand down its current drilling activity and, in any event, provide us with a more detailed description of your current work program and your planned or possible next steps on the project."

At the start of the letter the ministry has asked Solid Gold to stop and it hasn't complied, and at the end of the letter, it's already backing down. And you wonder why First Nations have trouble believing that the government is actually up to the plate with them? Because in the middle it says, "our earlier request that Solid Gold suspend its drilling program immediately," and at the end of the letter, "please let us know what's happening."

So my question is—perhaps Minister Bartolucci would better answer it—why didn't they stop drilling?

**Hon. Kathleen O. Wynne:** Minister Bartolucci will be able to answer that question in more detail, but I want to give you just a bit of a status report. As you know, this case is before the court.

**Mr. John Vanthof:** Yes.

1610

**Hon. Kathleen O. Wynne:** On January 3, 2012, the Ontario Superior Court granted an injunction sought by Wahgoshig First Nation against Solid Gold Resources.

The court's order prohibits Solid Gold from carrying out any further exploration work on its Legacy project for 120 days from the date of the order. On January 16, 2012, Ontario received a statement of claim by which Wahgoshig First Nation has commenced a legal proceeding against the province and Solid Gold Resources, seeking both damages and a declaration that the Mining Act is unconstitutional.

On January 19, 2012, Solid Gold issued a press release indicating that they are seeking to appeal the January 3, 2012, decision. Solid Gold Resources also has notified Ontario of its intent to commence legal proceedings against the province.

That is where we are now. I'm going to let Minister Bartolucci speak to whatever he can, although, because it's before the courts, I don't think he'll be able to say much more. What I do want to say to you is: If we go up to 10,000 feet, just in terms of consultation, our government is committed to meeting its duty to consult with First Nations and Métis communities, and I think that our approach to consultation has reflected our current understanding of the protection provided for aboriginal treaty rights by section 35 of the Constitution Act, 1982.

**The Chair (Mr. Michael Prue):** With that, I'm going to stop you, although you can continue because you're now into your time. You can do whatever you want. You have half an hour.

**Hon. Kathleen O. Wynne:** Okay. I want to just finish this point. Our provincial ministries are consulting, Mr. Vanthof. We're consulting with First Nations and Métis communities on a whole range of activities and initiatives, and we've been incorporating provisions around consultation and ensuring consultation with aboriginal people in key pieces of legislation: things like the Green Energy and Green Economy Act, 2009; the Far North Act, 2010; and the Mining Amendment Act, 2009. That is, I think, evidence of our commitment to consult.

We've developed guidelines. In 2006, we produced draft guidelines for ministries on consultation with aboriginal people related to aboriginal rights and treaty rights. That was to assist those ministries as they developed their own relationships with First Nations and aboriginal people.

This is an evolving reality and it's an evolving expertise. I don't think that we are there yet, and certainly as a culture we're not there yet, because it's not just about government. As this case demonstrates, it's about the private sector; it's about government; it's about those relationships with First Nations. We're going to continue to work on that. I think, as you said in your first commentary, everybody did what they were supposed to do, but still it went wrong, and so that's how it has ended up before the courts.

I now have a bit of time to speak to some issues that I didn't have a chance to speak to. Is that right, Mr. Chair?

**The Chair (Mr. Michael Prue):** About 27 minutes.

**Hon. Kathleen O. Wynne:** About 27 minutes; there you go.

I want to touch on three issues that I didn't speak to in any detail. The first one is the issue around Grassy

Narrows, and then I want to speak a little bit on the Algonquin land claim, and then I want to speak a little bit on the Ring of Fire.

I'll start with the Grassy Narrows and Wabaseemoong First Nations. The issue there, as many of you will know, is mercury contamination. I'm picking some issues that I know have either been in the news or are issues that people may have questions about. They're issues that have been of concern to me, so I want to bring you up to speed on where we are.

As you may or may not know, Grassy Narrows and Wabaseemoong First Nations are communities that are dealing with the impacts of mercury poisoning that dates back decades. On July 31, I visited Grassy Narrows, and I visited to restart the discussion about working towards solutions on a range of issues that I'll come to. I'll talk about that visit in a moment, but I just want to talk a little bit about the background of the issue.

During the 1960s and 1970s, the pulp mill in Dryden caused mercury pollution in the English and Wabigoon River system. In 1970, commercial fishing was banned in the river system because of mercury contamination. In November 1985, the Grassy Narrows First Nation and Wabaseemoong First Nation reached an out-of-court settlement with the Ontario government, the federal government and the two paper companies, which were Reed Inc. and Great Lakes Forest Products.

Access to safe and healthy food obviously is an absolute requirement for all Ontarians. What I have said to the members of Grassy Narrows and Wabaseemoong First Nations is that I am very concerned about their ongoing issues. I know that there are outstanding issues regarding the mercury levels in the river and then in compensation as well. It's a food issue but it's also an economic development issue. It's an economic sustainability issue because the fish formed the basis of the economy of these communities.

Our role in this: The Ontario government monitors contaminants in Ontario fish and we provide consumption information to the public through a guide to eating sports fish which is accessible at many retail outlets, and it's also available through the Ministry of the Environment website. Both the MNR—the Ministry of Natural Resources—and the Ministry of the Environment are responsible for coordination and collection and testing of the fish. The monitoring includes the lakes on the English River near the communities of Grassy Narrows and Wabaseemoong between 1970 and 2010; annually until the late 1980s and then every two to five years after that, so the monitoring changed.

The mercury levels in the fish located in lakes surrounding Grassy Narrows are decreasing or they're stable. The concentrations vary by species but the mercury levels in the fish that are most desirable to the community members—that is, walleye and northern pike—those contamination levels still exceed Health Canada recommendations. For that reason, there's still a consumption advisory on the fish.

I said there was an issue around compensation. There's what's called a mercury disability board. Since



1986, the mercury disability fund benefits have been paid to Grassy Narrows and Wabaseemoong First Nation members who demonstrate symptoms that are consistent with mercury poisoning. Total payment from the fund, from its inception to July 31, 2012, is \$16,022,240. As of July 2012, the mercury disability fund provided disability benefits to 162 adults and 22 children of the Grassy Narrows and Wabaseemoong First Nations.

My ministry leads a cross-ministry team that's made up of the Ministry of Health and Long-Term Care, MNR and the Ministry of the Environment to address issues around health, around mercury contamination and fish testing and economic development. In June 2011, MAA staff met with Chief Fobister to hear the community's concerns. MAA staff offered to arrange a meeting of the chief and council with MOH, with the Ministry of Health and the Ministry of the Environment in attendance, regarding the report that had been put in place that had been released by the Japanese mercury expert, Dr. Masazumi Harada. I give you that all as background. That was June 2011 that there was an offer to meet and hear the concerns.

On June 6 of this year there was a fish fry that took place on the Queen's Park lawn. Some of you may remember that or have been aware of that. I visited the fish fry and it was hosted by Grassy Narrows mothers. The people who were there, a number of young people, had walked from Grassy Narrows to Queen's Park. They had been accompanied by some of the elders from the community and from their families, and I felt it was really important to speak directly with these young people and their families who had walked to Queen's Park.

During that meeting, I told the representatives of Grassy Narrows that our Ministry of Aboriginal Affairs was prepared to sit down and talk to community members further once we received an invitation, because what had happened was there had been a breakdown in communication. There had been an offer in June 2011 to meet and continue to talk about these issues, and then nothing had happened in terms of an actual meeting. I think there had been some outreach but for whatever reason it hadn't been taken up and the meeting hadn't taken place. I felt it was important to reconnect those threads and to get the conversation going again.

That brings me back to July 31. I travelled to Grassy Narrows, and at the meeting, Grassy Narrows Chief Fobister was present and there were several community councillors. There were officials from the Ministry of Aboriginal Affairs and the Ministry of the Environment and there was also an observer from the Ministry of Health to hear the concerns, not necessarily to be part of problem-solving at that point.

**1620**

It was a really honest and wide-ranging discussion. We talked about mercury contamination, about economic development; we talked about training and skills development.

The upshot of that is that the interministerial group is going to meet in the near future. I committed to the

community that by the fall, we would work to arrange that meeting so that there could be a full airing of the concerns and all the necessary ministries could be at the table.

I use that as an example. It sounds like it's just another conversation, and I get that. But if there is no conversation about these complex issues, then there will be no solution. As it stands right now, the opinion of the government of Canada vis-à-vis the contamination in the fish is different than the opinion of our scientists, and that's an issue that we have to deal with. But the fact is that the community needs to be heard. We need to figure out what the food supply is going to be or should be. There was a fish-for-food system in place where frozen fish was brought into the community, but the community wasn't interested in eating that fish—and I understand. The taste was different. It didn't taste like the fresh fish out of the river and the lake, and I totally get that. But at the same time, we want to make sure that people are eating safe and uncontaminated food.

That's the situation with Grassy Narrows. I felt very good that we were able to reconnect the conversation and restart that discussion.

The second thing I wanted to talk a little bit about was the Algonquin land claim that has been mentioned a couple of times already. I want to bring folks up to speed. As many of you know, the Algonquin land claim is the largest and most complex land claim under negotiation in Ontario. Canada, Ontario and the Algonquins of Ontario are working together to resolve this comprehensive claim through a negotiated settlement. When it's resolved, it will produce Ontario's first modern-day constitutionally protected treaty. Negotiation combined with public consultation, I believe, remains the best way to address the historical, constitutional and practical issues that arise from aboriginal land claims.

If I can just go back to some of the issues that Mr. Barrett was raising about history and disagreements about land claims, I think that the commitment we have made as a government to move along the process in land claims and to expedite land claims in a responsible way is the best way to move forward. I think that denying that there are conflicts or denying that there's an issue and not taking part is not helpful. So we believe that being at the table and taking part in those conversations is what is critical. That means that there has to be public consultation; there has to be input from all of the groups that I know have an interest in a claim this big.

The negotiators for Ontario, Canada and the Algonquins are working at building this modern-day treaty. It extends over 36,000 square kilometres of land and water. There are 1.2 million people working and living in this huge territory. The key negotiation issues include all land and natural resources matters, including hunting, fishing and gathering rights, governance powers and various compensation questions. We expect that the land claim settlement will include a financial package; parcels of crown land that will be transferred to Algonquin ownership; agreement on Algonquin harvesting rights, such as

hunting, fishing, trapping and gathering; and cultural and economic development elements. All three negotiating parties have agreed that the rights of private property owners will not be affected by these negotiations. What that means is that no private property will be expropriated and private property owners will continue to enjoy unencumbered access to their property. Algonquin Park will remain a public park for the enjoyment of all, and no new First Nation reserves will be created as a result of these negotiations. Those issues have already been agreed upon.

To that end, we have and will continue to invest a lot of time and effort so that we understand and we can fairly address the industrial, commercial, recreational and local government interests attached to crown land and the natural resources of the region as we frame this negotiated settlement.

On the issue of consultation—and I know this has been the stuff of a lot of discussions, whether it's on talk radio or whether it's in the corridors of this place or whether it's in communities—what I want to say is that we have already consulted extensively. There are various advisory groups in place. There have been dozens of meetings with those groups. We're at the point now where there will be more public consultation, and my hope is that we will have an agreement in principle by the end of the year and then there will be further consultation on that agreement in principle. But we're committed to consulting with various groups: the elected local government officials; the sport, recreation and environmental groups; local businesses; aboriginal communities; and others who may not belong to a particular group whose interests may be affected. We believe that in order to fairly address all of those concerns—I talked about the industrial, the recreational and the local government concerns—it has and will continue to take time and effort.

I just want to make sure that I cover all the issue. We've got a lot of positive feedback, actually. I've got a copy of a letter here from one of our municipal partners who appreciates the efforts that we've made. This letter is from Lanark county, and it's addressed actually to MPP Gerry Ouellette and it's on the Algonquin land claim negotiation. It's from Peter Wagland, CAO of Lanark county. He acknowledges receipt of a letter from Mr. Ouellette. He acknowledges it on behalf of Warden John Gemmill. He says:

“As the CAO of Lanark county, I have been regularly attending Algonquin land claim negotiating committee meetings for the past two years”—this letter is dated June 27, 2012—“albeit a member of the Lanark county council has been attending these same meetings for a considerable number of years. Warden John Gemmill was that council rep in 2011.”

He goes on to talk about the process: “In 2010, a second committee was created called the Municipal Focus Group for the Algonquin land claims. The thrust of this committee was to identify local municipal and county issues which needed to be included as part of the

negotiations, i.e. taxation, land use planning, etc. This committee has been extremely effective, and presented a recommended paper to the negotiating committee last year.

“As the negotiations move forward, the negotiating team has been in a position to share information with local municipal councillors at a high level. Today”—that's June 27—“Lanark county hosted a meeting with the local municipalities and members of the negotiating team, at which specific land selection information was shared.”

Then he goes on to say finally, “I can say without a doubt that the Lanark county warden, our council and the local councils are more than satisfied with the process to date, recognizing that negotiations take a long time.”

That's an example, but the fact is, it has been an extensive process. It will continue to be a consultation exercise that's very important to getting to the right answer.

One of the issues that has been raised is the confidentiality around consultation with the municipalities. We're trying, as a government, to be as transparent as possible during this round of municipal consultations, but we have a duty to the other negotiation team, specifically to Canada and the Algonquins of Ontario, that we conduct these consultations in confidence and that people then feel free to speak in a way that allows them to be completely candid. The municipalities, including elected representatives, are being consulted in confidence about crown lands that have been identified for possible transfer as part of that massive Ontario aboriginal land claim that's under negotiation.

It's really important, in order to achieve the draft agreement in principle, that we have those conversations and that everyone have the confidence of the room to have them.

What the land claim will do when it's finalized is provide more certainty regarding the rights of the Algonquins of Ontario related to land and natural resources, and in that way will allow that part of the province to improve its own business climate. There will be more certainty. There will be a better and more transparent relationship between the Algonquin people and their neighbours so they can work together to improve the regional economy and enhance culture.

I'm not saying it's easy, because it's not. It's complex and it's multi-faceted and obviously it has taken a long time. So we will continue to work with all of our partners. The agreement in principle will be available for the public to read, and Ontario's consultations with stakeholders and the public will continue as the negotiations proceed.

#### 1630

I've heard a number of opposition members speak on this issue. One of the comments that I heard was that there wasn't a lot of talk about it at Queen's Park. This was a comment that was made by Mr. Ouellette on a talk radio show, and I have the transcript of that interview. I just want to be clear that we're more than willing to

answer questions and talk about the process to date. I think it has been a very good process. We're very proud of it and we're going to continue to take part. As I have said to people, I'm a person who wants the most access possible for people who want to take advantage of nature. I'm a canoe tripper; I believe that people should find ways to be close to the land. Especially our young people need those outdoor education opportunities. So I want this to be settled in the best way possible. Obviously, our goal is to reach a claim that's clear, that's enduring and that achieves the finality that both Ontario, Canada and the Algonquin people seek. That, I wanted to get on the record.

The final issue I want to speak to a bit more is the Ring of Fire. Can I get a time check? Where are we?

**The Chair (Mr. Michael Prue):** Ten minutes.

**Hon. Kathleen O. Wynne:** Ten minutes; okay. I just want to speak about the Ring of Fire. We talked about it a little bit, but obviously it is a very preoccupying issue for the government and for all of the people in the north who see this as a huge opportunity for economic development. You've heard it said, and many of you have said it yourselves, that the Ring of Fire is one of the most promising mineral development opportunities in Ontario in almost a century. Our goal is to maximize the benefits of it for generations to come. That is truly our objective. We recognize the importance of this economic development to First Nations communities, and we want to see meaningful employment and business development for First Nations people in mining, forestry and other natural-resource-based industries. We'll continue to work closely with First Nations communities.

As I said when I was in Thunder Bay a number of weeks ago with Minister Gravelle at the same time that Minister Bartolucci was announcing the location of the ferrochrome processor, what I said then was that we're really at the beginning of the formal engagement and the formal process of conversation with First Nations on these issues, but there have been many months and, in fact, years of conversation leading up to this point.

Over that time, we've been actively working with aboriginal partners on multiple initiatives to support skills training, capacity-building, partnerships and improved economic development opportunities in those resource-related sectors. We're committed to making investments in the First Nations communities closest to the proposed developments because we recognize that without some investments in training and some of the social issues, it won't be possible for the First Nations communities, for aboriginal communities, to take part in the economic development that the Ring of Fire offers.

The planning is under way in a number of areas: first of all, socio-economic development, community governance supports and regional infrastructure supports, which include transmission, local road access and broadband connections, so those are some very specific planning initiatives that are under way; secondly, the long-term monitoring of the environmental impacts to the Ring of Fire region to complement the existing environmental

assessment and land use planning processes; and thirdly, resource revenue-sharing. Resource revenue-sharing is something that is raised on a regular basis by First Nations communities in particular—although I will say that at the AMO conference, resource revenue-sharing was raised by municipalities. What I had to say, wearing my municipal affairs and housing hat, was that the resource revenue-sharing conversation is with the First Nations communities. That's who we're having the conversation with. It's obvious that the economic development will benefit municipalities in that part of the province, but the direct resource revenue-sharing conversations and planning are with the First Nations.

So we're partnering with Canada to identify and commit multi-year capacity resources to First Nations that are most impacted by the Ring of Fire development. As I say, the point of that partnering and those initiatives is to enable the First Nations to plan and identify economic opportunities over the long term.

We're also formalizing our relationship with First Nations communities in the Ring of Fire with regard to these opportunities, and that's through memoranda of cooperation or understanding. So we're working to get on paper what the commitments are and how we intend to move forward in order to be able to see these communities share in the economic and social benefits.

Over the last two years—and this is why I wanted to address this issue—we've heard from First Nations in the Ring of Fire area on environmental issues, on the desire for greater participation in economic opportunities and the need for socio-economic support and regional infrastructure. I know that there have been many informal conversations over the past few years, but the formal consultation starts now. I'm saying this because there has been some talk and some perceived lack of consultation with aboriginal communities, but this formal process is now beginning. Now that the location of the processing facility has been decided, that more formal engagement can happen.

I think I've said that we seek to engage First Nations on a number of issues: environmental monitoring, resource revenue-sharing, training and skills development, and social supports. I'll just use social supports as an example. When I travelled to Webequie, which as you know is one of the First Nations that is very close to the Ring of Fire site, we talked about some of the addiction and health issues that will need to be addressed if people are going to be able to take part in training opportunities and are going to be able to engage. So when I say "social supports," that's the kind of thing I'm talking about. It's training opportunities but, backing up from the training opportunities, it's helping people get ready to take part in those training opportunities. So we're committed to making investments in that area as well.

I read a little bit of that letter from Minister Bartolucci, but I just want everyone to know that that letter was sent to Marten Falls First Nation, Neskantaga, Nibinamik, Webequie, Constance Lake, Eabametoong, Ginoogaming, Long Lake 58 and then also to the Assem-

bly of First Nations and Shawn Atleo and Regional Chief Stan Beardy. He sent that overview of moving forward on the Ring of Fire, to make commitments around environmental protection initiatives, around the regional infrastructure and social supports, and around the resource revenue-sharing. I can provide copies of that letter or more detail if you are interested in that.

Those are the issues that I wanted to come back to address, and just to be clear, we recognize that there's a lot of work yet to do. We recognize that the Ring of Fire is not just about a particular First Nation, nor is it about a particular region of the north. I think that the north will benefit from the Ring of Fire, but so will the broader economy of Ontario. In order for that to happen, there has to be a good process, and that's what we are working to ensure right now.

I think I will stop there. I must be nearly through my time.

**The Chair (Mr. Michael Prue):** You have two more minutes, if you want it. You don't have to take it all. It's up to you.

**Hon. Kathleen O. Wynne:** Yes. If I've got another minute, then I will just go back to another trip that I took recently, and that was to Wabigoon Lake. This goes back to the land claims issue and our desire to settle claims and to put those relationships on a good footing. So I was able to travel to Wabigoon Lake. I'm going to read the letter of apology that I delivered as well as the settlement, because there was a \$27-million settlement of an outstanding flooding claim. But I also delivered this apology. It was to Chief Ruben Cantin Sr. of Wabigoon Lake Ojibway Nation.

1640

"I am pleased that the government of Ontario and Wabigoon Lake Ojibway Nation have successfully negotiated a settlement to your community's outstanding flooding claim. This achievement is due in large part to the commitment and effort of your First Nation and Ontario.

"On behalf of the government of Ontario, I extend our sincere apology to the Wabigoon Lake Ojibway Nation for the flooding of your reserve lands and the harm that the flooding caused to your community when Ontario constructed the dam at Dryden in 1897. For this, we are sorry.

"The settlement of this land claim is a testament to your community's strength and determination to ensure that the mistakes of the past are addressed and never again repeated. We hope that the settlement of this land claim, and this apology, will be seen as a heartfelt gesture of reconciliation on the part of the government of Ontario, and as a public recognition of your community and people.

"Both Wabigoon Lake Ojibway Nation and Ontario acted honourable, reasonably, and in good faith in the negotiations, leading to a settlement that is fair to all. We look forward to building a new relationship that looks to a better future for everyone."

I think that letter and that apology encapsulate what it we're trying to do as a government to put the rela-

tionship between us and aboriginal people on a much better footing.

**The Chair (Mr. Michael Prue):** And the time has expired.

We are now into that portion for the balance of five and a half hours where each party in turn will have 20 minutes to ask the minister questions, starting with the official opposition. You have 20 minutes.

**Mr. Rick Nicholls:** First of all, Minister, I want to compliment you. Mr. Barrett gave us a history lesson and you're giving us additional lessons. You've got a lot going on, and I want to compliment you and your staff for the preparedness.

Just sitting back and listening, I'm hearing there is a myriad of initiatives that you have to undertake, being the Minister of Aboriginal Affairs, in addition to your other duties. I think of the socio-economic conditions, I think of the education and the housing, and of course land claims. That's not an easy task. I'm sure it can be frustrating.

What I'd like to do is talk to you a little bit about the looming debt that our government and our province is being faced with right now; it could be in excess of \$411 billion. Of course, let's talk about the current deficit of about \$15.3 billion. I think that you'd agree that our government just needs to find revenue and cut expenses where it has to. Having said that, I kind of want to lead us into an area that I'm hoping you can provide us with some insights into.

The RCMP have said that native reserves are often sites for the sale of illegal tobacco. What has your ministry done to ensure that the families on the reserves are not forced to participate in this illegal activity as a source of income?

We talk about illegal tobacco. I remember in my previous life as a national trainer travelling in parts of Manitoba. I remember being up in Thompson, Manitoba and finding out about a lot of the issues and challenges that the people are faced with out there. It bothered me when I heard you say "teenage suicides." These young people up there would take plastic bags—you know the Ziploc bags?—and put gasoline in them. Then they would sniff the gasoline, and of course too much of that would be suicidal as well.

Going back to illegal tobacco, we're just wondering: What are you doing to ensure that families on the reserves are not forced to participate in illegal activity as a source of income?

**Hon. Kathleen O. Wynne:** I'm glad you raised the issue of tobacco because it's definitely, if I might say, a burning issue in our ministry and in the relationship with First Nations. It's, again, complex. I don't mean to retreat behind complexity as an evasive tactic, but it is complex. Let me just frame the discussion around tobacco in this way.

First of all, the first layer is that tobacco has sacred meaning in First Nations culture, so there's that sort of overarching reality.

Secondly, there are enforcement issues that are complicated by federal regulation and law juxtaposed to

provincial regulation and law. We've got law enforcement issues.

The third strand, if I might, is the issue around economic sustainability for communities engaged in the production of tobacco and the sale of tobacco, that we call contraband, that we can call unregulated, whatever the language is. You know, we have that issue.

So my conversation with primarily folks at Six Nations and Akwesasne—those are the groups that I've spoken with the most—

**Ms. Laurie LeBlanc:** Chippewas.

**Hon. Kathleen O. Wynne:** And the Chippewas, yes—has been about how to approach this very difficult issue from an enforcement perspective and also from an economic sustainability perspective. How do we work together to create an environment where there is legal economic activity where there should be, where it's not illegal economic activity?

Since 2004, we've continued to strengthen enforcement against the illegal manufacture and sale of tobacco products. We've worked to strengthen those regulations, and at the same time, as I say, recognize the traditional use of tobacco in First Nations communities. In the 2012 budget, we talked about plans to increase enforcement measures. We also committed the province to continue dialogue with First Nations communities and organizations on those economic sustainability issues, because I don't think we can have this conversation without doing that.

So our ministry has been in discussion with the Ministry of Finance and with First Nations in order to develop some mutually beneficial solutions to address those unresolved issues. I'll just outline a number of things that we're doing, because I think that was your question.

We are working to engage with First Nations with respect to the Ministry of Finance's plans to introduce regulations under the Tobacco Tax Act which will be effective October 1, 2012, and that will provide additional enforcement and compliance tools.

We're developing and supporting pilot proposals brought forward by First Nations communities for the self-regulation of tobacco, so that addresses the third issue I talked about, which is the sustainability.

We're working with the Akwesasne First Nation on economic development and recovery strategies. What that's aimed at is shifting the local economic opportunities away from tobacco trade through a multi-jurisdictional table. I will tell you that Chief Mike Mitchell of Akwesasne has come forward. He's got a number of economic development proposals that would put his community on a sounder economic foundation, and so we're in conversation with him about that.

We're going to continue to work on all of those fronts, because I don't think there is just one that we need to work on.

**Mr. Rick Nicholls:** You see, one of the things pointed out in the Auditor General's report in 2008 indicated that Ontario loses roughly half a billion dollars in tax revenue due to the sale of illegal tobacco. What has been the First

Nations community's response to this claim? How are they willing to work with you? Are they denying it? Are they fighting you on it? Are they continuing to do it? What's going on?

**Hon. Kathleen O. Wynne:** I might ask my deputy to speak to some of the legal issues, but my experience has been that the communities have been very willing to engage in this conversation, while asserting their right to work in tobacco. I think there's a pretty clear statement on behalf of many of the communities that this is something that they have done. They see that it's a foundation of their economic health. At the same time, they don't necessarily want their kids to grow up and be engaged in what is perceived as an illegal economy. They would much rather have a range of opportunities for their children. So on your first question about how do we or how have we worked to make sure that people are not forced to take part in an illegal economy, it's the chiefs and the community leaders themselves who want their communities to be on a legal and sound footing. I've found that they've been very receptive to, as I say, a number of conversations, whether it's on enforcement or on the economic development. They're part of the same package.

1650

**Mr. Rick Nicholls:** So you're working to improve that overall situation.

**Hon. Kathleen O. Wynne:** Yes.

**Mr. Rick Nicholls:** "Perceived illegal activity" I think were your words. It's either legal or it's not.

**Hon. Kathleen O. Wynne:** Except—and I'm going to ask the deputy to speak to this—as I said before, there are federal and provincial jurisdictional issues, so I'm going to ask Laurie LeBlanc to speak to that.

**Ms. Laurie LeBlanc:** What I'll reference is the legislation that the government passed—the minister referred to it—in June 2011, Bill 186, the Supporting Smoke-Free Ontario by Reducing Contraband Tobacco Act. This was a bill that the Ministry of Finance had sponsored; it was passed by the Legislature. There are a few tools that that legislation provides to deal with the issue of tobacco. It includes restructured fine levels for possessing illegal cigarettes, authority for police officers to seize illegal cigarettes discovered in plain view, and a marking system. It also—and I think this is the important piece to today's discussion, as well—allows the Ministry of Revenue, now Finance, to enter into arrangements and agreements with First Nations concerning the administration and enforcement of the Tobacco Tax Act on reserve.

Much of that work will be done through regulation. Ministry of Finance has been very committed over the last number of years working with aboriginal affairs to talk to First Nations about how this might work. Some of those measures—and it's the raw leaf tobacco area that in particular we're looking at in terms of strength and enforcement.

There are regulations that were posted on the regulatory registry and there is a staged approach that the Ministry of Finance is doing in terms of dealing and discussing with First Nations. It's really important that

this is a conversation that Ministry of Finance has had with First Nations communities. We've been assisting with that. It's really to speak to them about knowing that this will have a direct impact on their community and what is the best way to move forward on this.

There is a second stage of outreach and consultation that will happen, engagement that will happen, this fall and will focus on the broader issues related to the proposed enforcement measures outlined in the budget.

The view of the Ministry of Finance in terms of moving this forward is to have the dialogue, to have the conversations about how this might work, with an end objective, obviously, of ensuring that the legislation that was introduced and passed comes into effect in an appropriate way.

**Mr. Rick Nicholls:** Okay, thank you on that, because our concern is that half a billion dollars, which is an estimated number, is huge, and it's a way of helping this government kind of get back to a balanced budget. It's finding ways. Cutting expenses is one, and/or services. But also, looking for ways of additional revenue. Right now, I view it as lost revenue. So my concern is, what has the ministry and/or this government been doing to try to reclaim a lot of that \$500 million, which has been estimated, according to the Auditor General's report—

**Hon. Kathleen O. Wynne:** That's what that legislation is about, is increased enforcement.

**Mr. Rick Nicholls:** Bill 186.

**Hon. Kathleen O. Wynne:** Right.

**Mr. Rick Nicholls:** Thank you, Minister.

It was interesting that the Ontario Tobacco Research Unit estimated that in 2007, 14% of illegal tobacco sales stemmed from First Nation reserves. I know we're trying to do a lot for them and to provide for them, but my concern is that—I'm just hoping that the more we're able to do for them, they appreciate it and respect it and can cut back on a lot of the illegal or—I'll use your words—perceived illegal activity. I know you're trying to work with them and trying to bring about—I won't say “law and order” because that may imply vigilantism, but that's not what I'm suggesting here.

**Hon. Kathleen O. Wynne:** I guess I just have to go back to some of the language that I used at the beginning of my remarks. I don't see it as us having to work with them. I see it as—

*Interjection.*

**Hon. Kathleen O. Wynne:** No, I see it as a collaborative effort. When Joe Miskokomon of the Chippewa came to talk to me about his proposal for a self-regulatory scheme, to talk about how the economy of his community could transform, that's a community within Ontario. That's not a community somewhere else far away that won't have an impact on everyone in the province. That is part of us. So I think this is a collaborative effort. Those children who are growing up on each of the reserves, in each of these communities, are children whom we need in our workforce—

**Mr. Rick Nicholls:** Absolutely.

**Hon. Kathleen O. Wynne:** —our workforce being the Ontario workforce. So not only do we want to make sure

that they have economic viability on their reserves; we want to make sure that the imperatives around a smoke-free Ontario and healthy living are part of their upbringing as well.

It has got to be a collaborative effort, and I think we've got to see our objectives as shared objectives. It's not you and I doing something for someone else; it's us working together with other people who are part of our society to make the society better.

**Mr. Rick Nicholls:** Collectively, for the betterment of all.

**Hon. Kathleen O. Wynne:** Exactly.

**Mr. Rick Nicholls:** Sure, sure. I get that. Thank you.

How much time do I have left, Chair?

**The Chair (Mr. Michael Prue):** You ask the question when the clerk's not here. Let me see. It appears to be five minutes.

**Mr. Rick Nicholls:** Okay. Well, I'm going to turn it over to Mr. Barrett.

**Mr. Toby Barrett:** The illegal tobacco—and I haven't heard anybody before refer to it as “perceived” illegal tobacco; as was pointed out, it's either legal or it's illegal—has pretty well destroyed much of Ontario's legal tobacco economy, including farming. Very recently, there was a lawsuit brought forward by farmers against the Ontario government and the federal government—this lawsuit was dismissed, I guess, a week and a half ago, August 15—with respect to the Ontario government turning a blind eye to contraband tobacco. It seriously has undermined the legal trade, whether it be corner stores, farmers, legal manufacturing, processing, retailing—everything that's been involved with that.

Justice Duncan Grace ruled that even if the government did act to appease First Nations—and I know you use terms like “collaboration” and “having a conversation.” I have been in many of these manufacturing operations. I've talked to many people who are in this business, the illegal business. They are beyond having a conversation. Many of them are very young. They've got a brand new, black, four-wheel-drive pickup truck. They're not going to give that up. They are not going to give that up.

We have gone so far down this hole that I think something like between 32% and 40% of the tobacco smoked in Ontario—and it's not just native children; it's children in the north end of Toronto and all across Ontario. These are the ones that go for the illegal trade, because it's so cheap. Why pay 80 or 90 bucks when you can pay \$8 or \$9? So, to date, this has been a failure.

I do know that under the previous NDP government, Bob Rae, in collaboration with Jean Chrétien, virtually eliminated the illegal trade in tobacco. I was working for the Ontario Addiction Research Foundation at that time. I was working on Six Nations. I watched about 300 smoke shacks disappear overnight. They are not going to disappear through having a conversation or talking about a perceived illegal trade.

Focusing on raw leaf—that's a code word for focusing on farmers—that's the low-hanging fruit. Farmers obey

the laws. They're very visible. They don't operate at night. At some point, this Ontario government does have to deal this illegal trade and—

**Hon. Kathleen O. Wynne:** I think, Mr. Barrett, that's why the legislation has been brought in. Don't get me wrong: I'm not saying there's no illegal tobacco. I'm not saying there's no illegal trade. Of course there is, and that's why we're bringing in legislation to deal with contraband. If there were none, or we perceived there were none, then we wouldn't bring in legislation to deal with contraband. We have, and that legislation will come into effect. So we're very aware that there's action that needs to be taken and we're working to take that action.

1700

All I'm saying is that there's another conversation about the economic viability of communities who have been engaged in the processing, the production, and so I think we have to acknowledge that that has to be dealt with.

**Mr. Toby Barrett:** Oh, it brings billions of dollars into native communities; there's no question about that. Illegal trade brings billions of dollars into the native communities.

**Hon. Kathleen O. Wynne:** So we have to work on two fronts, and that's what I'm saying. We have to work on the front to deal with the illegal trade in the contraband, and at the same time we have to deal with the reality that there are communities that are dependent on an economy. And what I'm saying to you is, the leadership of those communities have talked to me, have said that they're interested in economic diversification, that they want to evolve their economies, that they want their economies to be sustainable and that they want them to be legal economies. Those are the conversations I've had with the leadership in my role as minister.

**The Chair (Mr. Michael Prue):** There's about 10 seconds, so I think we'll just skip it and we'll go on to Mr. Vanthof—

**Mr. Rick Nicholls:** Oh, we can't have that added to our time?

**The Chair (Mr. Michael Prue):** No, no. We can't even ask a question in 10 seconds.

Mr. Vanthof, you have 20 minutes.

**Mr. John Vanthof:** Minister, I'd like to pick up on some of your comments on the Ring of Fire and specifically on consultation with the First Nations. I was at a conference—it was actually in Quebec—regarding First Nations. David Nahwegahbow—I don't know if you're familiar with him, but he's a very prominent First Nations lawyer—was giving remarks on consultation and how the First Nations perceive consultation and how he felt that we perceive consultation. To the First Nations, consultation is two or more parties discussing an issue and then taking action on a mutual agreement on that issue. I can't paraphrase this, it was a while ago, but he felt that sometimes when dealing with government, the consultation—and I don't think it's always just the First Nations who feel this way—is dialogue with government

and then the decision is made by government and you are told later what happens.

One of your comments regarding the Ring of Fire kind of rang a bell with me because you had consultations with the First Nation and after a decision was made of where the processing facility was going to be, that's when the formal consultation began, so I would like to know the difference. What is the difference between consultation pre-decision and formal consultation?

**Hon. Kathleen O. Wynne:** I think the reality was that there was a decision being made by a company about whether it was going to locate a facility in Ontario or not. That conversation was happening, and the location of that facility in Ontario or not was going to have an impact on the Ring of Fire project going forward. I understand that there were concerns that that conversation, which was a business negotiation in some ways, was not as public as some people would have liked it to be. At the same time, once that conversation that was a business conversation had been made, there are implications that flow from that, and so the reality is that people have known for some time that there was going to be a development of the Ring of Fire. So when I say "informal conversations," I mean just that: that there were conversations that weren't part of a structured process that had taken place. They weren't about where the processor was going to be. I give you that; that's not what those conversations were about.

But now that that decision was made as a business decision of Cliffs resources, there needs to be a very in-depth series of engagements on that whole range of issues that we've talked about—the resource revenue-sharing, the infrastructure, the training and social supports. All of that now needs to be put in place.

**Mr. John Vanthof:** If we could just back up a second: As a business person in my former life, I don't disagree with a lot of statements you've made. But just to name First Nations—they view themselves and I think we view them as part owners of the land, perhaps whole owners of the land. So I want to know—you said "conversation," but I want to know the difference between pre-decision-making consultation and formal consultation, because I don't think the First Nations necessarily see a difference, and I think that might be one of our problems with them.

**Hon. Kathleen O. Wynne:** I think part of what needs to happen here is, the Ministry of Northern Development and Mines is going to come and they are going to be able to answer specific questions about some of the things you're asking me about. From my perspective as the Minister of Aboriginal Affairs, my responsibility is to make sure that, to the greatest extent possible, there is an engagement of First Nations, and that our ministries across government do the work that needs to be done to make sure that that engagement happens.

So I think for the specifics on the business or some of those details, you probably need to talk to the Minister of Northern Development and Mines.

**Mr. John Vanthof:** I agree with you, and I don't to beleaguer this point, but Mr. Nahwegahbow's words and

your words clash for me, because where we run into troubles are two societies on the same land—it is at that point. Because I believe, in any dealing I've had with the First Nations, they take all consultation as formal consultation. It's not formal consultation after the decision is made and advice before, and I think that's—

**Hon. Kathleen O. Wynne:** Well, no, I hear what you're saying. So there needs to be a definition of terms and there needs to be a delineation of the parameters of a discussion. So I think where we get to is, what is it that we're consulting on? The reality is that there will be things that we will together be consulting on and there will be other things where there isn't consultation, both in the First Nations community and in government. So I think that whenever we enter into this area, we have to be clear what it is we're talking about and what it is we're not talking about.

So maybe, and you'll have to speak to the Minister of Northern Development and Mines about this, as we go forward, we need to be more explicit about that: "This is what this consultation is about" and "This is what it's not about." Right?

To be honest, I have had many conversations with leadership from both the First Nations and the broader aboriginal community, and some of it is about that: What is it that we can talk about? What is it that will help us to get to action the most quickly? Again, from my perspective, I think there's a lot of action that's needed. Whether we're talking about education or whether we're talking about land claims or whether we're talking about economic development, I think there's lots of action that needs to happen. And so how do we get from point A, which is the beginning of a discussion, to point B, which is the point at which we can take action? How do we get there the most quickly?

Part of the way we get there the quickest is by defining the parameters of our discussion, and that's not always easy. But I think you're raising a point that makes that point.

**Mr. John Vanthof:** Because once again, I don't want to beleaguer this, but go back to the Wahgoshig, and we're not going to—it's in court. The "consultation" word is thrown out a lot, without the parameters, so when you've got a First Nation thinking they're talking about something and they actually aren't talking about it, it would be better off if they knew.

**Hon. Kathleen O. Wynne:** I spoke earlier about guidelines on consultation, and I think that as we— we collectively—get better at this, it will be clearer what the parameters of a particular discussion are, what everybody's responsibility is, what everybody's role is. But the fact is that there still are many of us, whether it's players at this table or players in other ministries, or players in the aboriginal community, that maybe haven't—we haven't got a shared understanding at this point, and that's the goal: to have a shared understanding of consultation.

1710

**Mr. John Vanthof:** Now I'm going to switch gears—

**Hon. Kathleen O. Wynne:** Okay.

**Mr. John Vanthof:** —and do some more nuts and bolts, because up till now, I think we've focused on the long term, which, hopefully, is brighter than the past has been.

You touched on it with Grassy Narrows. Food safety is paramount for us, paramount for everyone in the province, everyone in the world, and probably equal to clean water. I'd like to know if—and how many—boil-water alerts have been issued over the past year on First Nations.

**Hon. Kathleen O. Wynne:** I'm going to have to ask one of my technical people to get that number, if we have it. Do we have a number?

While folks are looking for that—

**Ms. Laurie LeBlanc:** On that one, we'll have to get back to you. We don't have that number available.

**Hon. Kathleen O. Wynne:** Obviously, clean water is critical, and one of the things that has distressed me in my visits to First Nations is—there's the issue of boil-water, but there's also the issue of accessibility of water. In Pikangikum, I noted that people had to go to water points to get their water, because there is clean water—there is a water processing plant—but there isn't any delivery mechanism to people's homes. That kind of lack of infrastructure is extremely distressing. The other thing that happens often is, there are water processing plants that are set up, but the maintenance and repair and upkeep of those is problematic. So, honestly, it is one of the conversations with the federal government.

Our clean water agency is able to provide some support to First Nations, but there have been infrastructure decisions that have been made. In Attawapiskat, as you may be aware, the intake—

**Mr. John Vanthof:** Oh, yes, I know.

**Hon. Kathleen O. Wynne:** Right? The intake valve was put in a place where the water is too shallow, where the sediment is too present. There's an engagement right now, a pilot that's going on, with a new filter, because apparently it would cost over \$10 million—I think it was about \$12 million—to move the intake pipe. So there's a pilot that's ongoing right now, putting a new filter in place. But the federal government would only pay for, I think, two months of the pilot, so the First Nation was looking for some relief, and I think we've been able to provide them with some support: the Attawapiskat water pilot.

Anyway, when I met with the community, one of their concerns was that they needed some help in getting this pilot to completion. So I just use that example because it's an example of where, in particularly some of the remote communities, the infrastructure maintenance, the infrastructure upkeep, has not been what it should be. It's not that I want to point fingers, but we really do need the federal government to step up to the plate on those issues.

I want to give you—

**Ms. Laurie LeBlanc:** I do have the numbers of the boil-waters.

**Hon. Kathleen O. Wynne:** We have the boil-water numbers for you.



**Ms. Laurie LeBlanc:** Just to be clear, this is something that's tracked by Health Canada, because of course, this is, as the minister pointed out, a federal government area of jurisdiction.

According to Health Canada, as of January 27, 2012: 28 communities and 48 community systems with a drinking water advisory.

**Hon. Kathleen O. Wynne:** Which is unacceptable. Absolutely.

**Mr. John Vanthof:** I don't know if you have that right here, but we would like to know: Are we progressing or regressing on that? What were last year's numbers, and what communities? We don't need that right now, but if you could forward that to us.

**Hon. Kathleen O. Wynne:** Yes, we can get that. But I think, to be fair, that is a question that should be asked of the federal government as well. I think that it is fair to ask that question.

Yes, Laurie?

**Ms. Laurie LeBlanc:** If I can just supplement that, the federal government—just to be clear, in February 2012, Bill S-8, the Safe Drinking for First Nations Act, was introduced by the federal government in the Senate. This would allow Canada, in collaboration with First Nations, to develop federal regulations for access to safe drinking water, to ensure effective treatment of water and waste water, and the protection of sources of drinking water on reserves. So effectively, communities would adopt provincial water standards on reserve. What that doesn't address is how this is going to be funded, so I think that gets to the minister's point.

**Mr. John Vanthof:** I know it's not my job to give you credit, but I know you've gone the extra mile to help at Attawapiskat. I'm not just out here to throw stones.

**Hon. Kathleen O. Wynne:** I'm not abdicating responsibility, and I think our clean water agency is ready and willing—and I said that in Attawapiskat—to give support, to do what we can. But at the same time, we need that federal partner at the table.

**Mr. John Vanthof:** On the water issue, I think water is something that Ontarians don't take for granted but we are all, because of things that have happened in the past, very focused on it. As a farmer, we are forced to, and diligently do so, protect water sources. I think we all believe that all Ontarians, be they us or First Nations—and I hate “us or First Nations” because we're all us. But the fact is, for me, when I go to Wahgoshig—that doesn't really hit you until you go to some place like Attawapiskat.

**Hon. Kathleen O. Wynne:** Right.

**Mr. John Vanthof:** The one thing about Attawapiskat: It focused everybody's attention on Attawapiskat or Pikangikum. But there's a lot more of them that didn't have the media spotlight.

**Hon. Kathleen O. Wynne:** Absolutely.

**Mr. John Vanthof:** And they are equally bad. In Attawapiskat, there are great things too.

**Hon. Kathleen O. Wynne:** Oh, absolutely.

**Mr. John Vanthof:** But the fact that Attawapiskat is in Ontario wasn't, for me, a heartwarming experience.

**Hon. Kathleen O. Wynne:** No. It was interesting. It was an elder, when I was meeting with the chief and the council in Attawapiskat, who stood up and said that the water intake had been placed in the wrong place. So it was years and years ago that they knew that there was going to be a problem down the road, so to speak.

If we go back to the Ring of Fire and connect these dots, one of the things that was very compelling to me in that meeting with the council was talking with the Attawapiskat community about the potential impact of the Ring of Fire on their water supply because, being down-river from the potential development site, it's another indicator of why it's so important that we do the environmental monitoring that needs to happen.

Anyone who flies over northern Ontario—you couldn't believe that there would ever be a water problem, there's so much water and it looks so pristine. But when you get down on the ground, there have been those decisions that have been made that have not been right. We need to make sure we get it right this time.

**Mr. John Vanthof:** One other comment, and hopefully you get—and I know it's not on anybody's list, but it really hit me on Attawapiskat. First Nations have a lot of health problems—diabetes—and the only thing that was the same price at the Northern store in Attawapiskat was pop and chips.

**Hon. Kathleen O. Wynne:** Yes.

**Mr. John Vanthof:** Everything else was unbelievable; the price was unbelievable. I know it's not your responsibility to fix the price of pop and chips, but why? Why is everything else four or five times as much, and four and five times as much as where I live, and where I live it's bit more expensive, some of it, than here?

**Mr. Rick Nicholls:** It's the price of gas.

**Mr. John Vanthof:** Yes, the price of gas. I won't tell you what the price of gas is in Attawapiskat. But what can we do? Because until we do something—and we'll get into the Ontario Works problems in the next round. Some of these people have no choice. You can't eat on Ontario Works in Attawapiskat. It's incredible.

**Hon. Kathleen O. Wynne:** I think the broad issue that you're touching on—you're raising the issue of food security, of food availability, fresh food availability, diet. Obviously, the rampant diabetes within the First Nations community is a huge health concern, but the broader is the deep poverty that many First Nations—I'm going to say particularly First Nations people on reserve—find themselves living in, and I think that is an overarching concern.

1720

It relates back to, I believe, those other issues we've talked about. So it goes back to education. It goes back to economic development, because if there is a sustainable economy, then poverty is alleviated, and making sure that people who live in the communities can take part in the economic activity that is available. So the worst thing that could happen would be, for example, the Ring of

Fire to be developed and people in the closest communities not having access to the jobs or not being able to take part.

I don't have the answer for you on the food, except to say that the transportation costs and all of those costs contribute to the escalated price of food. But what I do know is that if we don't make sure that kids graduate from school, that they get the education they need so they can get the jobs they need, and that those jobs are available, then we're not going to solve that problem and we're not going to solve the health problems, because those will continue.

**Mr. John Vanthof:** One more on Attawapiskat. We talk about—

**The Chair (Mr. Michael Prue):** Sorry. You've only got five seconds, so I'm going to cut you off.

**Mr. John Vanthof:** I will combine it with the Tories; they have 15.

**The Chair (Mr. Michael Prue):** We will now go to the government. You have 20 minutes.

*Interjections.*

**Mr. David Zimmer:** Oh, it's our time? Well, I'll start off and then I know some of my colleagues have some questions.

Minister, let me just start with a sort of very general opening question. It's an observation that I think many of us share who have been following the First Nations issues and the process of resolving them or talking about them or getting them behind us.

It's probably a fair comment, I think, that there is a sense out there in the broader community that a lot, if not most, of the issues seem to have a much longer shelf life, if you will, in terms of the process of working them through, and in many cases it's a long and tortuous road with many dips and dives and false starts and restarts and so on. There is a sense that I've heard in the aboriginal community that there may be this idea, rightly or wrongly, that in some ways—and I don't mean to make this point too strongly, but the idea of staying in the negotiation process itself is just as attractive as the idea of actually getting it resolved and getting it behind us. I've heard those comments made and I've heard many explanations about why people may think that the idea is to stay in process rather than get it behind us.

Now that you've been there a year or so, do you have any thoughts on that? I've heard that from leaders in the aboriginal community. So how do we get out of the process, and how do we motivate ourselves to want to get the issue behind us and tackle the next one?

**Hon. Kathleen O. Wynne:** The reality of that perception or fact makes me very impatient. It's one of the things when I was first appointed that I really wanted to—I wanted to try to move ahead on some things more quickly. Now, that's probably a trap that a lot of Ministers of Aboriginal Affairs fall into in the initial days: "I'm going to do it differently. We're going to move faster now that I'm here." The reality is that these are multi-faceted issues. They take a long time.

But to go back to my comment earlier to Mr. Vanthof, I think part of the problem is that sometimes we don't define the parameters of the discussion clearly enough and we don't set out our objectives and we don't agree on what we're not going to talk about.

Is it easier to have a large conversation about jurisdiction or is it more productive to have a conversation about education in a particular community and the jurisdiction over that, and get to some resolution on those issues? That's a question, and it's a question that I have put to various First Nations leaders. My preference has been to challenge our First Nations and aboriginal partners to say, "Okay, what are the parameters of this discussion and how are we going to," as I say, "get from point A to point B, point B being the point at which we can take some action?"

**Mr. David Zimmer:** I had some conversations with some aboriginal leaders—who will go unnamed—a year or two ago, and they made exactly the point that you've made. They said, "In many cases, we sit down with governments of various levels—federal, provincial, municipal—and we, right off the bat, tackle big, big issues; we want to solve the really big problems." Some of the aboriginal leaders said that they felt it was far better off, as you said—I'm not saying this just because I'm your parliamentary assistant, but they made the point that it would be far better off to tackle a discrete issue that you can tackle meaningfully, in a fixed time frame, a shorter time frame, and get a result and move to the next one. They saw that as a confidence-building exercise, if they got one behind them and then another behind them, and several and several, and then the issues they tackle get larger and larger and larger, and then they moved to the global issues.

I suppose the flip side of that coin is—one of the other aboriginal leaders added the comment, "You've got to tackle the global issues before you tackle these issues," and there was a debate with these aboriginal leaders around a meal in the evening whether to go big or to go small off the bat. What's your view on that?

**Hon. Kathleen O. Wynne:** My initial comment to that is that that is a debate that I know goes on in the aboriginal community. It's something that in some cases, I think, has hobbled the ability to take part in a discussion that might end in resolution because there's been an internal discussion, and that's the business of the aboriginal community to sort out; that's their purview. But I think our job as government is to work to identify some of the issues that have been presented to us as burning issues. I think education is at the top of that list, because that's not an issue that one party has brought forward, whether political party or not; it's not an issue that one government has brought forward. That's an issue that First Nations governments, aboriginal, Métis Nation—all parties—have said: "This is a concern."

I'll tell you, the conversations with young people—and I know you've spoken to young aboriginal people. In some ways, they are more impatient to get to the specifics, because they feel an urgency to resolve some of

these issues in the shorter term. They are very respectful of their elders, and I think that's an honourable and honoured part of their tradition. But at the same time, what some of them have said to me is, "We want the same opportunities that other young people in the province have. So we're going to push for those. We have a right to those. At the same time, we have a deep respect for our traditional rights and our elders, but we do want resolution of these—we want a school; we want teachers who are trained; we want employment opportunities." That's what they want.

**Mr. David Zimmer:** So here's one of these discrete issues that I've heard from some of the aboriginal community members, particularly the youth and those interested in education. They pointed out to me that aboriginal education is a federal responsibility. Education in other aspects is a provincial responsibility—and they've done the numbers. They've shown that, on average, when you look at the money that the various provinces put into education, and you compare that to the money that the federal government puts into aboriginal education, there's about \$2,000 to \$3,000 per student less that the federal government puts in. Surely, if there's a community where they could use the extra \$2,000 or \$3,000—and it's not really extra; the \$2,000 or \$3,000 just brings them up to what the provinces are doing for the non-aboriginals. That's a very discrete, narrow little piece of the problem. How could we go about tackling that, to get the federal government not to give extra money, but just to pay the same money that the provinces are paying per student?

1730

**Hon. Kathleen O. Wynne:** Well, that's the \$200-million question, because it is absolutely at that nexus that the problem of the adequacy of the physical and educational resources is found to be wanting. I think the responsibility of our government—and we've made it a priority—is to engage First Nations, to engage the on-reserve communities in talking about what the changes might be, how we might move to a different model. We need the federal government at the table, and I use the example of the conversation with the Union of Ontario Indians. We're engaged in those bilateral conversations.

I think that the federal government has, in talking about \$275 million that they have put in their budget, which they did—they put in \$275 million to spend over the next three years on First Nations education. Now, I think that's important. It's an important gesture. It's an important signal that they see that First Nations education is something that has to be tackled and that there has to be money attached to it. I said a \$200-million question because the \$275 million that the federal government put in place is for the whole country. We believe, and my officials I know will leap up and correct me if I'm wrong, that just to deal with the gap in Ontario is a \$200-million proposition. That would be capital and operations, I believe. We need to quantify the issue, we need to quantify the problems, we need to identify what the supports are, and that's part of what we're engaged in right now.

We've hired a person in the Ministry of Aboriginal Affairs who's doing some work, I think I mentioned before, leading a bit of a listening exercise with some of the First Nations communities and educators to try to identify what the resources are that would be the most helpful, particularly in those transitions between the on-reserve schools and the secondary schools in the provincial schools, trying to figure out what exactly what those interventions should be, because I don't think we necessarily have identified what would work and what wouldn't work. What is it that needs to happen? Is it about the physical building? Is it about the curricular materials? Is it about the training of the teachers? Is it about the language training? Because there are many programs where students have been able to learn their heritage language—or the language of the home, in many cases—and that has helped them to reconnect with education. What is the combination of factors that will help to advance these kids? And then, what will all of that cost? I think that it's probably a combination of all of those things.

One of the issues that has been raised by some of the First Nations communities with me is the issue of special-needs assessment. This actually came up when I was in Attawapiskat and some of the other communities: the cost to even get students identified, to have them travel from the community to where there could be a special-needs assessment, or, in the case of students who are deaf or hard of hearing, having to leave the community to get any service at all. All of those costs have not been quantified. We need to do that, and then we need, I believe, a region-by-region or community-by-community conversation with the federal government and the First Nations community about how to get those resources in place.

To be fair to the federal government, I think it's difficult for us or the First Nations to go to the federal government and just say, "You have to fix this problem," without being able to articulate exactly what the issues are. Yes, there's a \$2,000 to \$3,000 or more gap between funding, but what is it that we need that funding to cover, what is it that's happening and what is it that's not happening? That's the work we're engaged in now.

**Mr. David Zimmer:** That leads to the question, then—you described your role in your opening comments, "I believe the primary role of our ministry is to act as a facilitator" on a whole host of issues. Recognizing that there's a \$2,000 to \$3,000 gap and recognizing the difficulty you said of assessing where to spend the \$2,000 or \$3,000—on the assumption that the federal government has to commit to moving quickly—what can we do to light a fire under the feds? Because I wake up in the morning and read the papers, and on one hand, I read that there's a fighter aircraft, the F-35—billions and billions of dollars overrun. Then I do the math on this \$2,000 or \$3,000, and we seem to be mired here. And these are human lives and, relatively speaking, it's a small amount.

As the facilitator, how do we light a fire—a constructive fire?

**Hon. Kathleen O. Wynne:** Well, I think there are a couple of things we can do. I'll just reference my last comments and then move on to the second one. I think we need to articulate clearly what it is in our jurisdiction, in Ontario. Break it down and talk about exactly what it is that's needed, what's the price tag and what's the list of things that need to change. Again, maybe we do that community by community. So with the Union of Ontario Indians, we're at the point where I think there has been a lot of identification of the changes that need to happen, there's a price tag now being attached to those changes and that's the conversation that's happening with the federal government. In the meantime, we are working with the Union of Ontario Indians to identify the resources we can put in place. I think that identification and quantification is very important.

But I think the other thing we can do is be part of the national dialogue. Because the Aboriginal Affairs Working Group has ministers from across the country, and whether it's on violence against women or whether it's on this education issue, I think it's our responsibility as a country, as provincial leaders and aboriginal leaders, to be very explicit and clear with the federal government about what we see is their responsibility to do, and to speak out on that. I think Ontario's job is to be part of that. We've taken a leadership role. Minister Duguid and Minister Bentley played a leadership role in bringing that group together and being a spokesperson for it. I think we can't underestimate the value of people from across the country speaking with one voice. The fact that the national chiefs and the leaders of the other aboriginal organizations are at the table makes it very powerful.

I raised the issue of violence against women, because I think that's another area where there has been a lot of conversation—there's been identification of what the issues are—but there hasn't necessarily been a tracking of success or lack of success. The more we can articulate how we see the definition of success, what the definition of success is—Gertrude Stein: When we get there, there's no “there.” I would prefer that there's a “there,” and we know what that is and what we're looking for in terms of a definition.

I think the Aboriginal Affairs Working Group is engaged in that activity: How do we define whether we're moving in the right direction, whether we're moving at all or whether we're falling back? And on education, what are the models from across the country that are working? Because there are some places where aboriginal kids are doing better. Let's look at those and make sure we share those models.

**Mr. David Zimmer:** May I ask—I'd be interested—what those jurisdictions are where things seem to be working better than perhaps they are here? What are some of the role models?

1740

**Hon. Kathleen O. Wynne:** First of all, within Ontario, there are some communities where kids are achieving much higher standards, but there also are in British Columbia, for example. I think that there are some

models in Saskatchewan and Manitoba. If you look at the curriculum development and the engagement with First Nations on education, I think they are ahead of us in terms of those across-curricular activities. So I think there are some lessons that we can learn from those jurisdictions.

**Mr. David Zimmer:** And to come back to Mr. Vanthof's point, he made a distinction between—I think he was saying—the Far North and perhaps what I'll refer to as the near north, where perhaps these issues are more manageable and the results are easier to obtain. Is there any sense to having what I would call the Far, Far North strategy on some of these issues—the Attawapiskats of Ontario—as opposed to the near north on some of these issues?

**Hon. Kathleen O. Wynne:** Sorry. I was just distracted for a second. Is there any point in focusing on—

**Mr. David Zimmer:** On having different strategies, or focusing on a different strategy, for the Far North as opposed to the near north, or a different emphasis on these educational issues.

**Hon. Kathleen O. Wynne:** Yes. That's an interesting question. It's so idiosyncratic, because there are communities that have both an elementary school and a high school on the reserve. There are communities where the kids leave the reserve to go to high school. There are communities where the kids leave the reserve to go to elementary school and high school. So there's a whole mix of issues.

We need some baseline data. We need to know where kids are and how they're doing, community by community, and we don't necessarily have that baseline data.

**The Chair (Mr. Michael Prue):** You'll have to go back to that in your next round.

**Mr. David Zimmer:** Thank you, Chair.

**The Chair (Mr. Michael Prue):** Okay. We now have approximately 12 or 14 minutes. Although you will get your 20, you'll have to complete it the next time. As soon as the bell goes, the two bells, that it's over, then we're going to stop here. Go ahead.

**Mr. Rick Nicholls:** I'll turn it over to Mr. Barrett.

**The Chair (Mr. Michael Prue):** Mr. Barrett.

**Mr. Toby Barrett:** Thank you, Chair.

The Algonquin land claim has been discussed a little bit so far. I know there's an agreement in principle in the works. As you had indicated, the goal is to create a brand new treaty.

We receive information about concerns about the secrecy. There just seems to be very little concept of citizen participation in this process. I think you mentioned there's something like 1.4 million people in this gigantic swath of eastern Ontario. There's something like 13 ridings. I don't know whether the 13 MPPs and MPs are being informed about these deliberations.

I know there was a newspaper article that was probably in the North Bay Nugget. The mayor of East Ferris—his last name is Vrebosch—

**Hon. Kathleen O. Wynne:** Bill Vrebosch, yes.

**Mr. Toby Barrett:** —walked out of the meetings in protest because they were secret.

These negotiations have been going on for something like 20 years. I guess the mayor only recently learned that a fellow named Wayne Belter, Mattawa's town clerk, is one of the advisory committee members. I think we all know what it's like to be on an advisory committee. You don't get to make any decisions.

We went through this with the Six Nations negotiations. Our former mayor of Haldimand, Marie Trainer, was at one of the tables. It was known as the kiddie table. She was not at the main table. It was frustrating for her and frustrating for other people to find out what was going on.

As with the goal with Algonquin, crown land, public land, will be transferred. I assume the mayor was maybe concerned about that. We've seen Ipperwash Provincial Park transferred at the stroke of a pen. I don't think there was any public consultation or meetings with the general public or neighbouring cottages about that.

I do know that down in Brant county, because of the Caledonia business, public land, the former Burch correctional facility, was handed over. I know the community held meetings to express their concern about that. But again, there was no public participation, no consultation.

The questions are: Why are these things kept confidential? Why are they kept secret? You've alluded to that. Why shouldn't the public know? I mean, we're talking about public land. Why are voters not being made aware of what is going on? And the perception is: What is the government trying to hide? What is it afraid of?

I know locally, down our way, the concern is that this government would hand over the subdivision that's presently being occupied to somebody else. So there is that concern.

**Hon. Kathleen O. Wynne:** Can I speak to the Algonquin—

**Mr. Toby Barrett:** Yes. And I will say, I'm hearing this from cottage organizations, fishing organizations; OFAH, for example.

**Hon. Kathleen O. Wynne:** There are some confidentiality rules that have been established as part of the negotiations, so we have to respect those—

**Mr. Toby Barrett:** Those are the Ontario government rules, or federal government rules?

**Hon. Kathleen O. Wynne:** They've been established as—they're tripartite, three-party confidentiality rules. All the parties to the negotiation have agreed to those rules. If you've been involved in complex negotiations, which I'm sure you have, whether it's commercial or labour relations or investment opportunities or dispute resolution, I think you'll understand that at some point in that process there does need to be a confidential component.

Having said that, we're in an early stage of the process in the sense that the agreement in principle is not finalized yet. These preliminary meetings that have taken place are technical, and there will be a public consultation, as we have said.

I also have to say, Mr. Barrett, that I hear the denigration of the committees, but these are committees that have very interested and interesting groups, and groups with a lot of status on them. The committee of external advisers—there are 31 groups that are sitting on that committee, from the Algonquin Eco Watch to Algonquin Park youth camps—I'm just picking some here—Canadian Parks and Wilderness Society, the Conservationists of Frontenac Addington, the Federation of Ontario Cottagers' Associations, the forest industry of Renfrew county, the Land O' Lakes Tourist Association—

**Mr. Toby Barrett:** So this committee of external advisers, are they sitting at the table? Have they been consulted yet or are they going to receive a done deal? You indicated that—

**Hon. Kathleen O. Wynne:** No. Their role has already been to provide advice. That's already been their role. And then the other group is the municipal advisory committee—

**Mr. Toby Barrett:** Strictly advisory?

**Hon. Kathleen O. Wynne:** Advice becomes grist for the mill, right? These are the people who have been part of this initial process, and then the agreement in principle, which is not finalized—it's a draft—will go out for public consultation. The municipal advisory committee has another 31—

**Mr. Toby Barrett:** Well, that—

**Hon. Kathleen O. Wynne:** If I can just say—

**Mr. Toby Barrett:** So it's not finalized. When it is finalized, is that when you start the consultation?

**Hon. Kathleen O. Wynne:** No. It's a draft agreement in principle that will go out for consultation and there will be commentary on it.

**Mr. Toby Barrett:** Before it's finalized?

**Hon. Kathleen O. Wynne:** Before it's finalized, yes.

**Mr. Toby Barrett:** That's one thing that people are concerned about, because—

**Hon. Kathleen O. Wynne:** And I've said that; I've said that publicly a number of times. I think that we've been clear: A draft is a draft. It will be a draft agreement in principle and that—now, there will obviously be input from groups that have already had input and there will be discussion about those final refinements.

I just wanted to comment that the municipal advisory committee has another 31 groups—the city of Ottawa, Nipissing district; there's a whole range of municipalities that are part of that advisory group. Okay?

**Mr. Toby Barrett:** Again, have there been public open houses? I have great admiration for how MNR does things with the open houses. The maps are laid out, public consultation, feedback mechanisms—

**Hon. Kathleen O. Wynne:** I'm going to ask David Didluck to address the committee and just answer some of your technical questions about the process.

1750

**Mr. David Didluck:** Sure. Thank you, Minister. Sixty-five meetings with the advisory committee and various representative groups that the minister had pointed out in

the last 20 years have been part of that consultation record—

**Mr. Toby Barrett:** Sixty-five meetings over 20 years?

**Mr. David Didluck:** Over the last 25 years, and as the minister noted, a number of meetings continue with local governments, 31 more recently in the last four months. Those are our primary constituents and stakeholders who are mostly impacted by the claim area. In addition to that, once the agreement in principle is reached—as the minister noted, this is an agreement in principle; it's not a legally binding document—there is further opportunity by all impacted parties, including the general—

**Mr. Toby Barrett:** But that is once the agreement in principle is reached, then there will be consultations?

**Mr. David Didluck:** Once the elements of the agreement in principle have been announced by the parties—and as the minister noted, the Ontario government, Canada and the Algonquin are all working to continue negotiations toward that effect—there will still be plenty of time for public consultation and open dialogue.

**Mr. Toby Barrett:** After that AIP is signed.

**Mr. David Didluck:** After the AIP is signed.

**Mr. Toby Barrett:** Is it going to be hard to open that up again? It's got signatures on it from the people who are at these present meetings.

**Mr. David Didluck:** It has to be ratified by all the parties, sir, and as I said, it's not a legally binding document; it's only a document of high-level principle. Again, all the technical details for harvesting, for resource use, for land use management—all of that still has to be negotiated in detail, and we look to our advisory committees to help us.

**Hon. Kathleen O. Wynne:** But, for example, my understanding is that one of the pieces that's already in place and that I've spoken to is that Algonquin park is not part of this discussion.

**Mr. David Didluck:** Correct.

**Hon. Kathleen O. Wynne:** That's not something that would come back on the table as a result of the public consultation. I think, Mr. Barrett, you would agree that that was probably a good thing, that there would be some non-negotiables and that there would be agreement that Algonquin park will not be part of this settlement.

**Mr. Toby Barrett:** When would have been the last meeting with the CEA? That's the—I'm not sure which group. That's the advisory—

**Hon. Kathleen O. Wynne:** That's the committee of external advisers.

**Mr. Toby Barrett:** Yes. When was the last meeting with them?

**Hon. Kathleen O. Wynne:** David?

We'll have to get that date for you.

**Mr. Toby Barrett:** Okay, because that seems to be the crux of it. I understand they'd like to have a meeting. They'd like to meet with you, even in an informal chat. I know there have been a few; they refer to them as coffee-and-donut get-togethers. But citizen participation is so important. A million-plus people are involved here; public land, some of which will be handed over; changes

with respect to access to hunting and fishing or how one may get to use one's cottage. To my mind, and certainly from the Caledonia experience, the complete secrecy just serves no purpose at all.

**Hon. Kathleen O. Wynne:** I just need to clarify: Private property is not part of this discussion.

**Mr. Toby Barrett:** No, of course not. No, we understand that.

**Hon. Kathleen O. Wynne:** But you said "cottages." I just think it's really important that we're careful about our language, because private property is not part of the discussion, so when you say that people are worried about how they're going to be able to use their cottages, that's not an issue.

**Mr. Toby Barrett:** Do you not have cottage owners on this advisory committee?

**Hon. Kathleen O. Wynne:** Yes, we do.

**Mr. Toby Barrett:** That's very important. That's my understanding.

**Hon. Kathleen O. Wynne:** Well, exactly. That's exactly why we have people like cottage owners there, and the hunters and fishers, because their activities are very important. But private property is not part of the settlement. I just think leaving the impression that somehow someone's cottage can be taken away from them is not a helpful impression.

**Mr. Toby Barrett:** No, I didn't even come close to that. I've been involved in this for six and a half years. Private property is not on the table.

**Hon. Kathleen O. Wynne:** Right.

**Mr. Toby Barrett:** What you hand over, invariably, seems to be public land.

**Hon. Kathleen O. Wynne:** The point I was making—you raised the issue of cottages, and all I'm saying is that private property is not part of the discussion. That's all I wanted to be clear about.

**Mr. Toby Barrett:** That's right.

I know there are a lot of representatives here. Nobody can remember the last meeting with the CEA. The people on that group—I think cottage owners are represented there—would like to have a meeting. It's that simple. They would like to have a meeting, not just coffee but a couple of hours. That's a request, and I hear that from the Canadian Sportfishing Industry Association. They are part of that CEA. Of course, OFAH, the Ontario Federation of Anglers and Hunters—many are native as well. They would like to go see what's going on. They're very concerned that this agreement in principle will be signed and then there's consultation after the fact, and it's pretty hard to put that bunny rabbit back in the box when all this stuff has been worked out in the secret meetings. It's that simple. That's the kind of request that we're hearing.

**Hon. Kathleen O. Wynne:** Well, it's simple, but it's wrong, because the reality is that the reason for having the public consultation, once the agreement in principle is in place, is that it is to be fleshed out, that the details are not there, that there is more information that needs to be finalized. That's the point of having the public consultation.

As far as the CEA wanting to have a meeting, first of all, we'll get the date of the last meeting, but it is absolutely the intention for there to be future meetings. I'm going to ask that we get the work plan and figure out what that is, if any of those have been finalized. But it certainly was never the intention that there would be no more meetings.

**Mr. Toby Barrett:** Well, that's fine. We do operate in a parliamentary democracy, and it is so important. Many of us in this room are elected representatives. There is this concept of citizen participation, community involvement. Sure, you can get some short-term gains. I know it's taken 25 years. There is concern that the provincial side might be pushing this forward more rapidly than, say, the federal side. I think the sincere request is that people are consulted. Certainly with Six Nations, the process of consultation is very, very important, but that also goes for the other people that are being represented or should be represented in this process, 1.4 million people. We cannot sacrifice short-term gain or to meet a deadline without adequate and fulsome consultation before some signatures are put on a document—I don't mean the treaty—that may come back to haunt us down the road.

**Hon. Kathleen O. Wynne:** I just reiterate my comment that the whole point of having an agreement in principle and bringing it to public consultation is to get that input, in addition to the input that we've already gotten from the advisory groups, because we made a commitment to move ahead on land claims and to expedite and to get them finalized.

I think most people would argue that 25 years is a fairly good, long time to be at a project, and we're not finished; it's not done. But I think if we could get to the

point where an agreement in principle could then go to the public and people would have some confidence that they understood what was in it, that will help a lot.

I believe, and I said this on the talk radio show, because there obviously are groups that are following this very closely—I said I think part of the anxiety is just that people haven't seen the agreement in principle yet, so they don't know what's in it. I think that once they see it, then the discussion will be much less angst-ridden, because people will know and they can have a discussion about specifics. I look forward to that.

**The Chair (Mr. Michael Prue):** I'm going to stop everybody there.

**Mr. Toby Barrett:** Just quickly—

**The Chair (Mr. Michael Prue):** Okay.

**Mr. Toby Barrett:** —we'll shed some light on this. They're asking to see this before it's signed. It's that simple.

**Hon. Kathleen O. Wynne:** You know what? I'm going to bring back to you the dates of the meetings and any other details of the work plan that I can.

**Mr. Toby Barrett:** Thank you.

**Hon. Kathleen O. Wynne:** Thanks.

**The Chair (Mr. Michael Prue):** I had forgotten that there are some late shows tonight, so they're not going to ring the bell right away. But it is after 6 of the clock. How much time is left for—

*Interjection.*

**The Chair (Mr. Michael Prue):** There are four minutes left for you when you return tomorrow afternoon, for the Conservatives.

We are adjourned until tomorrow at approximately 3:45—whenever routine proceedings finishes.

*The committee adjourned at 1801.*

## CONTENTS

Tuesday 28 August 2012

Ministry of Aboriginal Affairs / Ministère des Affaires autochtones.....	E-425
Hon. Kathleen O. Wynne	
Ms. Laurie LeBlanc	
Mr. David Didluck	

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