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Salle 500, aile ouest, Édifice du Parlement  
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Toronto ON M7A 1A2  
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# CONTENTS / TABLE DES MATIÈRES

Wednesday 19 February 2020 / Mercredi 19 février 2020

## Notice of reasoned amendment

The Speaker (Hon. Ted Arnott).....6967

## ORDERS OF THE DAY / ORDRE DU JOUR

### Smarter and Stronger Justice Act, 2020, Bill 161, Mr. Downey / Loi de 2020 pour un système judiciaire plus efficace et plus solide, projet de loi 161, M. Downey

Hon. Doug Downey .....6967

Hon. Lisa M. Thompson .....6972

Ms. Lindsey Park .....6973

Mr. Gurratan Singh .....6976

Hon. Doug Downey .....6976

Mr. Jim McDonell .....6976

Mr. Gurratan Singh .....6977

Mr. Jeremy Roberts .....6977

Mr. Gurratan Singh .....6977

Mr. Billy Pang.....6977

Second reading debate deemed adjourned .....6977

### Private members' public business

The Deputy Speaker (Mr. Rick Nicholls) .....6977

### Wearing of jersey

Mr. Dave Smith.....6978

## MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉES ET DÉPUTÉS

### Children's mental health services

Ms. Sara Singh .....6978

### Ontario budget

Mr. Jim McDonell .....6978

### Affordable housing

Mrs. Jennifer (Jennie) Stevens .....6978

### Long-term care

Mr. Rudy Cuzzetto .....6979

### Tenant protection

Ms. Marit Stiles .....6979

### Kindness Week

Mr. John Fraser.....6979

### Health care

Mr. Lorne Coe.....6979

### Public transit

Mr. Peter Tabuns.....6979

### Challenger Baseball

Mr. Dave Smith.....6980

### Skilled trades

Mr. Mike Harris.....6980

## Private members' public business

The Speaker (Hon. Ted Arnott).....6980

## Legislative pages

The Speaker (Hon. Ted Arnott).....6980

## INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEUSES ET VISITEURS

Mme France Gélinas .....6981

Hon. Bill Walker .....6981

Mr. Gilles Bisson.....6981

Mr. Mike Schreiner .....6981

Mr. Rick Nicholls .....6981

Ms. Jennifer K. French.....6981

Mr. Randy Pettapiece .....6981

Ms. Bhutila Karpoche.....6981

Mr. Mike Harris .....6981

Ms. Teresa J. Armstrong .....6981

Mrs. Amy Fee.....6981

Mr. Jamie West .....6981

Mrs. Robin Martin.....6981

Ms. Laura Mae Lindo.....6981

Mr. Dave Smith.....6981

Mr. Terence Kernaghan.....6981

Miss Monique Taylor .....6981

Mr. Chris Glover .....6981

## QUESTION PERIOD / PÉRIODE DE QUESTIONS

### Anti-racism activities

Ms. Laura Mae Lindo.....6981

Hon. Stephen Lecce.....6982

Ms. Marit Stiles.....6982

### Community safety

Ms. Lindsey Park .....6982

Hon. Sylvia Jones .....6982

### Indigenous affairs

Mr. Sol Mamakwa .....6983

Hon. Greg Rickford.....6983

### Employment standards

Mr. Mike Schreiner.....6983

Hon. Christine Elliott .....6983

### Infrastructure funding

Mr. Sam Oosterhoff .....6984

Hon. Laurie Scott .....6984

<b>Education funding</b>	
Ms. Andrea Horwath.....	6985
Hon. Doug Ford .....	6985
<b>Education funding</b>	
Ms. Andrea Horwath.....	6985
Hon. Stephen Lecce .....	6986
<b>Licence plates</b>	
Ms. Jennifer K. French.....	6986
Hon. Lisa M. Thompson .....	6987
<b>Assistance to persons with disabilities</b>	
Mr. John Fraser .....	6987
Hon. Todd Smith.....	6987
<b>Transportation infrastructure</b>	
Ms. Natalia Kusendova .....	6988
Hon. Doug Ford .....	6988
<b>Public transit</b>	
Ms. Jessica Bell.....	6988
Hon. Caroline Mulroney.....	6988
<b>Public transit</b>	
Mrs. Robin Martin.....	6989
Hon. Caroline Mulroney .....	6989
<b>Public transit</b>	
Ms. Jill Andrew .....	6989
Hon. Caroline Mulroney .....	6989
<b>Transportation infrastructure</b>	
Mr. Sam Oosterhoff .....	6990
Hon. Laurie Scott .....	6990
<b>Children's mental health services</b>	
Ms. Bhutla Karpoche .....	6991
Hon. Christine Elliott .....	6991
<b>Private members' public business</b>	
The Speaker (Hon. Ted Arnott).....	6991
<b>Reception</b>	
Mr. Dave Smith.....	6991

**INTRODUCTION OF VISITORS /  
PRÉSENTATION DES VISITEUSES  
ET VISITEURS**

Ms. Suze Morrison.....	6991
------------------------	------

**STATEMENTS BY THE MINISTRY  
AND RESPONSES / DÉCLARATIONS  
MINISTÉRIELLES ET RÉPONSES**

<b>Ontario Heritage Week</b>	
Hon. Lisa MacLeod.....	6991
Ms. Jill Andrew .....	6992

**MOTIONS**

<b>Consideration of Bill 168</b>	
Hon. Paul Calandra .....	6993
Motion agreed to .....	6993

**PETITIONS / PÉTITIONS**

<b>Driver education</b>	
Ms. Marit Stiles.....	6993
<b>Long-term care</b>	
Mr. Michael Mantha.....	6994
<b>Public services</b>	
Ms. Suze Morrison.....	6994
<b>Eating disorders</b>	
Ms. Jill Andrew .....	6994
<b>Autism treatment</b>	
Miss Monique Taylor .....	6994
<b>Documents gouvernementaux</b>	
Mme France Gélinas .....	6995
<b>Northern health services</b>	
Mr. Michael Mantha.....	6995
<b>Long-term care</b>	
Ms. Catherine Fife.....	6995
<b>Education funding</b>	
Ms. Marit Stiles.....	6995
<b>Long-term care</b>	
Mme France Gélinas .....	6996
<b>Veterans memorial</b>	
Mr. Michael Mantha.....	6996
<b>Education funding</b>	
Mme France Gélinas .....	6996

**ORDERS OF THE DAY / ORDRE DU JOUR**

<b>Smarter and Stronger Justice Act, 2020, Bill 161, Mr. Downey / Loi de 2020 pour un système judiciaire plus efficace et plus solide, projet de loi 161, M. Downey</b>	
Mr. Gurratan Singh .....	6996
Mr. Lorne Coe .....	7004
Mr. Michael Mantha.....	7004
Mr. Randy Pettapiece .....	7005
Mr. Taras Natyshak.....	7005
Mr. Stephen Crawford.....	7005
Ms. Goldie Ghamari.....	7006
Ms. Suze Morrison.....	7008
Ms. Jane McKenna.....	7009
Mr. Taras Natyshak.....	7009
Hon. Paul Calandra .....	7009
Mr. Gurratan Singh .....	7010
Ms. Suze Morrison.....	7010
Mr. Lorne Coe.....	7013
Miss Monique Taylor .....	7013
Mr. Daryl Kramp.....	7014
Ms. Marit Stiles.....	7014
Mr. Jeremy Roberts.....	7014
Mr. Kaleed Rasheed.....	7014
Second reading debate deemed adjourned .....	7016

## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 19 February 2020

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 19 février 2020

*The House met at 0900.*

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

*Prayers.*

### NOTICE OF REASONED AMENDMENT

**The Speaker (Hon. Ted Arnott):** Before I call orders of the day, I beg to inform the House that, pursuant to standing order 74(b), the member for Timmins has notified the Clerk of his intention to file notice of a reasoned amendment to the motion for second reading of Bill 171, An Act to enact the Building Transit Faster Act, 2020 and make related amendments to other Acts. The order for second reading of Bill 171 may therefore not be called today.

### ORDERS OF THE DAY

#### SMARTER AND STRONGER

#### JUSTICE ACT, 2020

#### LOI DE 2020 POUR UN SYSTÈME

#### JUDICIAIRE PLUS EFFICACE

#### ET PLUS SOLIDE

Mr. Downey moved second reading of the following bill:

Bill 161, An Act to enact the Legal Aid Services Act, 2020 and to make various amendments to other Acts dealing with the courts and other justice matters / Projet de loi 161, Loi visant à édicter la Loi de 2020 sur les services d'aide juridique et apportant diverses modifications à des lois traitant des tribunaux et d'autres questions relatives à la justice.

**The Speaker (Hon. Ted Arnott):** I will look to the Attorney General to lead off the debate.

**Hon. Doug Downey:** Good morning, Mr. Speaker. Thank you very much. I am pleased to stand in the House today to open debate on a bill that would, if passed, make it easier, faster and more affordable for people in Ontario to access the justice system. I will be sharing my time with my colleagues the Minister of Government and Consumer Services and the parliamentary assistant to the Attorney General.

But before I begin, I want to thank the many justice partners whose input and perspective represents one of the driving forces of a bill that is long overdue.

Our government is proposing more than 20 sensible legislative improvements through the Smarter and Stronger Justice Act. These improvements reflect our government's determination to work with justice partners to build safer

communities, where people and job creators aren't tied up in outdated processes to resolve their legal and business issues.

Collaboration and consultation are priorities for me in my work as Attorney General, and these proposals reflect hundreds of conversations with front-line staff, practising lawyers and others about the need for common-sense change.

We met with partners including the Law Society of Ontario, Legal Aid Ontario, the Association of Community Legal Clinics of Ontario, Ontario's everyday heroes in law enforcement, the Ontario Bar Association, the Federation of Ontario Law Associations, the Ontario Trial Lawyers Association, the South Asian Bar Association, the Canadian Association of Black Lawyers, LawPRO, the Ontario Paralegal Association, various consumer groups, and many, many others. It was a wide consultation, and the feedback was critical to landing this bill just right.

We heard loud and clear that people are struggling every day to navigate a system that even lawyers are challenged to understand, and often during an important and stressful time in people's lives. Mr. Speaker, Ontarians have spoken, and we have listened. We are committed to make it easier, faster and more affordable for justice to be done in the province of Ontario.

If passed, the Smarter and Stronger Justice Act would simplify a complex and outdated system, help Ontarians stand up for victims and law-abiding citizens and provide better, more affordable justice for all.

With regard to online commissioning and notarization, modernizing and innovating are key priorities for the government. There are so many opportunities to update what has been a sadly outdated legal system, and today we are happy to be discussing some common-sense steps in the right direction.

But before I begin, with one of the key innovative changes we are proposing, Mr. Speaker, it's important to put context to note that Ontario's current system of verifying documents through notaries and commissioners is stuck in a pre-technology stone age. That's why we are proposing to pave the way to allow Ontarians to verify and commission documents online.

Most people today are able to complete a variety of simple tasks online or through an app on a mobile device. Consider simple banking transactions, for example, or signing a document to rent a property. These things happen every day, and yet you cannot do it in the justice system.

People expect the same level of convenience when they interact with our legal system, and notarizing documents is an excellent example of where we can modernize an

out-of-date process while still ensuring the security and integrity of an individual's data. This will make life easier for people in northern Ontario and in rural or remote communities. Many people in those areas can't afford to get to where they need to be to sign documents, or it's terribly inconvenient. And there's no need for it, Mr. Speaker. Quite simply, with modern technology, we should be harnessing the best that we can do, and Ontario should be on the forefront of this kind of technology.

By adapting best practices from other jurisdictions, we see an immense opportunity for this bill to help Ontario emerge as a technology leader in Canada, not just in the legal sector but in how we practise our businesses. Mr. Speaker, we're taking best practices not just from Canada but from North America. This is happening in other jurisdictions, and Ontario needs to catch up and get ahead.

Certainly, with change and modernization comes the responsibility to ensure that an individual's data is safe and secure. My ministry will be consulting with key stakeholders on how we can design a system that successfully balances the need for security with the convenience offered by this transformative change.

Should this legislation pass, and with the regulations that would follow, people across Ontario will be able to go online to do a whole variety of things—something as simple as gifting a vehicle to a family member. When you're transferring a vehicle from a parent to a child as a gift, you have to have a document signed to take to the government, to ServiceOntario. That document has to be signed by both parties, it has to be commissioned, meaning as a sworn document, and then transported to ServiceOntario. And where do you get a document commissioned now? There are only a certain number of places you can do it. At the moment, you have to go to a lawyer's office, or you have to—if the clerk of a municipality is willing to do it. It's very restrictive.

We want to move that to an opportunity for online, so it's convenient for people and they can get things done when they need it in a convenient way. That's how business should be done in the province of Ontario. I look forward to reporting back on this in the coming months.

Another area that came to our attention when we were talking to people who were accessing the justice system is small estates. It has been ignored for far too long. I'm not sure why, but it's one that, when we're looking out for people in Ontario who are trying to interact with the justice system, we're trying to find ways to make life more affordable and easier. This area plays a role in many people's lives, and it's known as probate. It's being appointed as an estate trustee to administer an estate. It's a complicated way of saying "probate." It's when one of your loved ones or friends has passed away and you need to move their assets through the estate into the beneficiary's hands.

I'd like to take a moment to talk about the current process that someone needs to go through to act as an estate trustee to administer an estate. The current process can be very confusing. You have to go to a lawyer, you have to swear documents, you have to catalogue everything and

you have to apply to court for probate. About 50% of the estates that happen in Ontario go through this process; they go through probate. They go through a court process where a judge signs off. It's cumbersome, it's expensive, and the current process can be confusing. It's complicated and costly in what's already a stressful situation. You're already in a position where people are grieving their loved one, and now they're having to go through red tape and all sorts of complications with the court system.

#### 0910

Currently, estate trustees who are required to apply for probate to administer the estate of a loved one have to follow the same process whether the estate is \$50,000 or \$5 million. It's exactly the same. Maybe that's because the system was built for the people administering the system instead of the people who were using the system. Well, that's changing, Mr. Speaker. This entire process, which can even require posting a bond—can you imagine posting a bond for a \$50,000 estate? That's what it is at the moment. It does happen; it can end up costing people more than the estate's total value. And so what do people do? People just don't do it, and those assets don't get transferred. That's just not right. Many small estates aren't distributed each year. It's not right and it's not fair.

If passed, this bill would provide a simpler way to settle a small estate, easing the administrative burden on those who are grieving passed loved ones while still keeping safeguards in place to protect minors and vulnerable people who have an interest in that estate. This is another example of where we have heard from Ontarians and we are taking action.

Taking action is what the Smarter and Stronger Justice Act is all about, Mr. Speaker. Ontarians are unified in their desire for government to take action against criminals who use money for illicit activities to fund more crime and to take action to support victims and vulnerable members of our communities. We are working with justice partners, including the heroes in law enforcement, and the police services, of course, to stand up for victims and to hold offenders accountable for the lives they shatter.

I just want to pause there for a moment, Mr. Speaker. The focus is on the victims. The focus is on the people who are on the receiving end of illicit activities and violent crime. It's not just the individual victims; it's the victims' families: their children, their parents, their spouses, their loved ones. When criminals are allowed to profit from their illegal activity, it affects society in a ripple effect, in ways that it shouldn't. It makes communities feel unsafe, and we need to put a stop to it.

That's why we are taking steps, in the Smarter and Stronger Justice Act, to stand up for victims, to support police and prosecutors in their work on the front lines and to protect people and communities by proposing a modernized civil forfeiture system. We agree 100% with law-abiding Ontarians who say that crime should not pay. We want to make it harder for criminals to hold on to the dirty money that funds their heinous crimes like trafficking vulnerable young people, dealing in drugs, dealing in guns—any variety of ways that they're scaring people, making them

feel unsafe in their communities or directly victimizing them. We have to stand up for these individuals.

Ontario once led the nation in deterring crime through property forfeiture. However, Ontario has since fallen behind. Other provinces developed and adapted new best practices to update and expand their civil forfeiture laws. The Smarter and Stronger Justice Act would create a new tool to get ahead of the criminals who prey on our communities for profit.

Our proposed changes would allow personal property like cash or cars used by criminals for illegal activities to be forfeited administratively and without a court order in uncontested cases. York Regional Police Deputy Chief Brian Bigras said it best when he explained why modernizing and simplifying laws around civil asset forfeiture will benefit the justice system and victims of crime. He said, “The value of illicit assets seized by police” each year “extends into the millions of dollars. A portion of these” illicit assets “go uncontested, meaning no one is claiming ownership due ... to the criminal nature in which these ... assets were obtained.”

Mr. Speaker, we would continue to use these seized funds to directly compensate victims of crime and also provide grants to projects with a mandate of combatting crimes like human trafficking. There is no reason why these assets seized during illegal activity should not go back to help victims of crime and to help prevent future crime. I’m very proud of this piece.

The Stronger and Safer Justice Act touches on a broad range of areas in our justice system—as I mentioned, over 20 changes. But there is nowhere more in need of updating—well, I said at the beginning that we need safer and stronger communities to thrive. We also need to ensure that our citizens and job creators aren’t tied up in outdated processes to resolve their legal and business issues. This commitment is reflected by our determination to modernize the justice system.

It also extends to Ontario’s outdated class action legislation. The Class Proceedings Act has not been significantly updated in more than 25 years. As a result, the act is not always reflective of the current realities of class actions and the players within them.

A class action is a civil lawsuit brought by one representative on behalf of a larger group of people to resolve common or similar issues in one single proceeding. The result of that proceeding binds everyone in the group, unless they opt out. Class actions in Ontario are guided by three principles: access to justice, judicial economy, and behaviour modification. I’m just going to recap that again. Three things drive class actions: access to justice, judicial economy, and behaviour modification.

Over time, class actions have changed significantly in terms of complexity and volume, not only in Ontario but across Canada. The influx of class actions has resulted in major financial and resource implications not only for the court system but also for the class action bar and the business community. We consulted with all of these players and many others as we explored amendments that would ensure the legislative framework reflects today’s realities.

I want to thank the many stakeholders who met with me, my staff and my parliamentary assistant over the course of the fall of 2019 and this winter to discuss these important reforms, which include 20-plus plaintiff and defence class action law firms; legal organizations like the Ontario Bar Association, who held a round table for us; advocacy groups like the Consumers Council of Canada and the Ontario Chamber of Commerce; industry groups in automotive, banking, insurance and pharmacy; litigation funders and many others, as we consulted widely on this far-reaching legislation.

Another key stakeholder that I met with was the Law Commission of Ontario, which issued an extensive report last summer on class actions in Ontario. The law commission’s class actions project and final report resulted in more than 40 recommendations on how to reform the class action legislation and related policies. I am proud to announce that we are fully or substantially adopting many of the law commission’s recommendations that we can act on.

While there are many I could speak to, in the interest of time, I would like to highlight only a few. As I mentioned before, it often does take years for class actions to work their way through the court system. I’m going to speak about the timing of certification motions and the mandatory dismissal for delay. Not only does this use valuable court resources, but there are also significant financial and reputational risks for Ontario businesses. It is expensive and time-consuming for businesses to defend class actions that are dormant, that don’t have merit, or can’t be resolved in a reasonable amount of time. The cost of these lengthy lawsuits impacts shareholders, employees and consumers, and ultimately our economy. We are proposing changes that would allow cases to be dismissed for delay where no meaningful steps have been taken.

Moreover, we are introducing measures that put an emphasis on early motions by the defendant to narrow or dispose of a case before the certification stage.

With regard to carriage, when class counsel compete to be lawyers of record for a particular class action, the proposed amendments would allow those disputes to be decided faster and in a more predictable manner. This process allows the court to select the most effective lawyer for class members, lawyers with a track record of obtaining results. If the amendments are enacted, a carriage motion—meaning deciding which lawyers will proceed—would have to be brought within 60 days of the commencement of the first action, and no appeals would be allowed. This will ensure that people are not waiting for their day in court just because there is a dispute about which lawyer should take the case.

Multi-jurisdictional class actions: We are establishing the tools that the courts need to decide whether Ontario is really the preferable forum in which to resolve the claims of some or all of the members of the proposed class. If there are competing cases in other provinces, this matters. Under the proposed amendments, the court would also be permitted to determine jurisdiction prior to the motion for certification, which avoids a needless expenditure of resources for plaintiffs and defendants where Ontario is not the most appropriate forum.

With regard to settlement approvals and distributions, we are enhancing the framework to require settlements to be fair, reasonable and in the best interest of class members. Also, we are taking measures to ensure that people who are in a class action have more information and better notice about how they can collect their compensation if the case settles or if the plaintiff is successful.

#### 0920

The proposed amendments would also add new evidentiary requirements to ensure the courts possess all relevant information for the purposes of approving a settlement. We are proposing these changes because the data available shows that, generally, a low percentage of people in a class action actually collect their compensation. We are proposing measures that fill that information gap and enable more class members to benefit from a settlement or award. Under the proposed amendments, the courts and public would now be provided with the actual numbers of class members who receive compensation and the efforts made by all parties to ensure that settlements or awards are distributed.

**Cy-près:** On the note of cy-près, our government is taking measures to ensure that class members receive better compensation following a settlement or award. For those who may not know, cy-près awards are damages or settlement funds that are paid to a third party, usually a charity or foundation, as opposed to class members. Where there are more settlement funds available than class members are taking up and those funds aren't set to revert back to the defendant, courts often make a cy-près award to a charity. Often judges have no legislated guidance as to how to make these very substantial awards, and that can result in millions of dollars being distributed to organizations that do not benefit the class. For example, the Bre-X settlement resulted in single class members diverting millions of dollars to their own personal causes. That did not benefit the class at large. What we're doing is proposing measures to impose some discipline and transparency into these awards.

**Lawyers' fees:** Under the current legislation, whether or not class members are being adequately compensated, the lawyers who helped the class members are being paid. The proposed changes would ensure lawyer fees are fair and reasonable, and would allow the court to withhold some of those fees until the court can review whether the lawyer's efforts to distribute compensation to class members was adequate.

With regard to third-party funders, many people may not realize that class actions can be funded by a third party—someone who is not a party in the case. There are currently no statutory rules about when and how third-party funders should be permitted. We are establishing transparency and putting in safeguards to ensure that third-party funding agreements have proper oversight to ensure that class members' interests are protected.

All of these proposed amendments I just described have been widely supported by stakeholders on both sides of the issue. But like the law commission noted in its report about its own recommendations, "Many of our recommendations will be controversial. This is not surprising. Class

action discussions are often polarized and appear to be influenced by stakeholder interests and perspectives."

I want to speak about certification and preferable procedure. With that said, there's one proposal that I would like to talk about at greater length. Certification is a stage early in the class action. Through the certification process, the representative plaintiff, who is representing everybody else, has to satisfy the court, among other things, that a class action is the most preferable procedure for the resolution of the common issue. The law commission recommended improving the certification proceedings by "encouraging courts to interpret ... the ... certification test more rigorously." I agree with that recommendation.

Mr. Speaker, I can tell you this: The courts have interpreted the certification language in the Class Proceedings Act for the last 25 years. They have 25 years of binding precedent. Courts cannot simply ignore that precedent to make certification more rigorous without amendments to the statutory language, no matter how many people encourage them to do so. So we decided we needed to propose very measured amendments to the language in the certification text to achieve this goal.

There are a lot of entrenched stakeholders in the class proceedings world. Some wanted the status quo. Others implored us to propose a test that would require the court to consider, at the certification stage of the proceeding, whether the plaintiff's case had a reasonable prospect of success. Those people, largely from the defendant side, noted that we could avoid spending significant court resources on cases that have no reasonable prospect of being resolved in favour of the plaintiff if the court considered this question early in the proceeding.

But we opted for a more nuanced change. We are proposing an amendment to the sub-criteria to certification related to determining whether a class action is the preferable procedure by requiring the court to consider whether the plaintiff can establish that (a) resolving the common issues on a class-wide basis is superior to all reasonably available means of determining the entitlement of the class members to relief or addressing the impugned conduct of the defendant, and (b) the questions of fact or law common to the class members predominate over any questions affecting only individual class members.

So why make these changes to certification? It makes no sense to me to give potential plaintiffs a door to the court system through a class action on behalf of hundreds or thousands of people, when we know most of those people don't know they are even part of a class, but the process to get any relief takes years upon years or does not result in anything at all, yet those hundreds or thousands of people will be bound by the decision. It just isn't fair. A class action can be a powerful tool for ensuring access to justice, but only if it results in a practical outcome for plaintiffs.

On the point of superiority: Looking at the proposed superiority requirement, it would require the court to consider whether resolving the matter as a class action is superior to all reasonably available alternatives. That means that where plaintiffs should be compensated, the court would need to ensure that the class action is the best mechanism



to do so. This means the court should consider all potential mechanisms of resolution, including inside and outside of the courts. There's no point in dragging parties through a lengthy and expensive class action where there is another compensation regime or relief mechanism, or some other form of relief available to the plaintiffs, including when voluntarily established by the defendants.

For example, where a class action is proposed in respect of a faulty product, perhaps the proceeding could be avoided altogether where the manufacturer, as a prospective defendant, agrees to recall or repair or replace the product. Or perhaps a data breach dispute can be resolved by ensuring that credit monitoring and identity theft protections are offered by the defendant to the perspective class in lieu of undergoing costly and timely litigation.

It is my expectation that this amendment, if enacted, may actually incentivize prospective defendants to establish voluntary compensation regimes or protocols, make recalls or find other creative ways to ensure prospective plaintiffs get compensation faster and in a more efficient fashion than they would through a class action proceeding.

On the point of predominance: The second proposed amendment with respect to whether the common issues predominate is designed to ensure that if a class action does proceed to trial on the common issues, the common issues meaningfully advance the cases of the class members. We want the court to consider whether the determination of the issues that can be resolved on a class-wide basis won't leave the class members with daunting individual issues to be resolved. Where the common issues don't predominate, there may be other ways to advance plaintiffs' legal cases without engaging in the cumbersome class proceedings regime. Test cases in joinder actions remain underutilized tools to resolve matters.

Some have commented that our proposed change to certification will shift the certification stage strongly in favour of defendants and move toward the approach to certification in the United States under rule 23 of the Federal Rules of Civil Procedure. We have also heard that these amendments will prohibit the most worthy of cases from being certified. There are a number of key reasons why I believe proposed changes will not have this chilling effect.

First, the Supreme Court of Canada has long recognized that the fundamental goal of class actions and class-action legislation in Canada is to promote access to justice, judicial economy and behaviour modification. The American class action regime arose in a different legal context. When the courts consider Ontario's proposed amendments to the preferable procedural analysis, they will continue to have these three paramount considerations in mind.

Second, the courts have held that the evidentiary standard in Ontario for the preferable procedure provision in certification is "some basis in fact." That's a very low evidentiary standard that is even lower than a balance of probabilities. The courts will continue to use the established evidentiary standards applicable to class proceedings for interpreting these proposed provisions. What we are seeking to achieve is a recalibration, or greater balance to the certification process.

Third, the court will have to determine what exactly "predominant" means. We envision this to be a qualitative and not a quantitative standard. The courts currently interpret the common issues component of the certification test to mean that proposed common issues must constitute a substantial ingredient of class members' claims. This is a proposed change in the degree of weight to be given to the common issues.

Fourth, Canadian jurisprudence also discourages the assessment of conflicts and evidence at the certification stage, which is a common feature in many American class actions. In that way, as well, the ability of a defendant to defeat certification on a predominance or superiority standard may be circumscribed as compared to the regimes south of the border. With the foregoing in mind, it is a false assumption that our proposed change will have a negative effect on class actions in Ontario.

Mr. Speaker, to put it plainly, the current system is outdated, slow and doesn't always put people at the centre of class actions in Ontario, and this needs to change. Our proposed changes to certification prioritize the interests of Ontarians by allowing meritorious claims to move forward more quickly and efficiently, and ensuring people receive faster, more transparent relief and more meaningful access to justice.

The final item I would like to speak to today is our proposed changes to Legal Aid Ontario legislation. It's one of significance to the justice system that can't be understated. I have had the pleasure of hearing directly from so many of our legal professionals who are working every day in our legal aid system, and from our community legal clinics who play such a vital role in providing these very important services. Nowhere is innovation and modernization more important than in our legal aid system.

#### 0930

Ontario's legal aid legislation has not been significantly updated since 1998, more than 20 years ago. Although a lot has changed since then, the Legal Aid Services Act has stayed mostly the same, and Legal Aid Ontario has been unable to adapt to the challenges of a rapidly changing demographic, economic and technological landscape. We have heard over and over again, from Legal Aid Ontario itself and other justice partners, that the current legislation is outdated and creates barriers to legal aid access for those who need it the most. Most agree that the legal aid system is difficult for clients to navigate. Clients encounter roadblocks based on the types of services they need, where they live, and service providers in the neighbourhood or region. We have a responsibility to provide the tools to legal aid to modernize and innovate the way it delivers services in today's modern world.

The proposed legislation would do just that, and allow Legal Aid Ontario to develop a model that provides seamless, sustainable and high-quality legal aid services to the clients who need them. Mr. Speaker, I am excited to propose changes that would put clients at the centre of the legal aid system by allowing legal aid services to be offered by a mix of service providers like private practice lawyers, as

they are now, law firms and community legal organizations, which include Ontario's vital legal clinics that currently provide and will continue to provide essential poverty law services.

Representatives of the Association of Community Legal Clinics of Ontario said that they were pleased that our government continues to "recognize the foundational role community legal clinics play in creating a strong Ontario justice system that protects vulnerable members of our communities and provides them with the legal services they need."

They went on to say, "This new legislation will improve the delivery of legal aid services in Ontario while ensuring that independent community legal clinics continue to work closely with the communities they serve in identifying their needs and in providing poverty law services to their clients."

These changes would allow legal aid clinics to access a greater range of services like legal information, summary advice, alternative dispute resolution services, unbundled legal services, and full representation. While the proposed legislation would give Legal Aid Ontario the responsibility for designing new rules around how it provides its services, our bill also has several checks and safeguards that will ensure Legal Aid Ontario carries out this role in a transparent, accountable way with a robust public consultation framework. Our proposal would give Legal Aid Ontario the flexibility and tools it needs to provide high-quality legal aid services to its clients, including eligible low-income Ontarians, while also recognizing the essential and foundational roles that key partners in the legal sector, including the private bar and community legal clinics, play in providing important legal services in areas such as criminal, family and poverty law. This bill would also ensure the continued role the Law Society of Ontario plays as an important partner with this government in the legal aid system.

Of course, developing new legislation, while an essential component to modernizing the legal aid system, is only one element in a broader plan. Legal Aid Ontario will continue to work closely with clinics, criminal and family law counsel, the law society and other legal aid service providers to ensure a smooth transition for legal aid clients and service providers. I look forward to the results of these discussions and the opportunities this new legislation will provide if the bill is passed.

Thank you, Mr. Speaker, for the opportunity to talk about this very important piece of legislation. All of the changes in our proposed reforms are meant to stand up for people, make sure crime doesn't pay, and fix outdated and overly complex court processes. We are modernizing processes to make life easier for Ontarians, such as online document verification and a simplified procedure for small estates. We're building safer communities and standing up for victims with our proposed changes to the civil forfeiture system. Our proposed changes will strengthen the integrity of Ontario's class action legislation to ensure fairness for consumers and businesses. After more than 20 years of neglect, we are proposing to update Ontario's legal aid legislation to better serve clients and strengthen justice across the province.

My colleagues, both this morning and later on in second reading, will have more to say about some of the other proposed changes in the Smarter and Stronger Justice Act. There are 20 changes, and this is far-reaching in protecting Ontarians and standing up for the things that we believe.

Now I would like to turn it over to my colleague the Minister of Government and Consumer Services.

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

**Hon. Lisa M. Thompson:** I'm very pleased today to rise in the House alongside my colleagues the Attorney General and PA Park to begin second reading of a very important debate on Bill 161, the Smarter and Stronger Justice Act. Additionally, the entire bill is being submitted as part of omnibus legislation called the justice bundle bill. Our government has a plan to build healthier and safer communities for the well-being of the people of Ontario.

One of the ways we are accomplishing this is by helping Ontarians in need. It facilitates death registration where a person disappeared in circumstances of peril, no remains have been found, and they are presumed dead.

Before I get too far into the debate though, I want to take a moment to thank my ministry officials, the Attorney General and his team, PA Park, as well as the MPP from Etobicoke Centre. We worked very, very hard to make sure that Ontario finally had legislation in place to consider this very unique circumstance.

The amendments to regulation 1094 that I'm speaking about today were in response to the murder of Laura Babcock. On behalf of our government, I would like to ask everyone to join me in extending our deepest sympathies to the Babcock family for the loss of Laura. Thank you, Speaker. I appreciate this opportunity to share our respects, in the sense that the Babcock family are absolute champions.

In July 2017, an Ontario jury heard sufficient evidence to find that Laura Babcock had been murdered even though her remains had not been found. Although a court convicted two individuals of Ms. Babcock's murder, her family faced many challenges registering her death because her body was not found.

In the vast majority of situations where a person has died as a result of a crime, the remains of the deceased person are found and examined by a coroner, who then completes a medical certificate of death. It's known as an MCOD. The Office of the Registrar General normally requires an MCOD to register a death; however, this process cannot be followed in rare cases where there are no remains to be examined.

In October 2019, Laura's death was registered using the delayed death registration provisions under the VSA and regulation 1094. The declaration of death was used as an alternative piece of evidence. Since the death had not been registered until October 2019, various federal and provincial authorities had not been notified of the death to prevent the issuance or mailing of notices or requests, such as a voter registration card from Elections Canada. It took the Babcock family nearly two years to obtain a declaration of death and to register her death. And that was only made possible because ministry officials were able to intervene

and assist with obtaining the declaration of death and death registration, through the efforts of my ministry and the Attorney General. Again, we very much appreciate all of the efforts by both of our teams.

As I'm sure you can imagine, Mr. Speaker, these circumstances were tremendously hard for the Babcocks to deal with, aside from handling all of the bureaucratic details. Laura's parents wrote to our government asking that something be done so that the process would not be so complex and difficult for other Ontario families who find themselves in the same situation.

We proposed and made changes that have made the death registration process much less of a burden and show compassion for families who experience this exceptional and unfortunate circumstance.

As I'm sure we can all agree in this House, the sensitive nature of this situation called for a delicate and thoughtful approach, and that is the type of approach that is set forward in the Smarter and Stronger Justice Act. Ontarians both expect and deserve to have their government take swift but sensitive action on policy-making that affects their lives in such a personal way, and that is exactly what we have done.

By making common-sense reforms, we can make life easier for Ontarians. We are listening. Our government is delivering on its promise to put people first by updating old laws and by simplifying complex processes so that justice works for Ontarians. Finding faster, easier and more affordable ways to resolve legal problems is a key priority for our government. We are proposing reforms to get seamless, sustainable and high-quality legal services to the people who need them most. We are working to simplify the justice system to make it easier, faster and more affordable for people in Ontario to resolve their legal issues as well. We want people to spend less time in the courtrooms and less money on lawyers while making sure people have access to the legal services and supports when and where they need them.

Modernizing Ontario's justice system will keep our streets safe, put victims and their families at the centre of the justice system, and hold criminals accountable for their actions.

As we're all aware, cutting red tape and reducing administrative burden to individuals, organizations and businesses is a key priority for our government.

**0940**

Another amendment that I'm here to discuss is that within the Smarter and Stronger Justice Act, we take a look at the Marriage Act, which may see people officiating at weddings throughout the province. After engaging with Indigenous communities specifically, as well as key stakeholders, we are seeking to modernize the act to address long-standing concerns and provide more choice to consumers about who can perform marriages. The Chiefs of Ontario passed a resolution in June 2018 requesting the authority that this change would provide.

We're working to simplify the justice system and, in addition to that, out-of-province judges have made occasional and ongoing requests to perform marriages in Ontario as they can in many other provinces. Ontario case

management masters, through the Ministry of the Attorney General, have requested the authority to perform civil marriages. This proposed amendment will update our Marriage Act to align with several other Canadian jurisdictions, including Alberta and Saskatchewan, that already allow similar, broader categories of marriage officiants. It would mean that Indigenous communities and organizations in Ontario would have the authority to designate individuals to be registered to perform marriages. It would also authorize out-of-province Canadian judges and Ontario case management masters to perform civil marriages.

What's more, these proposed changes are supported by the Ministry of Indigenous Affairs as well as the Ministry of the Attorney General. They are also expected to be well received by the Indigenous partners, the judiciary and the public.

I know all of the honourable members in this House will have input about this, and I want you to know that I will be listening with great interest. On behalf of my ministry, I'm grateful for this opportunity to update my cabinet colleagues on actions that we have taken and an important piece of legislation that will be changed with this bill.

Thank you, Speaker, and I look forward to debating this bill further. I will now share our time with PA Park.

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

**Ms. Lindsey Park:** It's a pleasure to rise in the House today for the second reading of the Smarter and Stronger Justice Act, 2020. It's a bill, Speaker, that's long overdue and represents an innovative step forward toward simplifying a complex and outdated justice system. If passed, Ontarians will be able to count on easier, faster and more affordable access to the justice system in their communities.

The Attorney General spoke about the conversations our government has had with front-line staff, Legal Aid Ontario, legal associations across the province—in fact, I think in the Speaker's riding we had some good discussions with representatives of the local legal association—the Law Society of Ontario and the legal community. So many of these stakeholders have been key partners in the development of these proposals, and their hard work and strong support for these changes reflects our government's commitment to building healthier and safer communities.

Our team at the Ministry of the Attorney General understands that communities can't grow to their full potential when people don't feel safe and when job creators can be tied up in outdated processes to resolve legal and business matters.

Like the Attorney General, I'm grateful for the ideas and feedback we've received. Here are some of the common complaints the Attorney General and I hear regularly about the legal system: Ontario's justice system is complex and outdated. It's time to bring innovation to the justice system. It should be easier, faster and more affordable to access justice.

I think most people in this chamber could agree that those are some common complaints, and progress needs to be made. It's long overdue, and I think we can all agree that this bill is timely.

People shouldn't be faced with the task of navigating a complicated and old-fashioned justice system, often during some of the most difficult times in their lives.

The Smarter and Stronger Justice Act proposes amendments to more than 20 acts that would make it easier, faster and more affordable to access justice in Ontario.

In his remarks, the Attorney General spoke about Ontario's property forfeiture system and how our government is proposing to improve that system. The proposed enhancements to the civil forfeiture system will streamline the process for seizing proceeds of crime, saving police time in doing their important work, and ensuring these funds support victims and law enforcement as they tackle heinous crimes like human trafficking.

I'd like to take a moment to talk about human trafficking in our province. This is a crisis that our government is urgently working with survivors and justice partners to resolve. Almost two thirds of police-reported human trafficking violations in Canada occur in Ontario, many in Durham region, the area I represent.

I actually encourage every member in this chamber to look up an article that the CBC put out yesterday that really highlighted the work our local human trafficking unit in Durham region is taking on. They have a really unique model in Durham region where the human trafficking unit—they have a dedicated unit to fight human trafficking—works closely with a survivor of human trafficking who is really able to interact with victims on the front lines as they're recovering immediately from being a victim of this heinous crime. As I said, I encourage every member of this chamber to look up the article. I think we're allowed to use devices in the chamber now, so you can even look it up as I'm giving this speech.

It's a crime that affects the most vulnerable members of our communities, our young people. This has cost the people of Ontario enormously. It's a crisis that threatens the safety of our communities.

Last year I had an opportunity to spend an afternoon with the men and women of that human trafficking unit in the Durham Regional Police Service to see the first-hand work they do day in and day out to fight this form of modern-day slavery taking place in our communities. I also heard about the dangers they face while trying to rescue and protect these vulnerable young women being sex trafficked. It was an eye-opening experience, and I do encourage all members of the Legislature, if you haven't already, to go and meet with your local police service to see and hear the work they do and the challenges they face in the name of community safety and security.

I want to thank the Ontario police services who are working on the front lines to keep our communities safe, protect victims of this crime and bring offenders to justice. Our government is determined to address this crisis, and we're doing all that we can to support police as they work to combat this crime.

When first announced, the proposed changes to the civil forfeiture system—I promise it ties back to the act—received broad support from key members of our law enforcement community. Chief Paul Pederson, president of

the Ontario Association of Chiefs of Police, said, "We support the proposed legislative changes to the Civil Remedies Act because it will simplify the processes around personal property forfeitures while also relieving the burdens on our police personnel and the court system."

Gillian Freeman, executive director of Victim Services of York Region, added her support as well: "By taking away proceeds of crime and redirecting these funds to essential programs that support survivors of human trafficking, the government is sending a much-needed message. This speaks volumes to their dedication to not only deter crime but to also support those impacted by it."

In my own community of Durham, we've seen first-hand how these proceeds of crime can be directed towards something good for the community. Last year, the Durham Regional Police Service was the recipient of a grant through this program. The \$99,261 they received was put to good use to help support Project Access. They were able to help fund new specialized investigative equipment, educational materials and subject-matter expert training to aid complex investigations involving individuals or organized criminal groups.

#### 0950

The changes proposed in this bill would help Ontario catch up with Canadian best practices by creating an administrative property forfeiture system for personal property that would more effectively take away proceeds of crime from criminals. We're talking about the cash, the guns, the vehicles and the other property that fuel future criminal enterprises. This property, when in the hands of organized crime, puts young and vulnerable people, including young women and girls, at tremendous risk.

Moving to a modern administrative forfeiture system would not only free up the courts to deal with other matters, but it would also allow police to spend less time in court and more time on the front lines maintaining community safety. A modern system would also help compensate victims sooner and strengthen the Civil Remedies Grant Program, which funds programs like Project Access, which I described in Durham region.

Our government stands with victims, and we're committed to bringing offenders to justice. That includes victims of online harassment. It should not be very difficult for people to understand that lives can be, and have been, destroyed by serious crimes like sharing intimate images without consent. I can only imagine how that happening to anyone in this chamber might affect the carrying out of their duties.

As the Smarter and Stronger Justice Act was in development, our government saw an opportunity to provide a way for victims to sue offenders convicted of distributing an intimate image of them without their consent. We looked at what we could do to help victims fight back, and we're taking action because it's the right thing to do. Regulation 456/96 under the Victims' Bill of Rights has been amended today to make it clear that a person convicted of the crime of non-consensual distribution of an intimate image is civilly liable for damages for emotional

distress and bodily harm resulting from the distress to the victim.

Cyberbullying is a matter that our government takes seriously. This is another area where human traffickers may engage in their harmful behaviours. As a result of the amendments to this regulation under the Victims' Bill of Rights, victims now have an opportunity to seek damages from those who have shared online intimate images of them without their consent. We know that victims of cyberbullying suffer unimaginable emotional, mental and physical pain, and often feel powerless. In this Legislature, it is always a good day when we can advance initiatives that support victims of crime.

Now let me speak to the professional misconduct proposals that are in this bill. When Ontarians need to hire a lawyer or a paralegal, they should be confident that they're hiring a legal professional who is held to the highest ethical standards. Proposed changes in the Smarter and Stronger Justice Act would provide the Law Society of Ontario—and for those who don't know, that's the regulator of legal professionals—with the tools it needs to continue to ensure that lawyers and paralegals meet a high standard of learning and competence. This includes a change that would increase the fine that lawyers or paralegals can be charged for professional misconduct from the current level of \$10,000 up to \$100,000.

When the Attorney General announced this bill in December, law society treasurer Malcolm Mercer said, "The amendments announced by the government today respond to an evolving legal landscape. The law society is specifically pleased with the amendments to the Law Society Act, all of which will help provide greater public protection. We thank the government for moving ahead on these changes, which assist in regulation of the legal profession in the public interest."

This is the right move and the type of practical action I know the Attorney General is determined to continue pursuing in collaboration with our justice partners.

Speaker, the Attorney General touched on some of the reforms we're proposing for notaries and commissioners in this province. We've all needed, last minute, something to be notarized and wonder where on short notice we can go to have that done. In particular, in this bill, there are provisions that provide for transformative change, paving the way for individuals to verify their documents online, which has received support from a broad range of stakeholders in the sector.

This is a great example of bringing innovation to the justice system. Yes, it's possible. I know it can feel outdated, but innovation in the justice system is possible. The Attorney General said it best when he noted that "banking transactions don't always require a trip to the bank, and every legal transaction shouldn't require a trip to a law office." Our government could not agree more and we've heard this change could position Ontario as a leader in harnessing technology to improve access to justice.

Lena Koke, the CEO of flat fee law firm Axxess Law, noted, "This bill is a breakthrough needed to modernize Ontario's legal system. Permitting online verification of

an individual's identity and legal documents will level the legal services playing field for all Ontarians. No matter where a person lives, when they work, or what mobility or ability challenges they may face, they will soon be able to access the same high-quality legal services that are easily accessible in urban centres across Ontario."

In addition to this transformative piece, we're also proposing changes that would allow paralegals to become appointed as notaries, just as lawyers can be. This is viewed by many as an essential component to making justice more accessible and affordable, including the Ontario Paralegal Association, whose president, George Brown, said the association "applauds the Ontario government for putting forward proposed changes to the Notaries Act and the Commissioners for Taking Affidavits Act that would make it easier for paralegals in their daily practice to fully serve their clients. These changes will make accessing notary services easier and improve access to justice for Ontarians."

If passed, this change would increase the number of notaries in the province, making it easier for people to find and access affordable notary services wherever they live. I think we can all relate to that.

The Attorney General also spoke to the important changes our government is proposing to modernize the legal aid system in the province. When we speak about the need to update the outdated justice system, legal aid in our province is probably the most concrete example of the urgency to act. As legislators, we have a responsibility to ensure legislation keeps up with the way the lives of Ontarians continue to evolve.

As the Attorney General said, Ontario's legal aid legislation has not been significantly updated since 1998, more than 20 years. To give some perspective on where we were at in 1998: It was the year that Google was incorporated, it was the year WiFi was first introduced, it was the year before the first BlackBerry hit the market and it was two years before Vince Carter would put the Toronto Raptors on the map with the greatest NBA slam dunk contest performance of all time. Although a lot has changed since 1998, the Legal Aid Services Act has stayed mostly the same and Legal Aid Ontario has faced challenges responding to demographic, economic and technological changes that have taken place. After extensive and broad consultations, what we've proposed to this Legislature are amendments that would provide Legal Aid Ontario with the tools it needs to help clients resolve their legal issues faster and with fewer roadblocks.

These proposed changes build on the strengths of community legal clinics, duty counsel and the use of private bar certificates to fix or replace outdated processes. If this bill is passed, Legal Aid Ontario would be able to move forward with confidence in its ability to seamlessly and sustainably provide high-quality services to clients where and when they need them. This is, of course, a complex system with many vital partners who work together each and every day to serve clients.

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David Field, CEO of Legal Aid Ontario, expressed support for this bill at the time it was introduced: "The new

Legal Aid Services Act is an important step towards improving access to justice in Ontario. It offers opportunities for innovation, and allows us to address gaps in the justice system. This legislation, if passed, would allow Legal Aid Ontario and its valued service providers—including staff, clinics and the private bar—to better serve clients.”

I would also like to echo his words on the important role our community legal clinics play in delivering legal services and supports to our citizens. I know we have a great clinic in Durham region.

Speaker, turning now to the proposed reforms concerning our judicial officials, whom Ontarians expect to be held to the highest level of standards but sometimes can come with an expense to taxpayers. Currently, taxpayer dollars can be used to cover legal fees for a judicial official who is defending a judicial misconduct claim. That surprises many people. In the Progressive Conservative caucus, we respect taxpayers. It’s one of the reasons we were elected. I’m very pleased to be able to say the Smarter and Stronger Justice Act would make changes so that judicial officials who are removed from office as a result of a complaint would have to pay their own legal fees out of pocket.

In addition to those changes, our government is also proposing changes to ensure Ontarians who participate in the jury selection process continue to have confidence in their privacy and security. The Smarter and Stronger Justice Act proposes a change that would remove the requirement to include juror addresses on the list of people who may be chosen to be a juror, unless a judge orders otherwise.

In addition, this bill proposes several housekeeping changes to remove irrelevant and outdated provisions in our existing legislation. This includes removing references to provisions that no longer exist, as well as fixing errors in French translation. These are small changes, but they are important. If passed, they would clarify the legislation so it works better for people.

Speaker, I am a big believer that it’s important we have not only strong legislation lawyers can read, but that we have legislation the public can read and understand, as we expect the whole province to comply with the laws. It’s important that it’s readable and that it’s understandable. I think some of these, while they may seem like small changes, are important to make sure that people can understand the legislation we have in effect in this province.

We’ve heard loud and clear that Ontario’s justice system is slow and outdated. The Smarter and Stronger Justice Act would remove unnecessary administrative burdens and make changes that would make it easier, faster and more affordable for Ontarians to access the justice system. I look forward to hearing the rest of the debate, and I thank you for listening, Speaker.

**The Deputy Speaker (Mr. Rick Nicholls):** Questions and responses? I refer to the member from Brampton East.

**Mr. Gurratan Singh:** My question is to the Attorney General. In your remarks today, you referenced the Law Commission of Ontario and their statements of recommendations with respect to Bill 161. Yet, I have here a letter dated to your office on January 22 from the Law Commission of Ontario which categorically rejects Bill 161. In

their letter, they state—I’m reading from the letter—that “the LCO is unable to support Bill 161 as it is currently drafted, because the effect of this bill will be to increase costs, lengthen delays and undermine the access to justice and judicial efficiency goals of the province of Ontario.”

My question is to the Attorney General. You are aware of this letter. You knew this letter was sent to you. Why did you choose to disregard it?

**Hon. Doug Downey:** Through a very, very wide consultation with several people in the industry, again I mention the round table with the Ontario Bar Association—we drew from the Law Commission of Ontario’s report, with about 40 recommendations. We adopted a large majority of them. There’s still a large debate—and in the report itself, the law commission says that there will be vigorous debate about the effects of some of the changes. They flagged it themselves.

So, Mr. Speaker, we took input. We took very wide input. I didn’t come into the process with a predetermined end point. We talked to all the stakeholders. We talked to consumer groups. We talked to a lot of the people that the law commission talked to and beyond.

I really appreciate the work of the law commission. They filed their report very recently and we moved very quickly on it, which is not always the case. It’s actually a real kudos to the great work of the law commission that they were able to put together such a deep paper. We drew from them both for this and for the small estates work, so they’re an important group.

I’m looking for all sorts of input from a wide variety—and we’re using our judgment for what we think will make the system fair and affordable for all Ontarians.

**The Deputy Speaker (Mr. Rick Nicholls):** Further questions? I return back to the member from Brampton East.

**Mr. Gurratan Singh:** My question is to the Attorney General. Does the Attorney General agree—

**The Deputy Speaker (Mr. Rick Nicholls):** Excuse me, pardon me—my mistake. It goes over to the government side. I recognize the member from Stormont–Dundas–South Glengarry.

**Mr. Jim McDonnell:** With great intent, I listened to this leadoff speech. I’m just wondering—some details on your consultation, what work was done and the changes that are being made, what groups were consulted and requested the information?

**Hon. Doug Downey:** Yes, thank you for the question. The consultations are a critical, critical piece of all of this bill, all 20 parts of it. We went out and we spoke to people who would have an interest, whether it be marriage solemnization, where we talked with Indigenous groups, or legal aid, where we talked with people who are actually delivering the service in the field. I’ve visited or spoken to close to half of the legal clinics that are out there to understand, and that drove some decisions that we made about the importance of local boards giving input to the local clinics to make sure that we are reflecting the needs of those areas. So those consultations were critical. We talked to law associations, a wide variety of law associations, depending on the topic area, whether it was the Fed-

eration of Ontario Law Associations, which spans the province, of course, the Ontario Bar Association, the law society. We spoke with consumer groups. We spoke with people that may not have intuitively been consulted before.

**The Deputy Speaker (Mr. Rick Nicholls):** Now I return to the member from Brampton East for questions.

**Mr. Gurratan Singh:** My question is to the Attorney General. Does the Attorney General agree that access to justice and creating support for low-income and disadvantaged Ontarians is paramount in his role as Attorney General?

**Hon. Doug Downey:** I've spoken about the importance of delivering poverty law through the legal clinics. I've spoken about making the system more accessible through everything from class actions to small estates and making sure that people who are needing services the most don't have to deal with unnecessary red tape and costs.

Online commissioning will serve people in rural areas who otherwise may not be able to afford or just cannot get the service that they need to do simple things, simple life things like transferring a vehicle from a parent to a child or dealing with a small estate, transferring fairly minor assets to those who should have them. There are all sorts of things that we've done to make sure that those people that need it have access to the justice system.

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

**Mr. Jeremy Roberts:** I listened to the Attorney General's and the parliamentary assistant's comments with interest. There was one particular part that I was very interested in. I had the chance recently to visit the Youth Ottawa Youth Action Showcase, which brought together young people from across Ottawa who were interested in tackling some of the big issues facing them today. One of the big issues that was brought up at that showcase was cyberbullying. I'm wondering if the Attorney General might be able to shed a bit more light on some of the measures in the Smarter and Stronger Justice Act that are going to help strengthen our efforts to combat cyberbullying to make sure that our schools are the safe place that we want for our kids.

**Hon. Doug Downey:** This is an important piece. It's very important in the bill. MPP Rasheed has raised the issue before. It's something that we talk a lot about: protecting those who are most vulnerable. In this bill, it deals with the distribution without consent of personal images. We don't want somebody to be victimized by having their very personal images distributed without consent, of course.

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Mr. Speaker, what it does is that it allows the process to be simpler, faster and stronger for those who are victims of this kind of activity. It is something that affects young people in particular, but it's also something that affects people who are going through nasty divorces and that sort of thing.

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

**Mr. Gurratan Singh:** Earlier, the Attorney General agreed that access to justice and supporting low-income and disadvantaged Ontarians is paramount to his role, yet the Attorney General, in Bill 161, has removed these terms

from the purpose clause of the Legal Aid Services Act, weakening access to justice in Ontario. How can the Attorney General on one side say he is committed to access to justice while weakening it on the other side in Bill 161?

**Hon. Doug Downey:** I appreciate the question. You know, the thing about our government is, it's more about actions than words, Mr. Speaker. It's our commitment to those that are vulnerable, those who need the services the most. We work with the community clinics. We've worked with the association. We've worked with all sorts of stakeholders to make sure that we are putting the effort forward to protect people and give them the tools they need without creating bureaucracy, without creating disincentives to reaching for help, to reaching into the justice system.

We want to make sure that we're putting the resources where they need to be and that we're helping those who are most vulnerable. It's an important part of our government. This is why we need to do things like pay down the debt so we have the resources to be able to further invest in these areas of law, Mr. Speaker.

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

**Mr. Billy Pang:** I know our government is cleaning up the mess of 15 years of neglect in our justice system by the previous Liberal government. Can the Attorney General speak to how these important changes to legal aid are needed now?

**Hon. Doug Downey:** Thank you for the question from the member from Markham–Unionville. Parliamentary assistant Park and I have spent so much time wondering what exactly the Liberals did for 15 years. I still can't reconcile whether it was intentional or whether it was just not paying attention, because the system that we inherited is so neglected. Things like legal aid were just left to blow in the wind.

The act had not been touched for 20 years. The class actions legislation had not been touched in any significant way for 25 years, Mr. Speaker. There are so many opportunities for improvement. I'm so proud to put them forward in this bill so that we can improve access to justice and the justice system and create fair and balanced results for those who need it the most, when they need it. It's a phenomenal opportunity for people in Ontario to be able to access a system that they need to rely on, maintain confidence, do it in an affordable—

**The Deputy Speaker (Mr. Rick Nicholls):** Thank you. Unfortunately, we don't have any additional time for questions and responses.

*Second reading debate deemed adjourned.*

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**The Deputy Speaker (Mr. Rick Nicholls):** I do beg to inform the House that pursuant to standing order 101(c), a change has been made to the order of precedence on the ballot list for private members' public business such that on the ballot list draw of November 4, 2019, Ms. Armstrong assumes ballot item number 31 and Mr. Vanthof assumes ballot item number 39.

## WEARING OF JERSEY

**Mr. Dave Smith:** Point of order?

**The Deputy Speaker (Mr. Rick Nicholls):** I recognize the member on a point of order.

**Mr. Dave Smith:** I seek unanimous consent for myself and the member for Nepean to wear the Challenger Baseball jerseys in respect of the team that is here today in the gallery.

**The Deputy Speaker (Mr. Rick Nicholls):** The member is asking for unanimous consent to wear the baseball jerseys. Agreed?

**Mr. Gilles Bisson:** Just for the morning?

**Mr. Dave Smith:** And for question period.

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

## MEMBERS' STATEMENTS

## CHILDREN'S MENTAL HEALTH SERVICES

**Ms. Sara Singh:** Good morning, Speaker. It's great to be back in the Legislature and to rise on behalf of the good people of Brampton Centre.

Over the winter break, I met with many organizations: Peel Regional Police, educators, youth and parents—all shared many concerns about the lack of health care services in our city and impacts to youth who are experiencing mental health.

The health care emergency in Brampton is not just about building a new hospital. We need our fair share of all health care services to ensure that Peel and Brampton can thrive.

Years of neglect under the Liberal government coupled with Conservative cuts to mental health funding have left children in Brampton waiting longer than ever for critical mental health supports.

Young people are waiting in crisis, Speaker. In Peel and Brampton, on average, some are waiting 737 days for mental health supports. Can you imagine being a young child in a state of emergency and being told that you need to wait in a hallway for hours and hours on end in order to get the help you need?

Imagine being a parent grieving the loss of your child because the systems that were supposed to be there to protect your child failed to protect them every step of the way.

Speaker, every single day, I hear these stories. These are young people who come up to me at events. They are parents, my cousins, my brother's best friend. These are not numbers on a wait-list; these are real families. These are students, some of them as young as nine years old, desperately seeking supports. They deserve better. Ontario's children cannot wait any longer.

## ONTARIO BUDGET

**Mr. Jim McDonell:** As the government works to re-establish Ontario as the economic engine of Canada, we

are mindful that positive change is best achieved with the help of our dedicated and informed residents. They bring a wealth of experience and knowledge in their fields and communities that they love and represent.

At the ROMA conference in mid-January, I met with about 25 delegations from across the province, including five representing my riding of Stormont–Dundas–South Glengarry. On February 3, in Bonville, the Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs, was on hand to discuss Bill 156, the Security from Trespass and Protecting Food Safety Act, with close to 30 farmers, transportation owners and operators, and concerned citizens. On February 5, we held two separate round table sessions in Cornwall with municipal government representatives and members of the public. Finally, I welcomed MPP Randy Pettapiece, the parliamentary assistant to Minister Hardeman, to discuss ways the government can improve rural economic development.

Speaker, we heard a common message from this group of concerned Ontarians: While residents are very happy with the progress made over the last two years, it was clear that much is left to be done.

In closing, I would like to thank everyone for their participation and have forwarded their important feedback to the 2020 budget team.

## AFFORDABLE HOUSING

**Mrs. Jennifer (Jennie) Stevens:** Housing and affordable living are major issues of concern in St. Catharines. Each community across Ontario celebrates when we get 20 to 40 units of affordable housing. And we should; it's important work. Yet in St. Catharines, we are in the midst of a rental crisis that undoes all the work on affordable housing.

I am hearing about this more and more since this government removed protections for rent controls over a year ago. In fact, in St. Catharines, it is not uncommon to hear about entire buildings of 100 or more units having an entirely new set of renters over a few years. I consider it like whole buildings of affordable housing being wiped out silently and quickly.

The victims are real people, like my constituent Rose Baker. Rose is a 95-year-old who has lived in the same apartment for over 40 years. However, residents like Rose are particularly vulnerable to eviction and harassment. If she were to vacate her apartment, the rent for her unit would nearly double. This government has incentivized landlords to aggressively find ways to evict or renovict tenants as a result of eliminating rent control. So what can Rose do? She can either become educated on her rights, or she can be chased out of her own home. This is not right.

I am helping educate members in my community. The Niagara legal clinic is helping defend their rights. Now we need this government to move on rent control to protect people like Rose. Until that point, this government can never—

**The Speaker (Hon. Ted Arnott):** Thank you very much. Members' statements?



1020

## LONG-TERM CARE

**Mr. Rudy Cuzzetto:** Last fall, the Financial Accountability Officer reported wait-lists for long-term-care beds will peak this year. More than 4,500 people are on a wait-list in Mississauga. We have 20% fewer long-term-care beds per capita than the provincial average. Yet, between 2011 and 2018, as the numbers of Ontarians over 75 grew by 75%, the number of long-term-care beds grew by less than 1%. That's why our government is creating 15,000 long-term-care beds over five years.

Recently, I joined the Minister of Long-Term Care; the president of Trillium Health Partners, Michelle DiEmanuele; and the chair of Heart House Hospice, Karen Priest, at the groundbreaking for a brand new health care centre in the Sheridan Park Corporate Centre in Mississauga-Lakeshore. This new centre will include 220 long-term-care beds and a 10-bed residential hospice, the first of its kind in Mississauga. This shows the direction we're moving in, towards a truly modern, connected health care system that nurtures the close partnerships between the hospitals and home, community and palliative care providers, and ensures that all patients receive the high-quality care they deserve.

## TENANT PROTECTION

**Ms. Marit Stiles:** Good morning. During the winter constituency break, I hosted two separate community forums on housing and tenant issues in my riding. To say that this is an important issue for the residents of Davenport would really be an understatement. It is "condition critical." At our meetings, we heard more stories of evictions. Tenant associations are seeing a significant uptick in the phenomenon of renovictions, and when they are not being forced out by questionable eviction tactics, those tenants are being squeezed out by multiple, repeated, above-guideline increases year after year—5% one year, 3% the next, 4% the next; seniors seeing their rent increasing by 15% over just a few years. Tenants are dealing with long overdue maintenance to their units because they're too afraid their request for help will result in more rent increases, or worse.

The simple truth, Mr. Speaker, is that lax tenant protections create an opportunity for unscrupulous landlords and profit-driven rental companies to take advantage of people, and thanks to this government, they have fewer tools to be able to defend themselves.

The good news is that residents in our community forums were ready to act. They're forming new tenant groups, they're sharing resources. Now it's time for the government to back them up with effective and predictable protections today, protections like real rent control and a rent registry so that tenants know how much their homes were priced at in the past. These are young working families, these are seniors, these are moms and dads and kids and grandparents. We can't allow our cities to become places that are simply an enclave for the very wealthy. We must work to continue to create opportunities for people to live and grow—

**The Speaker (Hon. Ted Arnott):** Thank you. Members' statements?

## KINDNESS WEEK

**Mr. John Fraser:** You might not know it, but it's Kindness Week in Ontario, folks.

Kindness Week—and the Solicitor General would be aware of this as would the member from Nickel Belt—is an initiative that was started by my colleague Yasir Naqvi, and it was a motion passed here in the Legislature with the support of all parties. It's a great initiative. It was started by Kind Ottawa. Rabbi Bulka had spoken to Yasir, and now it has blossomed into something much bigger.

Last Friday, I was fortunate to go to the launch event in Accora Village for Kindness Week in Ottawa. Kind Ottawa is a movement with the goal of encouraging others to choose to be kind. This year's theme is "United for All." It's a wonderful initiative that helps shape more compassionate and inclusive communities.

Speaker, I was a volunteer in palliative care. I got way more out of it than I ever put into it, and I learned one thing: that the things that are most important at the end of life are generally very small. And the things that are important at the end of life are really actually things that are important right now. Simple things like a smile, acknowledging that another person is there, listening, being present—they are all acts of kindness. So, Speaker, I encourage everybody to remember this—I know they will remember it for question period—because it makes a big difference.

I want to thank everyone at the Caring and Sharing Exchange in Ottawa for leading this initiative, and the Kindness Week—

**The Speaker (Hon. Ted Arnott):** Thank you very much. Members' statements?

## HEALTH CARE

**Mr. Lorne Coe:** When elected, the government inherited a precarious economic situation. People in the province were working harder for less, while the province itself faced a \$15-billion deficit, and the vital services Ontarians deserved were letting them down, particularly health care. The health care system was broken. Hospitals were overcrowded and reaching a breaking point. But the government's fall economic statement demonstrated that it could be fiscally responsible while still making life-altering investments in priority programs.

Recently, I hosted Minister Fullerton, the Minister of Long-Term Care, as she announced that Whitby's Fairview Lodge would be receiving funding for a new 26-bed unit, providing support for patients with behavioural challenges. Helping patients access care faster is one way to relieve hospital capacity pressures.

## PUBLIC TRANSIT

**Mr. Peter Tabuns:** Everyone in this chamber knows that we need transit in this city, and we need it now.

Everybody knows that. We need transit we can afford and we need transit that works in our communities. People in my riding—in the north of that riding in East York, down in the south: Riverside, Leslieville, South Riverdale—are facing disruption and long-term pain from the bad design of transit.

Yesterday, the Minister of Transportation brought forward some big changes to the acts that will affect transit planning. She turned upside down the carpenter saying. Carpenters say, “Measure twice, cut once.” No, no. “We’re going to start cutting and digging, and then we’re going to assess what the environmental impact is.” That is a recipe for cost overruns, schedule delays and disruption of the communities that are not necessary.

There are also changes to the expropriation—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Stop the clock. I apologize to the member of Toronto–Danforth. The House will come to order and allow the member to present his statement.

Again, I recognize the member for Toronto–Danforth to conclude his statement. Start the clock.

**Mr. Peter Tabuns:** Thank you, Speaker. I also want to say that the changes with regard to expropriation are hugely problematic. Governments, corporations—all kinds of human-led organizations make mistakes, and the ability of people to have a public hearing to point out those mistakes is being eliminated. This is wrong.

#### CHALLENGER BASEBALL

**Mr. Dave Smith:** It gives me a great deal of pleasure today to rise in the House to talk about Challenger Baseball. For those of you who have never heard of it, Challenger Baseball provides an opportunity for children, teens and adults with cognitive and developmental life challenges to take part in one of Canada’s most popular summer games: baseball.

The Peterborough chapter of Challenger Baseball began in April 2016 through the hard work of a gentleman named Bernie Daynes. That first summer saw 14 players of different abilities take part in their own league at Turner Park in Peterborough. In just four seasons, Challenger Baseball in Peterborough has grown by an astonishing 500%, and we’re looking forward to another great year this year.

With pitchers and catchers now reporting for spring training, this is the perfect time to talk about the boys and girls of summer, as baseball has been referred to. The start of spring training is the inspiration that good weather is on its way. The players from Challenger Baseball provide a different and greater inspiration for all of us.

Today, I have the honour of hosting the very first Challenger Baseball team to represent Canada at the Little League World Series. These exceptional athletes from Peterborough travelled to Williamsport, Pennsylvania, last summer to represent Canada on the world stage. It’s my absolute honour to welcome them here to Queen’s Park today.

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

#### SKILLED TRADES

**Mr. Mike Harris:** It’s a pleasure to rise today and share with the Legislature an investment our government is making in my community to address the looming skilled trades shortage.

**1030**

Recently, my colleagues from Kitchener South–Hespeler and Cambridge joined me and the Minister of Labour, Training and Skills Development, the honourable member from Lambton–Kent–Middlesex, at Conestoga College. Together we announced—Mr. Speaker, are you ready?—\$9.2 million in funding that will help create over 6,000 apprenticeship spaces in Conestoga College.

Every day, in our region alone, there are over 18,000 vacant jobs ready to be filled by workers that are simply just not there. That’s why the investment is so important. This funding will introduce more people to the skilled trades and help them bridge a gap between the skills they have and the skills employers need. This is an excellent opportunity for employers to find the talent they’re looking for.

Mr. Speaker, careers in the skilled trades are exciting and lucrative, and we need more people to understand that the opportunities are out there. I know that we will all be better off when labour, business and government work together to address this looming crisis.

#### PRIVATE MEMBERS’ PUBLIC BUSINESS

**The Speaker (Hon. Ted Arnott):** I beg to inform the House that, pursuant to standing order 101(c), a change has been made to the order of precedence on the ballot list for private members’ public business such that on the ballot list draw of November 4, 2019, Ms. Singh, Brampton Centre, assumes ballot item number 8 and Ms. Lindo assumes ballot item number 35.

#### LEGISLATIVE PAGES

**The Speaker (Hon. Ted Arnott):** It’s now my pleasure to ask our legislative pages to assemble for their introductions.

It is now my honour to introduce this group of legislative pages serving in the first session of the 42nd Parliament:

From the riding of Scarborough Centre, Jessica Athanasyar; from the riding of Niagara Centre, Catharine Boitor; from Barrie–Springwater–Oro-Medonte, Nathan Crank; from Glengarry–Prescott–Russell, Finnegan Follis; from Waterloo, Jaxon Harris; from Spadina–Fort York, Owen Hodnett; from Brampton West, Aditri Janapatla; from Aurora–Oak Ridges–Richmond Hill, Rachel John; from Toronto–Danforth, Juliana Joly; from Parkdale–High Park, Paige Malcolm; from York South–Weston, Irma Giselle Mendoza Saldana; from Dufferin–Caledon, Daniel Milone; from Mississauga–Streetsville, Hannah Moodey; from Don Valley East, Connie Qin; from Mississauga Centre, Nyle Rafiq; from Etobicoke North, Rudra Rami; from Huron–Bruce, Abbey Ramsay-Brown; from Sarnia–

Lambton, Michael Ray; from Milton, Hamza Sheikh; from Markham–Unionville, Daniel Wang.

Please join me in welcoming this first group of legislative pages in this sitting of the first session of the 42nd Parliament.

*Applause.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Ted Arnott):** Before I invite the members to introduce their guests, once again I'll repeat the new standing order, standing order 34: "Up to five minutes shall be allotted during both the morning and afternoon routine for members to recognize guests. Members may introduce visitors by stating only their name, title, organization and/or riding."

We will be enforcing this standing order this morning.

**M<sup>me</sup> France Gélinas:** It is my pleasure to introduce Julia Ritchie-Staddon and her husband, Sean Staddon, who are members of the Northern Ontario Autism Alliance. Welcome to Queen's Park.

**Hon. Bill Walker:** I'm pleased to welcome Edgar Martin, Paul Brubacher and Allan Martin from the beautiful riding of Bruce–Grey–Owen Sound. Welcome to Queen's Park.

**Mr. Gilles Bisson:** All the way from Timmins, two moms who have children with autism: Dawna Chorney and Lisa Jamieson.

**Mr. Mike Schreiner:** It's my pleasure to welcome two of my constituents, Jan and Michelle Craig, from Guelph, to Queen's Park today.

**Mr. Rick Nicholls:** I'm very pleased to announce this morning and welcome Harold Gillies from Chatham, Scott Gillies, student Emily Konstantas, Tom Konstantas and Jim Longfield, and also, from the University of Windsor Campus Conservatives, Devon Clark, Ian McHaffie and Brandon Meloche. Welcome to Queen's Park.

**Ms. Jennifer K. French:** I'd like to welcome the folks from Architectural Conservancy Ontario, Shannon Kyles and Catherine Nasmith, as well as representatives from 4 My Canada: Garifalia Milousis, Pam Ross, Wesley Wilcox and Emma Vandermeer. Welcome to Queen's Park.

**Mr. Randy Pettapiece:** It's my pleasure to introduce Dr. Murray Townsend from my riding. He's here with the Ontario Chiropractic Association.

**Ms. Bhutla Karpoche:** I'd like to welcome to the Legislature today members of the New Mentality, Children's Mental Health Ontario. We have Fizza Abbas, Vic Corbett and Mary-Anne Leahy. Welcome.

**Mr. Mike Harris:** I would just like to acknowledge one of our page captains today, Jaxon Harris.

**Ms. Teresa J. Armstrong:** I would like to welcome Braman Thillainathan. He's from Western and he's here visiting the Legislature. Welcome to the House.

**Mrs. Amy Fee:** I'd like to welcome to the Legislature today one of my closest friends, Graham Elliott, and his son Ethan, and also Jody Middleton, Megan Chatterton and Brianna Middleton. Welcome to the Legislature.

**Mr. Jamie West:** I'd like to welcome Sean Staddon, from the Steelworkers Local 6500, and his amazing wife, Julia Ritchie-Staddon.

**Mrs. Robin Martin:** I'd like to introduce, from the Ontario Chiropractic Association, Caroline Brereton, Dr. Ken Brough, Dr. Brian Gleberzon, Dr. Murray Townsend, Dr. Jennifer Nash, Terah Wong and Nancy Gale.

**Ms. Laura Mae Lindo:** I am excited to welcome the Toronto Youth Cabinet and Ontario Student Trustees' Association. We have Stephen Mensah, Sally Meseret, Vanessa Erhirhie, Faiza Chowdhury, Monique Kasonga, Aliyaan Amlani-Kurji, Ella Laforme, Anika Carino, Gayathri Seema Baiju, Esha Sarfraz and Ibnat Islam. Welcome to Queen's Park.

**Mr. Dave Smith:** I'd like to welcome all 57 members of Challenger Baseball, but I won't name them all out of respect for everyone else, and my daughter Lindsay, who's here from the University of Guelph

**Mr. Terence Kernaghan:** It gives me great pleasure to welcome members of Architectural Conservancy Ontario. I very much look forward to meeting with Alysson Storey, Doug Evans and Kelley McKeating, who is from the beautiful riding of London North Centre. Welcome to Queen's Park.

**Miss Monique Taylor:** I would like to welcome some folks from the Ontario Autism Coalition. We have Scott Corbett and Michau van Speyk. Welcome to Queen's Park.

**Mr. Chris Glover:** I'd like to welcome Tony Lee. He's a political science student at Ryerson University.

**The Speaker (Hon. Ted Arnott):** Any further introductions? I too would like to welcome everyone who's joined us today.

## QUESTION PERIOD

### ANTI-RACISM ACTIVITIES

**Ms. Laura Mae Lindo:** My question is to the Minister of Education—

*Interjection.*

**The Speaker (Hon. Ted Arnott):** If you're seeking unanimous consent of the House, you have to tell us.

**Mr. Gilles Bisson:** Mr. Speaker, we had already worked it out ahead of time, but I seek unanimous consent to stand down the two leads.

**The Speaker (Hon. Ted Arnott):** Is there consent to stand down the two leader's questions from the official opposition? Agreed? Agreed.

I'll now recognize the member for Kitchener Centre.

1040

**Ms. Laura Mae Lindo:** My question is to the Minister of Education. Today, we are joined by students from the Toronto Youth Cabinet and the Ontario Student Trustees' Association. They're here to highlight the failure of this government, and the previous Liberal government before them, to meaningfully address anti-Black racism and racial equity in our schools. This government's piecemeal approach

to reviewing one school board only when it makes the news just won't work. It's time to stop with the band-aid solutions and take coordinated action to address racism in our schools with a real province-wide strategy.

Will the Minister of Education commit today to establishing, in consultation with members of the community, a provincial strategy to address racial inequities in our schools?

**Hon. Stephen Lecce:** I want to thank the member for the question. I think all members of this Legislature are resolved to combat all forms of racism, discrimination and xenophobia that exist within our schools, in our communities and within this country.

I appreciate that the youth leaders of this province, including the Toronto Youth Cabinet and the student trustees, have raised this issue. It is not a challenge that manifests in one jurisdiction. It is a provincial and perhaps national and global challenge we must combat.

To answer the question: I am very much committed to working with the member opposite and every legislator to combat it province-wide, to take steps to ensure the resources and de-escalation training are in place so that we can root out the scourge of racism that exists in every school in this province.

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

**Ms. Marit Stiles:** With all due respect, the Toronto Youth Cabinet and student trustees of this province don't need a lecture from this Minister of Education about the extent to which racialization of students and inequity is a province-wide issue.

We have heard from parents, students and teachers in Toronto and across the province about the urgent need to address systemic racism in the education system. You cannot do that by cutting programs meant to support racialized students, by removing teaching and support staff from classrooms or by ignoring these student voices.

Will the minister listen to those voices, commit today to reverse his cuts to education and invest in a province-wide strategy to address racial equity and anti-Black racism in our schools?

**Hon. Stephen Lecce:** There is a real challenge of anti-Black racism taking place within our schools. I've heard this from principals, from teachers, from support staff and, of course, from parents and students themselves. I've consulted in Peel and other regions of this province, and the overwhelming consensus is that there must be action. The government is resolved to combat it, to work with the members opposite.

However, the question from the member from Davenport mentions the importance of having educators onsite. We believe diversity of candidates must be part of the ability of principals to select. If I could quote Nancy Brady, president of the Ontario Principals' Council, this regulation 274 leaves "no ability to hire teachers who reflect the equity and diversity of the student population."

The question for the member opposite is: Will you work with the government to ensure that we can help improve

that regulation by giving more authority to principals to hire merit-based candidates of diversity in this province?

## COMMUNITY SAFETY

**Ms. Lindsey Park:** My question is for the Solicitor General. It's so great to be back in the Legislature, but I must say, I really enjoyed my time back in the Durham community, meeting individually with constituents and also working together with my fellow Durham region colleagues—the member from Whitby, the President of the Treasury Board and the Minister of Finance—to really try to tackle region-wide issues. One of the things we are pleased to announce as a group is new funding for the Durham Regional Police Service, a \$9.5-million grant that's really focused on combatting gun-and-gang violence, supporting community safety and assisting community members in crisis.

Can the Solicitor General please share how this funding is not only supporting Durham region but the whole province?

**Hon. Sylvia Jones:** What is most exciting for these particular grants is that they are community-driven community initiatives. So the police and the police services and the communities work together on what their priorities are. Whether that is community safety, guns and gangs or human trafficking, they apply and those applications are then balanced. That's why it is so positive to see regions and municipal forces proactively working with their communities and focusing on what is most needed within those communities.

Durham is, of course, just one example where we have invested across Ontario, from Durham to Dryden, and it's a pleasure to be part of those investments as an Ontario government.

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

**Ms. Lindsey Park:** I want to thank the Solicitor General for highlighting the important work she's doing to keep our communities safe.

We all know that there are some types of crimes that really span the province between many communities and municipalities, impacting law-abiding Ontarians across the province. We know that criminals often do not respect geographic or municipal boundaries. That's why it's important that there is a coordinated response across the province, and it really sometimes requires provincial leadership to ensure that communities across the province have those resources to better coordinate.

Can the Solicitor General please share how Ontario's new Community Safety and Policing Grant program provides police services like the Durham Regional Police Service with tools and resources to tackle larger, complex and province-wide issues?

**Hon. Sylvia Jones:** As I said, the Community Safety and Policing Grant program allows communities to focus in on what is most critically needed at that time, and that's what Durham region has done. But as the member rightly highlighted, the ability and need for police services to work collaboratively on investigations is something that

I'm very excited to see, and frankly, we have already seen some very positive outcomes of those joint investigations that have led to a lot of very positive outcomes where we were able to actually track down criminals who do not respect municipal boundaries. When we start to see those joint investigations actually laying charges and getting people off the streets, it ultimately makes our communities safer, and it's why this joint operation and this working-together, whether it is the OPP or neighbouring municipal forces working together, is so critically important—

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

#### INDIGENOUS AFFAIRS

**Mr. Sol Mamakwa:** My question is to the Premier. Last week, I dropped by Tyendinaga Mohawk Territory to visit the land defenders who were standing in solidarity with the Wet'suwet'en Nation. But also they're bringing attention to the unacceptable conditions that Indigenous people are living in: no access to clean drinking water, no proper access to health or dental care, no meaningful access to the job market, and 150 years of disrespect for treaty rights.

Mr. Speaker, actions like this happen because the government has no real commitment to reconciliation. What actions is this government taking with Indigenous people to truly achieve reconciliation?

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

**Hon. Greg Rickford:** With respect to the Tyendinaga blockade, we moved quickly to leverage support and facilitate Indigenous leadership to bring a resolution to that blockade, given the uncertainty of the federal government's presence and commitment to that particular blockade.

Subsequently, I have had an opportunity to speak with the federal minister and urged him to address, with the Prime Minister, serious and profound national questions on the scope and power of hereditary chiefs, the application of Indigenous law in general and the resource projects that were underpinning this blockade and inspiring other, more dangerous, blockades we had seen arise across this province and across the country.

Mr. Speaker, I can report that as recently as Sunday evening, the Premier and I spoke to the Prime Minister and urged him to take a coordinated leadership role so we could bring these blockades to an end.

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

**Mr. Sol Mamakwa:** Back to the Premier: I hear you, but Ontario's actions do not mean a lot to people with no clean drinking water, to youth with suicidal thoughts, to those who don't have the mental health supports they need in their communities, or to the youth who have already died by suicide. The natural resources that live in our treaty territories will not be developed until these issues are reconciled.

Reconciliation with Indigenous people and this government isn't working. Reconciliation in Ontario and Canada is dead.

**1050**

I ask again, yes or no, is Ontario ready for real reconciliation by sharing the lands, the resources and the power with Indigenous peoples?

**Hon. Greg Rickford:** The answer to that question is yes, and it's on full display. I would urge the member to reach out and talk to a number of groups, including Supercom, an organization in northwestern Ontario who will be employing a couple of hundred of people to work on the east-west tie. I would encourage the member to speak to a couple of communities in his own riding who are on the precipice of moving forward with significant developments in the Ring of Fire.

I would encourage the member opposite to ensure that he is listening to his constituents who are asking for full participation—and getting it from every ministry in this government, including the Ministry of Natural Resources that's working with the leadership of Nishnawbe Aski Nation to ensure that, moving forward, the Far North Act is not going to be a piece of legislation that was previously shoved down the throats of those isolated and remote communities, but will reflect the best intentions of this government in those communities to ensure that development in the north is guided by and part of the decision coming from Indigenous communities in the Far North. Imagine that, Mr. Speaker.

#### EMPLOYMENT STANDARDS

**Mr. Mike Schreiner:** I'd like to welcome everyone back.

My question is for the Deputy Premier. Public health experts tell us that onerous sick-leave policies increase the risk of spreading illness. The province's own public health web page about the flu explicitly tells people to stay home if they feel ill, and yet the government completely ignored best practices when it cancelled paid sick-leave days and gave employers the power to make sick notes mandatory.

The rollback of basic workplace protections increases the risk of spreading illnesses to others at a time when we are experiencing a hallway medicine crisis and overcrowding in our hospitals. I ask the Deputy Premier: Why did the government go against the advice of public health experts by repealing workplace protections that prevent the spread of illness?

**Hon. Christine Elliott:** I thank the member very much for the question. Of course, in every situation where people are feeling unwell, they should be staying home, especially at a time where we have increased concerns and fears with respect to the coronavirus. We want people to make sure that they self-isolate if they're not feeling well. That is really important. Thus far, we have been seeing that happening in the province of Ontario. People are being responsible. They are taking the necessary measures that they need in order to get well themselves, but also to prevent the spread and transmission of whatever illness it is that they have.

With respect to the sick-leave note issue, that is something that is not mandatory. That is something that employers can choose to bring forward. Many are not doing

that, so we anticipate that any issues with respect to that will be mitigated, particularly under the circumstances that we're dealing with, with the coronavirus, by the employers of Ontario.

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

**Mr. Mike Schreiner:** Speaker, I ask the Deputy Premier whether she is listening to health care workers. A hundred and seventy-five health care workers recently signed an open letter to the Premier in which they stated, "In the context of recent concerns with the novel coronavirus in Ontario, we consider the current provincial labour laws to be a serious threat to the health and safety of Ontarians."

Evidence backs this up. A poll conducted by Ipsos for the Canadian Medical Association found that eight in 10 Ontarians said they would likely come in to work when ill if their employer required a sick note.

The medical professionals are clear. People should stay home when they are sick. I ask the Deputy Premier: Will you listen to health care experts and bring back paid sick-leave days and put an end to sick notes from employers?

**Hon. Christine Elliott:** First I would reiterate the fact that the sick notes are not mandatory. That is something that can be brought forward by employers. Employers are showing great co-operation and collaboration as we're dealing with the novel coronavirus. We don't want it to spread any more. We have been very fortunate so far that we have had only three confirmed cases in Ontario. We hope that continues, but that's difficult to say.

What I can tell you is, the system is working. We are taking the necessary precautions. We are listening to people on the front lines and we are listening to our public health units. Do we agree with all of the comments that were made in that letter? Some of which we do agree with, some of which we don't agree with because we know that we are taking the necessary precautions both for the safety of the people who may be affected by the coronavirus, but also for our front-line health care workers. We want them to be safe and able to do their jobs. That is what we're focusing on and we will continue to focus on that as we deal with this situation.

#### INFRASTRUCTURE FUNDING

**Mr. Sam Oosterhoff:** My question is to the Minister of Infrastructure. I know that our government understands the importance of investing in community infrastructure to help rural communities such as Niagara West get ahead. It's one of the best ways that we can drive rural economic development. With more than 420 small, rural and northern communities across Ontario facing unique challenges in their local infrastructure systems, I want to hear more about what the minister has been doing to invest across Ontario.

Ontario's economy is thriving. We've created more than 300,000 new jobs in the province, and with this new era of economic prosperity, we must ensure that every person in every region across the province shares in the opportunity.

Could the minister tell the House a little bit more about how our government is supporting small, rural and north-

ern communities through investments—significant investments, I might add—to build, maintain and repair local roads, bridges, water and waste water systems?

**Hon. Laurie Scott:** I'd like to thank the member from Niagara West for his question. As Minister of Infrastructure, I've heard from many municipalities that they need sustainable funding to support the building of roads and bridges in their communities. That is why, last fall, our government confirmed about \$200 million in total formula-based funding for 2020 through the Ontario Community Infrastructure Fund. This funding allows communities to move forward with critical infrastructure projects while providing flexibility to address their local needs.

Mr. Speaker, I am proud to tell this House that we've fulfilled our commitment to predictable and stable infrastructure funding for small, rural and northern municipalities. Just last month, Premier Ford and I joined the member from Parry Sound–Muskoka and announced the OCIF 2020 allocation for all 424 eligible communities. With this funding, we are working directly with our municipal partners to help them build much-needed community infrastructure that will build healthier and more vibrant and safer communities.

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

**Mr. Sam Oosterhoff:** Thank you to the minister for her response. I was pleased to see that across Niagara we received more than \$9.6 million in this incredible funding, and also \$2.5 million came through this formula to the five municipalities in my riding. Among the communities in Niagara West receiving funding, the town of Grimsby received more than \$1.1 million, the town of Lincoln received more than \$616,000, the town of Pelham, more than \$480,000, and West Lincoln and Wainfleet combined received more than \$322,000.

I know that this injection of funding for the municipalities in my riding provides a great opportunity to build, renew and expand the crumbling infrastructure in rural Ontario after 15 years of Liberal neglect.

Could the minister please explain why this funding is so important for ridings such as Niagara West, and how this investment will improve the current condition of community infrastructure across Ontario?

**Hon. Laurie Scott:** I'm glad the member asked this important question. I can say with certainty that our government understands that predictability and stability in community infrastructure funding goes a long way for small, rural and northern communities. We have heard this sentiment time and time again when talking to our municipal partners.

Mr. Speaker, you know that the Ontario Community Infrastructure Fund was specifically designed to support the local priorities of small, rural and northern communities who face unique challenges in getting infrastructure built. The Ontario Community Infrastructure Fund is an excellent example of how formula-based funding helps our small, rural and northern communities prioritize their infrastructure, including roads and bridges, and critical water, waste water and stormwater systems. By providing muni-

cipalities their allocation in a timely manner, we help support the long-term planning and budgeting for our municipal partners.

**1100**

Mr. Speaker, this year at ROMA we received overwhelming support in engaging with our municipalities and helping them with their local priorities in a timely fashion, and we'll—

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

We're now going to revert to the leader's questions from the official opposition. I recognize the leader of Her Majesty's loyal opposition.

#### EDUCATION FUNDING

**Ms. Andrea Horwath:** My question is to the Premier. Parents and students are looking at another week of chaos and cuts in the classroom, and instead of listening, the Premier keeps ignoring the overwhelming evidence that his cuts are in fact real and that they're hurting our kids.

The Premier said yesterday that funding has increased for schools, in response to one of my questions. So can he explain why the chair of the Halton District School Board said just yesterday that their board gained 1,000 new students and funding went down by \$1.5 million?

**Hon. Doug Ford:** I want to thank the Leader of the Opposition for the question. My friends, these strikes are impacting families. They're impacting the economy right across Ontario. When people can't go to work, it costs them money, and that's not fair to the families and it's not fair to the kids.

We want a deal that keeps the kids in the classroom. I keep repeating that. We want a deal to make sure that kids are in the classroom day in and day out.

We'll continue to invest more in the priorities of parents. What parents I talk to want to see—they want math, they want STEM and they want mental health. Students deserve to be in the classroom. We're going to continue to negotiate in good faith with the union leaders, and at the end of this disruption—

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

**Hon. Doug Ford:** —and keep our kids in the classroom, Mr. Speaker.

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

**Ms. Andrea Horwath:** Speaker, what parents want is an end to the cuts. They don't want to see classroom sizes balloon. They don't want to see mandatory online learning. They don't want to see supports for kids at high risk to be removed. They want to see the quality of education in this province protected.

Yesterday the Premier also claimed, yet again, that not a single teacher has lost their job as a result of his cuts. Does the Premier recognize the name of Jonathan LeFresne?

**Hon. Doug Ford:** Mr. Speaker, we've increased education by \$1.2 billion. I know math is not the NDP's strength, or the Liberals', but it's \$1.2 billion more than any government in the history of Ontario.

We're maintaining the smallest classroom sizes in the entire country. In the entire country, we're going to maintain the smallest classroom sizes. We invest more in student success in math and special education than anyone else in the country. We listen to the parents and the students, and we've been reasonable at the bargaining table.

We reduced the classroom size from 28 to 25. We reduced mandatory online learning from four to two. Online learning gets kids ready for the next generation. When they go into the work world, when they're going to colleges and universities, they're going to be studying online. To be very frank, I think everyone who has kids who are in university—

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

*Interjections.*

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

**Ms. Andrea Horwath:** Speaker, just to remind the Premier, Mr. LeFresne is one of many teachers who lost a full-time permanent job just last year. In fact, I'm going to send across a photo via the page to show him a person who is literally standing in front of the Premier's constituency office with a sandwich board sign that says: "If 'not one teacher will lose their job' then why am I here and not at school?"

Does the Premier have an answer for Mr. LeFresne, or is he ready to admit that he actually might have his facts wrong?

**Hon. Doug Ford:** The Leader of the Opposition knows that in this chamber we don't hire the teachers; we give the funding. The funding increased \$1.2 billion until no teacher would lose their job but the Leader of the Opposition knows the boards are the ones that hire the teachers, not us.

But, Mr. Speaker, we are investing \$3.1 billion in special education funding—the highest levels this province has ever seen.

We've announced a four-year, \$200-million math strategy until our grade 6 students don't have the lowest scores in the country. We'll make sure they have the highest scores in the country. We're creating a new math curriculum for grades 1 to 8 which will be ready for next year, again helping our students lead the country when it comes to math.

#### EDUCATION FUNDING

**Ms. Andrea Horwath:** My next question is also to the Premier. But maybe a little bit of learning for the Premier: When you cut school funding, when schools don't have the money, or when you increase class sizes, guess what happens? Teachers get fired. That's what happens and that's what's happening right now here in the province of Ontario.

The Premier and his education minister also insist that Alabama-style mandatory online learning is backed by parents, teachers and students. So can the Premier tell us exactly how many parents surveyed by the Toronto District School Board actually agree with him in this assertion?

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

**Hon. Stephen Lecce:** Let me just correct the Leader of the Opposition: Halton District School Board funding actually went up \$2.1 million. And I'd like to hope that when she asks a question, she wouldn't want to mislead this House, Speaker, because the fact is—

**The Speaker (Hon. Ted Arnott):** I'm going to ask the Minister of Education to withdraw—

**Hon. Stephen Lecce:** Withdraw.

**The Speaker (Hon. Ted Arnott):** —and conclude his response.

**Hon. Stephen Lecce:** The point, Speaker, is that investment is up in Halton, it is up in Hamilton and it is up across this province. We're doing that because we believe in public education. What we also expect is accountability for the taxpayer and for the parents of this province.

We want more for our kids. We are not the party of complacency and the status quo. We believe in embracing the market. We know where the puck is going when it comes to jobs. We're going to embrace it. But, most importantly, we're going to ensure we get a deal that keeps our kids in class.

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

**Ms. Andrea Horwath:** Well, Speaker, I guess the Minister of Education is not doing his homework. I'm going to send him a tweet that was posted just the other day from the board—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Stop the clock. The government side will come to order.

Restart the clock. Leader of the Opposition.

**Ms. Andrea Horwath:** —from the board that says, very clearly, the “board gained 1,000 students and funding went down \$1.5M.”

We all know that the Minister of Education and the Premier like to spin a lot, but the facts are the facts. You can have a look at what the facts are. Just so that the Premier is clear, 87% of students disagree with the government's e-learning initiatives, 81% of parents disagree with those initiatives and 97% of secondary school teachers disagree with him as well.

Sorry, Speaker, that was supposed to go to the Minister of Education. I'm sure you'll find it interesting, though.

But look, it's not just Toronto. The chair of the York Region District School Board wrote to the education minister just last week, begging the government to pause this scheme of e-learning.

Is the Premier ready to admit that he may just have his facts wrong yet again?

**Hon. Stephen Lecce:** Mr. Speaker, 100% of parents want a deal that keeps their kids in class, and every member of this caucus agrees. That's why, in this negotiation, we are fighting. We are fighting in this negotiation to ensure that while we invest more, we expect more and we get more for taxpayers and for students who deserve more.

Mr. Speaker, I can't conceive why there are forces in this Legislature who would not want to help nurture greater talent when it comes to technology and the fluency required in the marketplace.

But when it comes to what we're trying to do at the negotiating table—provide a deal that keeps kids in class and provide an incentive to improve the quality of our educators, ensuring that the hiring of teachers is premised, Mr. Speaker, in this province on qualification, on merit and on equity, and not on who has been in the line the longest.

Mr. Speaker, it's about ensuring that when we spend nearly 80 cents on the dollar on compensation, we get greater value. When 50% of our students are not meeting the provincial math standard, we know in this party that we can do more, we can do better and our kids deserve it.

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

**Ms. Andrea Horwath:** My final supplementary is back to the Premier. The Premier needs to stop defending these cuts and start thinking about Ontario's kids. The Premier is wrong on mandatory e-learning, he's wrong on the classroom cuts, and he's wrong on the teacher layoffs. It's very, very obvious. What parents, students, teachers and education workers need is something better than what this minister keeps repeating over and over again.

**1110**

What we need is a commitment from this Premier. Will he finally admit that we do need a new approach, stop trying to defend these indefensible cuts and changes, and bring in a new minister with a new mandate to actually get a deal that doesn't hurt our students and doesn't erode the quality of education in the province of Ontario?

**Hon. Stephen Lecce:** Mr. Speaker, what is categorically indefensible is the maintenance of a hiring practice that prioritizes seniority in a union over qualifications. That is unacceptable to the people of this province.

And do not take it from me; let us heed the advice of Nancy Brady, president of the Ontario Principals' Council, who said, “New teacher college graduates cannot be considered for permanent teaching positions even when they are the best candidates to meet ... school needs.

“We support transparent and reasonable hiring practices for teaching positions. However, seniority should not be the deciding factor.” We agree.

## LICENCE PLATES

**Ms. Jennifer K. French:** As the NDP critic for transportation and highways, yesterday I asked this government to address the safety issue of the shiny, new, blue, problematic licence plates.

Ontarians have seen this government purposefully try to distract from issues like education, clean drinking water, health care and housing. But this issue of highly reflective, sometimes invisible licence plates doesn't seem to be a story that they created on purpose.

I don't know what the process was, but it would seem these licence plates were rolled out before they had been road-tested.

Now we are hearing from an operations expert in Toronto that Toronto photo radar is having trouble picking up the small lettering on the plates. It cannot read the word “Ontario.”



Yesterday, the Minister of Government and Consumer Services bragged about these plates, and claimed that this government had been exhaustive with their testing. So, Speaker, my question is, what does “exhaustive testing” mean to this government?

**The Speaker (Hon. Ted Arnott):** The Minister of Government and Consumer Services.

**Hon. Lisa M. Thompson:** First of all, I know everyone in this House will agree that the previous licence plate had significant durability issues that resulted in peeling and flaking. Everyone has to agree with that. To address this issue, our government rolled out a redesigned plate that uses high-definition material that is much stronger. The new Ontario licence plates were designed in partnership with 3M. They're responsible for quality control and manufacturing the plates.

We have been made aware of the concerns. We are listening, and we're continuing to work with the manufacturer, stakeholders and the public through this process.

3M has used high-definition laminate in plates, and 3M also uses plates in other North American jurisdictions, including Nova Scotia, Quebec—with regard to special veterans' plates—Manitoba, Saskatchewan and 13 other jurisdictions.

Again, I want to be perfectly clear: We have heard the—

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

**Ms. Jennifer K. French:** Safety has to come first on our roadways. Sergeant Koopman from Kingston Police posted plate photos and said, “They're virtually unreadable at night.” Joe Couto of the Ontario Association of Chiefs of Police said, “It shows very clearly that, especially at night, there may be some visibility issues.” Brian Patterson of the Ontario Safety League worries: “You have to be fairly close to read them with precision. If you're calling in an impaired driver, you want to make sure you give the licence plate correctly.”

Safety experts are sounding the alarm while this minister is desperately telling people these plates are great and people like them. She maintains, “There's nothing to see here, folks.” Well, she's partially right; at night, there isn't anything to see.

How, Minister, are you going to fix these plates and keep us safe?

**Hon. Lisa M. Thompson:** Again, I would like to share with the House that we have heard the concerns. We are listening, and we're continuing to work with the manufacturer, our stakeholders and the public to get this right.

*Interjections.*

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

#### ASSISTANCE TO PERSONS WITH DISABILITIES

**Mr. John Fraser:** My question is to the Premier, but it might be a good time to remind everybody that it's Kindness Week in Ontario. Just saying, folks.

There are many families in my riding of Ottawa South living with an adult child with a developmental disability,

as I am sure there are in the Premier's riding. Their lives are a daily struggle just to get what their children need and to survive as a family. As I said, their lives are a daily struggle. Their needs are simple: A program for their son or daughter, maybe some respite, and a safe place for their child when they can't take care of their child anymore.

The 2019 budget showed a cut of \$1 billion from the Ministry of Children, Community and Social Services. Last year, we learned that the government was going to pay a consultant up to \$1 million to find savings in the developmental services sector, and I'm hoping the Premier or the minister can share that with this House.

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

**Mr. John Fraser:** Speaker, through you: Can the Premier commit today to not cutting funds for families with children with developmental disabilities?

**Hon. Todd Smith:** Thanks very much for the question this morning from the member opposite. As I mentioned yesterday in a question from the official opposition on this topic, we know that the demand is growing for developmental services in Ontario, and that includes supportive housing as well. That's why our government will continue over the coming months to consult with our partners in that sector so we can do something that the previous government didn't do, and that was to help solve the waiting list when it comes to the need for this type of housing and these types of supports for individuals with developmental disabilities.

We know that individuals with developmental disabilities are turning 18 every day and becoming adults. We know that those individuals are living longer, and that's putting an added strain on those wait-lists for supportive housing. That's why we brought in a consultant to help us look at jurisdictions that are leading the way in this area so that we can start to tackle the problem that the previous government didn't, and that's to build housing for these individuals and help get them the supports that they need.

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

**Mr. John Fraser:** I thank the minister for his answer, but what I was really looking for was a simple yes or no. Are you going to cut it or not? I didn't get that answer, so perhaps the minister, through you, Speaker, can give that answer.

There are investments that were made in the 2018 budget that were not followed through by this government in Passport, in money to agencies, and the minister knows that, Speaker. I'm going to ask again very simply—yes or no—are you going to cut from developmental services inside your ministry? Yes or no?

**Hon. Todd Smith:** Speaker, I can tell you that what's been clear in the conversations I've had with our partners in this sector is that many of these families that they serve are facing the same challenges they were facing 15 years ago because the government that was in charge of this file did absolutely nothing to get them the supports they need.

It's hard to imagine, Mr. Speaker, that a government could run up a \$15-billion deficit—that means they're spending a lot more money than they're bringing in—but

they're not helping these vulnerable individuals in our community. What do we have to show for a multi-billion dollar deficit year after year after year from the previous Liberal government and no action on this file? That's why we're committed to this file, to work with our partners, to look at leading jurisdictions in this area, to get these individuals the supports they need, that they haven't—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Stop the clock. Restart the clock. Next question.

#### TRANSPORTATION INFRASTRUCTURE

**Ms. Natalia Kusendova:** Good morning. My question is to the Premier. Premier, our government was elected to address gridlock and congestion that have made life harder for my constituents in Mississauga and other residents across the GTHA. The quality of life of my constituents continues to suffer as they lose precious hours of their days waiting for overcrowded transit or on roads with way too many cars. Their time could be better spent with their families and their loved ones or contributing to our economy instead of being stuck in gridlock.

1120

In 2019, Metrolinx saw an increase in ridership of 5.5%, up to 77 million riders. This represents a 50% overall increase for ridership in the past decade. Premier, can you share with this House what our government is doing to address congestion, build transit faster and get Ontario moving?

**Hon. Doug Ford:** Through you, Mr. Speaker, I want to thank our all-star member from Mississauga Centre and all the members from Mississauga, who are doing a great job out there.

Mr. Speaker, our government is a government that is getting people moving, once and for all. After years and years of delays and procrastination, not only through the city but through the province, we're finally building new tracks. We're increasing subway lines by 50%, almost doubling that.

To compare, the Spadina line and the Eglinton line took 10 to 11 years and they're still working on it, with overruns of over \$1 billion under the Liberal government. We're going to be doing the exact same, but putting double the amount of tracks in the same time frame. The only difference is, we're going to be on time and we're going to be on budget, moving millions and millions more passengers, getting people out of their cars, to make sure they get from point A to point B in the most rapid fashion we can.

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

**Ms. Natalia Kusendova:** Thank you, Premier. That is indeed great news, and speaks to why action is needed right away. Imagine how much better life would be for residents in Toronto and Mississauga and across the GTHA had previous governments accelerated transit investment.

For decades, Toronto councillors opposed long-term transit plans and the building of relief lines, stating that it doesn't make sense because the trains would be packed

from day one. In response to those concerns, Liberal Premier David Peterson decided not to move ahead with that plan.

Premier, can you share with this House how our government's proposed legislation will help transit development?

**Hon. Doug Ford:** Again, I want to thank the member from Mississauga Centre. Mr. Speaker, I want to acknowledge the great work from our minister and our associate minister. What a great announcement yesterday—congratulations.

We're seeing more done, Mr. Speaker, in the last year and a half than we saw in 15 years under the Liberals and the NDP. Again, we're getting the people going, moving. Congestion costs the GTA alone \$11 billion. That's \$11 billion. Congestion also adds about \$400 million in additional cost of goods while having them stand in traffic. You see those trucks just lined up? Well, we're putting an end to that.

We have a great transportation plan through the leadership of our Minister of Transportation and the associate minister. We're going to continue moving forward, Mr. Speaker, and get the city and GTA moving once and for all.

#### PUBLIC TRANSIT

**Ms. Jessica Bell:** My question is to the Premier. Last year, the Premier halted work on the relief line, a project that was supposed to begin construction this year. Instead, the Premier announced a new idea, the Ontario Line, ripping up years of planning work and replacing it with lines and dots on a map. The Toronto Star recently reported that the Ontario Line concept was first pitched only a few months earlier by a private consultant who had previously condemned the very idea of a relief line subway.

How can the Premier claim he's speeding up transit when he is willing to rip up established plans and start all over again based on the whims of private consultants?

**The Speaker (Hon. Ted Arnott):** I recognize the Minister of Transportation.

**Hon. Caroline Mulroney:** Mr. Speaker, we have reached a pivotal moment in history where all three levels of government agree on our subway plan—a single, unified subway plan for the city of Toronto. Toronto city council did not just endorse our subway plan with an overwhelming majority, but they also directed the city manager to work with us “to identify all opportunities to accelerate the delivery of” our expansion projects.

We've introduced legislation to that end. We agree with the member opposite, who said yesterday that we have a congestion crisis in the GTA. She said that we have an overcrowding-on-public-transit problem. She admitted that there is an economic cost to this problem. What she does not have is a plan to actually reduce congestion and get people moving in the city of Toronto—

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

**Ms. Jessica Bell:** My question is back to the Premier. The Premier wants to give himself the power to start transit

construction work before an environmental assessment is even finished. He also wants the power to shut down streets and bridges without the consent of the city of Toronto.

Businesses and residents along Eglinton Avenue are hurting because of disruption and delays by the P3 contractor. Now we hear that the project is delayed yet another year, even though Metrolinx paid the P3 contractor an extra \$237 million to keep this project on schedule.

Why does the Premier want to give P3 contractors the power to impose even more construction disruption on local communities?

**Hon. Caroline Mulroney:** Obviously, we heard yesterday from Metrolinx that the Eglinton Crosstown project will be delayed, and this is devastating to residents and to businesses along Eglinton. Our government shares the frustration of those residents and those businesses, which is why Associate Minister of Transportation Surma and I directed Metrolinx this morning to work closely with the city to find ways to accelerate the delivery of the Eglinton Crosstown.

Our government is committed to doing things differently, and unlike the opposition, we have a plan. It's called the Building Transit Faster Act. If the member opposite is so concerned about getting people off of the streets and getting people onto subways, then she will support the Building Transit Faster Act.

#### PUBLIC TRANSIT

**Mrs. Robin Martin:** My question is for the Minister of Transportation. Yesterday, the minister introduced an important piece of legislation that is central to our goal of building better, faster public transit for the GTA. These measures, if passed, will streamline the processes we have in place to expedite the delivery of our four priority projects: the Yonge North extension, the three-stop Scarborough extension, the Eglinton West extension and the Ontario Line.

Can the minister tell us how the Building Transit Faster Act will allow us to meet these ambitious timelines?

**Hon. Caroline Mulroney:** I would like to thank the member from Eglinton–Lawrence for the question.

Yesterday, the member for University–Rosedale spoke at length about the congestion crisis in the city of Toronto. That is something that we can agree on, Speaker. The Building Transit Faster Act, if passed, will cut through the red tape and the redundant steps that hold up major transit projects.

We simply cannot afford any more delays. Our plan is responsible, and it is reasonable. Our government's proposals are about streamlining processes, not about changing outcomes. We need more transit to cope with today's gridlock and with tomorrow's growth. The Building Transit Faster Act, if passed, would be a means to that end.

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

**Mrs. Robin Martin:** Thank you to the minister for that answer. I feel the urgency to get subways built in my riding

of Eglinton–Lawrence. My constituents will directly benefit from the Ontario Line. They are eager to see shovels in the ground.

Streamlining processes where we can, without compromising on outcomes, just makes sense. The Building Transit Faster Act outlines the tools we need to build transit responsibly and efficiently. Speaker, could the minister please advise the House about how crucial this legislation is?

**Hon. Caroline Mulroney:** Thank you again to the member for the question. We have a historic subway plan that, finally, all three levels of government agree on. Our government has the political will to build on the progress that we've made with our municipal and federal partners to build the world-class transportation network that the GTA so desperately needs. This bill will keep us on track to unlocking gridlock, it will ensure that Ontario is best positioned to attract new business and it will pave a new and brighter future for generations to come.

Our plan is the right plan, Mr. Speaker. I invite all of the members opposite to get on board and support this legislation.

1130

#### PUBLIC TRANSIT

**Ms. Jill Andrew:** My question is to the Premier. It's not just commuters who are hurting, thanks to Liberal and Conservative transportation failures. Businesses in my riding of St. Paul's are paying the brunt of continued delays in delivering the Eglinton Crosstown. Another year of delays means that businesses that were already barely hanging on, Mr. Speaker, are being faced with deeper debt and distress.

My constituents know how important it is to expand transit, but everyday families and business owners shouldn't have to pay the price for government incompetence.

My question to the Premier: Business owners are getting desperate. They've been asking for help for years now. Will the government finally commit to ensuring that businesses and families have the support they need to survive another unnecessary delay, Mr. Premier?

**The Speaker (Hon. Ted Arnott):** I recognize the Minister of Transportation to respond.

**Hon. Caroline Mulroney:** The Eglinton Crosstown is a prime example of an important project that has faced years of delay due to time spent obtaining permits, licences and approvals. Unfortunately, Metrolinx indicated that the opening of the Eglinton Crosstown can no longer be possible in the fall of 2021; that is no longer achievable.

Mr. Speaker, our government is proposing a new way forward. The Building Transit Faster Act will find a way to get rid of the political gridlock that has caused delays that have impacted residents and businesses in the member opposite's riding and in other ridings across this city in such a negative way. We don't believe that's right, and that's why we have a plan to resolve this issue. But I hope the member opposite will do what's right for the people in her riding and vote for the Building Transit Faster Act.

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

**Ms. Jill Andrew:** News flash, Minister of Transportation: The plan is not working in St. Paul's. Half measures and the same tired old talking points aren't going to help the businesses in my riding. We need action, and we needed it years ago. Business owners are having to go to the food bank, Mr. Speaker, to make ends meet. People are behind on their rent. And all they get from the government is silence and indifference. They're not getting business compensation. They're not getting money to pay for their rent.

Again to the Premier: This government pretends that Ontario is open for business, but thanks to continued Conservative and Liberal transportation failures along the Eglinton line, the only thing we're seeing in St. Paul's are "closed" signs. My question is simple: Why don't businesses in St. Paul's such as those at Yonge and Eglinton, Dufferin and Eglinton, and in Little Jamaica matter as much as the businesses owned by Conservatives in—

**The Speaker (Hon. Ted Arnott):** Thank you very much. The Minister of Transportation to reply.

*Interjections.*

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

I recognize the Minister of Transportation to reply.

**Hon. Caroline Mulroney:** What the residents of the riding of St. Paul's have, Mr. Speaker, is a representative who is on the wrong side of this issue. Our government has a plan. We've introduced legislation—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Opposition, come to order.

**Hon. Caroline Mulroney:** We've introduced a transit plan. We have directed—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Member for Toronto—St. Paul's, come to order. The member for Hamilton West—Ancaster—Dundas, come to order.

**Hon. Caroline Mulroney:**—Metrolinx to continue to work with businesses and support businesses. We have directed Metrolinx to find ways to accelerate the delivery—

*Interjections.*

**The Speaker (Hon. Ted Arnott):** I apologize to the Minister of Transportation. The official opposition members who are shouting across the floor will come to order.

*Interjections.*

**The Speaker (Hon. Ted Arnott):** Stop the clock. I'm going to say something. There were gestures on the part of both members who participated in this exchange. They don't enhance decorum when we're pointing at each other. It happened on both sides.

Restart the clock. The Minister of Transportation can conclude her response.

**Hon. Caroline Mulroney:** Mr. Speaker, our government has a plan to alleviate congestion in the GTA. We've introduced our ambitious plan. Yesterday, I introduced legislation that will find a way to accelerate the delivery of that plan.

Mr. Speaker, we're working with Metrolinx so that we can address the Eglinton Crosstown issue. We have a plan. What does the NDP have? I have to admit—

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

## TRANSPORTATION INFRASTRUCTURE

**Mr. Sam Oosterhoff:** My question is to the Minister of Infrastructure.

Last year, I had the pleasure of being joined by Premier Ford to announce important infrastructure investments to improve the condition of local roads in my riding of Niagara West. We visited the town of Pelham, where we announced \$1.6 million to reconstruct Pelham Street, including new sidewalks, cycling lanes and street lighting. I know that this investment will have a significant impact on the economic development in the town of Pelham and will enhance the safety and reliability of this roadway. I am proud that our government is working with our municipal partners to get projects like this built, and I know my local mayors are very happy to see the Premier in Niagara West.

Speaker, through you to the minister, could the minister tell this House a little bit more about Ontarians living in the Niagara region, and if they can look forward to more road and transit infrastructure investments in the future?

**Hon. Laurie Scott:** I'd like to thank the member from Niagara West for his question.

As I've already indicated to the House, Ontario has nominated over 140 road, bridge, air and marine infrastructure projects for a total provincial investment of more than \$115 million through the rural and northern stream of the ICIP bilateral infrastructure investment agreement. If all the rural and northern projects nominated to date are approved by the federal government, the total investment by all levels of government could reach up to \$592 million for Ontario communities.

Our government is and will continue to work with our municipal partners, families and businesses to make smart investments in our infrastructure and keep it reliable for the people of Ontario. We are also investing in hundreds of transit infrastructure projects in more than 50 communities located outside the GTHA, including transit projects that will serve municipalities in the Niagara region and the city of Niagara Falls.

I look forward to giving more information in the supplementary.

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

**Mr. Sam Oosterhoff:** As always, it's a privilege to hear about the investments that the minister and our government are making in infrastructure across Ontario. I know the minister also mentioned transit infrastructure, which is something that's very important in the Niagara region as we move towards our first regional transit system.

I know that some of the investments the minister has announced over the past year include funding for the purchase of two conventional expansion buses that will

enhance regional transit service. I know that other investments in the region include technology upgrades that improve operations and safety and a fare box system that will also help integrate transit in the Niagara region. Transit riders in the city of St. Catharines will benefit from the purchase of 10 new buses and four specialized transit vehicles that will improve accessibility and reliability while reducing maintenance costs.

Could the minister speak a little bit more about what other investments our government continues to make to transit infrastructure in the Niagara region?

**Hon. Laurie Scott:** Again, I'd like to thank the member for his question, and the member is correct. Once approved by the federal government, our government is investing almost \$23.9 million in the region of Niagara for transit infrastructure projects. In Welland, Ontario is investing \$5 million for the construction of an operations facility to store 40 conventional and specialized buses, and will allow for bus maintenance and training space. In neighbouring St. Catharines, the province is investing over \$3.3 million for the expansion of a maintenance and bus storage facility to accommodate increased demand. Niagara Falls will also see an investment of \$1.5 million for the construction of a multi-modal hub, which will support interconnectivity of transit, pedestrian and parking, with connections to the future GO terminal in Niagara Falls.

I remain optimistic that the federal minister will approve these projects as soon as possible so that we can get the shovels in the ground to build these projects—

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

#### CHILDREN'S MENTAL HEALTH SERVICES

**Ms. Bhutla Karpoche:** My question is to the Premier. Visiting us today are youth who are seeking mental health services, and I want to tell you one story. Victoria was in high school when she started struggling with severe anxiety and signs of mental illness. When she sought help at the hospital, treatment wasn't available and she was put on a wait-list. While on the wait-list, she had to access the emergency room several times. Each time, she was sent home and told to wait. Her mom had to quit her job to stay home and care for her. She waited eight months before being able to access the intense treatments and the inpatient care she needed. In the middle of her treatment, she turned 18 and was discharged from the hospital involuntarily, due to aging out of the system.

Speaker, Victoria's not alone; 28,000 children and youth in this province are currently waiting for mental health and addictions care, doubling the already long wait list for services left by the Liberals.

Can the Premier please explain to Victoria why this government cut \$69 million from children's mental health funding?

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

**Hon. Christine Elliott:** First, let me say I am sorry that Victoria had this experience, but it is something that

frankly we inherited from the previous government that didn't do anything to deal with it.

We have made mental health and addictions a priority, as you know. We have committed to spending \$3.8 billion over the next 10 years, money equally matched by the province and the federal government. We have already spent \$174 million more this year than what was spent the previous year. We are making connections for young people, for children and youth and young adults.

We know that simply spending the money, though, isn't the simple answer to it. There's much more that we need to do. With the consent of this entire House, for which I am grateful, we were able to pass the legislation that allowed for the Mental Health and Addictions Centre of Excellence. This is going to build the data, it's going to introduce best practices and it's going to make sure that there's a core basket of services in every part of Ontario—

**The Speaker (Hon. Ted Arnott):** Thank you very much. That concludes our question period for this morning.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**The Speaker (Hon. Ted Arnott):** I beg to inform the House that, pursuant to standing order 101(c), a change has been made to the order of precedence on the ballot list for private members' public business such that on the ballot list draw of November 4, 2019, Mr. Miller, Hamilton East–Stoney Creek, assumes ballot item number 7 and Ms. Fife assumes ballot item number 9.

#### RECEPTION

**The Speaker (Hon. Ted Arnott):** The member for Peterborough-Kawartha has informed me he has a point of order.

**Mr. Dave Smith:** Thank you, Mr. Speaker. I would like to invite all the MPPs to room 248 as soon as we leave question period for a meet-and-greet reception with the Challenger baseball team.

**The Speaker (Hon. Ted Arnott):** This House stands in recess until 3 p.m.

*The House recessed from 1142 to 1500.*

#### INTRODUCTION OF VISITORS

**The Speaker (Hon. Ted Arnott):** We'll begin the afternoon with introduction of visitors.

**Ms. Suze Morrison:** He's not here anymore, but I did want to welcome my husband, Trevor Morey, who came to have lunch with me today. Thanks, Trevor, for coming to visit me.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### ONTARIO HERITAGE WEEK

**Hon. Lisa MacLeod:** It's my pleasure to be here today. It's Heritage Week in the province of Ontario, and it has

been Heritage Week since 1974. I happened to be born in 1974, so I'm taking that as a sign that I'm getting older.

It's a great opportunity for all Ontarians, regardless of where they live or where they've come from, to celebrate our rich and diverse heritage and look forward to what lies ahead for this magnificent province.

We only have to look back in our history to look at triumphs like the War of 1812 and people like Laura Secord, General Brock and someone who I recently learned about while I was in Sault Ste. Marie with the Minister of Colleges and Universities: Chief Shingwauk. I believe, had we started to follow his teachings about a "teaching wigwam" earlier, we'd all be better off for it. I look forward to working with those in Sault Ste. Marie as they move forward in telling the Indigenous story for the province of Ontario.

We were also home to Frederick Banting, who discovered insulin.

We are also excited to recently have celebrated Flag Day—and, of course, two eastern Ontarians were responsible for not only designing it, but also ushering it through Parliament at the time, and they were George Stanley, from Kingston, who designed it, and John Matheson who, at the time, was the Liberal MP for Leeds.

Roberta Bondar became the first Canadian female astronaut.

This is Black History Month, and I would be remiss if we didn't talk about one of your friends, Speaker, Lincoln Alexander, a Canadian hero, the first Black man to be a Lieutenant Governor in this Legislative Assembly.

Of course, we often like to talk about basketball these days. James Naismith, the founder and inventor of basketball, came from a small village just outside of Ottawa, in Almonte, Ontario.

Now, speaking of basketball, Speaker, we all know that our modern history has created something called Raptors Nation, where every single Canadian saw themselves in that basketball team, regardless of where they came from, what their means were and where they're going.

We look at Bianca Andreescu, who became the darling of the tennis world in her historic defeat of Serena Williams not once, but twice.

As Minister of Culture, I would be remiss if I did not talk about the two most famous watched programs in CBC's history, the first being the 2010 men's hockey game between Canada and the US, with lots of Ontario players, and the second being Gord Downie's last concert with the Tragically Hip right out of Kingston, Ontario. Speaker, that's part of our rich history.

My colleagues will know, as will members on the opposite side know, that I often say we are the world in one province. Yesterday, I was so blessed and honoured to be joined by my three parliamentary assistants—one who's sitting with me right now, Billy Pang from Markham-Unionville, who was born in Hong Kong, as well as my other parliamentary assistant Vincent Ke, who was born in China, and Sheref Sabawy, who was born in Egypt. All Ontarians during Heritage Week and every other time in between have the opportunity to tell our stories about why we chose to come to this province. In

our case yesterday, it was four Ontarians who chose to come here, and none of us were born here.

I think it's important that when we speak about our heritage, we don't just speak about our history; we talk about what brought us here, why we care about this province. Every single one of us, as Ontarians, has a right to be part of that story and a right to share our own stories. This is because Ontarians should always strive for pride of people and pride of place, and in doing so, we are committed to making sure that every Ontarian feels that they are part of this province.

That's why, yesterday, my three parliamentary assistants and I had the opportunity to announce an investment of \$5 million in Community Museum Operating Grants and heritage organizations. In total, we have supported over 166 community museums and 176 heritage organizations in every riding across this great province.

We all have an opportunity to tell Ontario's story through architecture, archaeology, collections, exhibits, walking tours and educational programs.

We will also continue to support, within the ministry, one of our great agencies, the Ontario Heritage Trust, which is there to preserve and to protect our natural heritage, our physical assets and buildings, and continue to tell Ontario's story. I would ask all Ontarians to join the Ontario Heritage Trust in sharing their story, about why they love to be from Ontario and what they do to make Ontario special, by joining them at #MyOntario.

Speaker, I am proud to be the Minister of Heritage in the province of Ontario because we are doing what needs to be done for Canadian unity, but also in welcoming the most diverse population in the entire nation.

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

**Ms. Jill Andrew:** I'm honoured to stand in this House and personally say yes in celebration of Black History Month to friends, colleagues and my community in St. Paul's and across the province.

In my riding, I'd like to give a special shout-out to Black Futures on Eglinton, Black Urbanism TO and CP Planning. They're hosting Reggae Night this Saturday at Nia Centre for the Arts—a night of storytelling, song and community envisioning. These local groups are constantly in dialogue with community and decision makers. They highlight the trail-blazing contributions of Black arts, artists, culture and heritage, small business owners and families in Little Jamaica, the impact of gentrification, the housing crisis, the Eglinton Crosstown and systemic anti-Black racism affecting too many members of our community.

I would also be remiss not to congratulate Ashley McKenzie-Barnes, the amazing curator of Kuumba 25 at Harbourfront Centre—presented by the TD Ready Commitment—and all the fascinating artists Ashley has helped amplify, as well as ArtXperiential artistic director Shawn Cuffie, the cultural, fashion, heritage and arts visionary behind the fifth annual Black Diamond Ball, taking place on February 29 at the Fairmont Royal York Hotel.

This week, we're celebrating Ontario Heritage Week. It's the 36th year that Heritage Week has been acknowledged in Ontario. It provides an opportunity to reflect on

the rich and diverse heritage we have. But let's make no mistake: This rich and diverse heritage and culture we celebrate today, and frankly every day, must be nurtured, supported and properly funded.

Today, I want to focus on the social and economic conditions that we need this Conservative government and the minister herself to commit 1,000% to in order to maintain this rich and diverse heritage that each of us in our ridings expect and deserve. Culture must be properly funded, which in turn will support artists, cultural workers, grassroots heritage creatives, and institutions big and small, in doing the fundamental work of championing the arts and creating spaces of opportunity for our most diverse and most vulnerable cultural creators, administrators and creative student learners to thrive.

Let me revisit some of the motions I put forth that, to this very day, have not been enacted upon by this government. In 2019, I tabled four motions that are at the heart of heritage. I tabled a motion that demanded that the Conservative government fully reverse its 50% funding cuts to the OLS and Southern Ontario Library Service so that our libraries can actually service our communities—still not done.

1510

I also tabled a motion demanding a full reversal of the Conservatives' decision to gut the Indigenous Culture Fund—still not done. This was actually aligned with the language and culture focus of the Truth and Reconciliation Commission's calls to action.

Furthermore, I tabled a motion demanding that the Conservative government fully reverse its cuts to the Ontario Arts Council—which by the way, supports very vulnerable communities including Indigenous artists, artists located in regions across Ontario, artists of colour, deaf artists, artists with disabilities, francophone artists and new-generation artists aged 18 to 30.

Finally, yet importantly, I tabled a motion demanding that the government fully reverse its 50% funding cut to the Ontario Music Fund. How can we have culture and heritage without music?

Again, to date none of these requests for funding reinstatement have been adopted by this Conservative government. Instead, the government—and specifically, today, the minister responsible for culture and heritage announces old money as new money yet again. This week's target: museums and heritage organizations.

I have spoken to museum stakeholders, who consistently express to me that \$5 million across museums and heritage organizations is a joke at best and doesn't begin to address the need to create and maintain universally designed museum and heritage spaces accessible to all visitors. It's difficult to celebrate Ontario heritage when our culture sector has received over \$60 million worth of cuts from this Conservative government.

So to the minister I say: Stop with your Nutcracker matinee special guest star performances, get off the stage and get back to the table with artists and cultural workers in my riding and across the province who are literally having to choose, Madam Minister, between their rent,

their food and their hydro bill instead of that extra acting class, canvas or studio time they need to hone their culture, arts, and heritage careers.

I guarantee you, Mr. Speaker, that if the minister gets off the stage and back to the table and does what cultural workers need, then she will truly be a star.

## MOTIONS

### CONSIDERATION OF BILL 168

**Hon. Paul Calandra:** Mr. Speaker, I seek unanimous consent to move a motion to change the sponsorship of Bill 168, An Act to combat antisemitism.

**The Speaker (Hon. Ted Arnott):** Mr. Calandra is seeking the unanimous consent of the House to move a motion to change the sponsorship of Bill 168, An Act to combat antisemitism. Agreed? Agreed.

**Hon. Paul Calandra:** I move that the member for Eglinton–Lawrence be added as a co-sponsor to Bill 168, An Act to combat antisemitism, standing in the name of Mr. Bouma.

**The Speaker (Hon. Ted Arnott):** Mr. Calandra has moved that the member for Eglinton–Lawrence be added as a co-sponsor to Bill 168, An Act to combat antisemitism, standing in the name of Mr. Bouma.

Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

## PETITIONS

### DRIVER EDUCATION

**Ms. Marit Stiles:** I am very pleased to present the following petition on behalf of my constituent Kortney Dunsby and many hundreds of others from Peterborough and Toronto who signed these petitions. It's entitled "Protect Cyclists: Teach the Reach.

"To the Legislative Assembly of Ontario:

"Whereas hundreds of Ontario cyclists are injured every year in collisions with car doors; and

"Whereas the Dutch reach helps ensure people exiting a vehicle take a clear look for passing cyclists before opening their door; and

"Whereas teaching drivers the Dutch reach can help reduce injury and death while supplementing other measures, like separated bike lanes and vulnerable road user legislation; and

"Whereas state Legislatures in Illinois, Massachusetts and Washington and the UK Department for Transport have adopted the Dutch reach method in driver training;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to:

"Pass Bill 89, the Teach the Reach Act, so that the Dutch reach is taught in drivers' education in Ontario."

I'm very pleased to support this important petition. I am going to affix my name and pass it on to page Jessica to table with the Clerks.

#### LONG-TERM CARE

**Mr. Michael Mantha:** I want to thank Mrs. Sandy Fulcher from Prince township, who collected these various petitions from Sault Ste. Marie, Goulais River, Prince and Echo Bay.

“Support Bill 153, the Till Death Do Us Part act.

“To the Legislative Assembly of Ontario:

“Whereas there are 35,000 people on the wait-list for long-term care; and

“Whereas the median wait time for a long-term-care bed has risen from 99 days in 2011-12 to 152 days in 2018-19; and

“Whereas according to Home Care Ontario, the cost of a hospital bed is \$842 a day, while the cost of a long-term-care bed is \$126 a day; and

“Whereas couples should have the right to live together as they age; and

“Whereas Ontario seniors have worked hard to build this province and deserve dignity in care; and

“Whereas Bill 153 amends the Residents' Bill of Rights in the Long-Term Care Homes Act to provide the resident with the right upon admission to continue to live with their spouse or partner;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the Minister of Long-Term Care to pass Bill 153 and provide seniors with the right to live together as they age.”

I wholeheartedly agree with this petition and present it to page Hamza to bring down to the Clerks' table.

#### PUBLIC SERVICES

**Ms. Suze Morrison:** I have a petition here entitled “Take Back Ontario! Demand the Ontario Government Fully Fund Public Services for All.”

It reads:

“Whereas Ontario's spending on public services per person is the lowest in Canada;

“Whereas Ontario has a hallway medicine crisis and continues to spend the lowest amount per person on health care in the entire country;

“Whereas Ontario's schools are crumbling with a \$15.9-billion repair backlog;

“Whereas Ontario's per-student funding for universities is the lowest in Canada; and

“Whereas public sector jobs are middle class jobs—union-protected with decent wages, benefits and working conditions—and represent one quarter of the jobs in the province;

“We, the undersigned, petition the Legislative Assembly of Ontario to fully fund public services—especially, health care and education—for all.

“This means:

“—Protecting Ontario's publicly funded universal health care by stopping privatization;

“—Increasing hospital funding to protect service levels, stop the cuts and rebuild capacity in our local public hospitals;

“—Reinstating public funding for mental health care;

“—Funding public pharma care and dental care for all Ontarians;

“—Legislating at least four hours of hands-on care per resident per day in long-term-care facilities....”

I fully endorse this petition, will affix my signature to it and provide it to page Aditri to deliver to the Clerks.

#### EATING DISORDERS

**Ms. Jill Andrew:** I proudly present the petition for Eating Disorders Awareness Week.

“To the Legislative Assembly of Ontario:

“Whereas as of 2016 there are an estimated one million people suffering from eating disorders in Canada;

“Whereas the mental health system in Ontario is fragmented and is failing to provide the necessary supports to those suffering;

“Whereas eating disorders have the highest mortality rates of any mental illness...;

“Whereas in 2016 Ontario's Auditor General reported that the past Liberal government spent \$10 million sending 127 youth to the United States for services not offered in Ontario;

“Whereas that \$10 million could have helped more than 500 people suffering from eating disorders here in Ontario...;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 61, Eating Disorders Awareness Week Act, 2018 that would make the week beginning February 1 in each year Eating Disorders Awareness Week (EDAW).”

I proudly endorse this petition, sign it and hand it to Michael for tabling.

#### AUTISM TREATMENT

**Miss Monique Taylor:** I have a petition that reads: “Support Ontario Families with Autism.

“To the Legislative Assembly of Ontario:

“Whereas every child with autism deserves access to sufficient treatment and support so that they can live” their lives “to their fullest potential;

**1520**

“Whereas the Ontario Autism Program was badly broken under the Liberals, and the changes introduced by the Conservatives have made it worse...;

“Whereas Ontario needs a true investment in evidence-based autism services that meets the needs of autistic children and their families;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the Ministry of Children, Community and Social Services to invest in equitable, needs-based autism services for all children who need them.”



As you know, Mr. Speaker, I couldn't agree with this more. I'm going to affix my name to it and give it to page Hamza to bring to the Clerk.

#### DOCUMENTS GOUVERNEMENTAUX

**M<sup>me</sup> France Gélinas:** J'aimerais remercier M<sup>me</sup> Suzanne et M. Claude Landry pour la pétition. À l'Assemblée législative de l'Ontario :

Les accents en français sur les cartes de santé et les permis de conduire de l'Ontario.

« Alors qu'il est important d'avoir le nom exact des personnes sur les cartes émises par le gouvernement, tels la carte santé ou le permis de conduire;

« Alors que plusieurs personnes francophones ont des accents dans l'épellation de leur nom;

« Alors que le ministère des Transports et le ministère de la Santé ont confirmé que le système informatique de l'Ontario ne permet pas l'enregistrement des lettres avec des accents;

Ils demandent à l'Assemblée législative de l'Ontario « qu'elle s'assure que les accents de la langue française soient inclus sur tous les documents et cartes émis par le gouvernement de l'Ontario », et ce, « avant le 31 décembre 2020. »

J'appuie cette pétition, je vais la signer et je demande à Aditri de l'amener à la table des greffiers.

#### NORTHERN HEALTH SERVICES

**Mr. Michael Mantha:** I want to thank the members from the Royal Canadian Legion in Espanola, Branch 39, for providing me with the following petition. It says, "Fix the Northern Health Travel Grants.

"To the Legislative Assembly of Ontario:

"Whereas the Northern Health Travel Grant is supposed to even the playing field so all Ontarians can get the medical care they need, but is failing too many northern families;

"Whereas successive Conservative and Liberal governments have let northerners down by failing to make health care accessible in the north;

"Whereas not all costs are covered, and reimbursement amounts are small compared to the actual costs, northern families are forced to pay out of pocket to access health care, which is a barrier for seniors and low-income working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to fix the Northern Health Travel Grant so we can ensure more people get the care they need, when they need it."

I wholeheartedly agree with this petition, affix my signature and present it to page Hamza once again to bring it down to the table.

#### LONG-TERM CARE

**Ms. Catherine Fife:** This petition is entitled "Support Bill 153, the Till Death Do Us Part act.

"To the Legislative Assembly of Ontario:

"Whereas there are 35,000 people on the wait-list for long-term care; and

"Whereas the median wait time for a long-term-care bed has risen from 99 days in 2011-12 to 152 days in 2018-19; and

"Whereas according to Home Care Ontario, the cost of a hospital bed is \$842 a day, while the cost of a long-term-care bed is \$126 a day; and

"Whereas couples should have the right to live together as they age; and

"Whereas Ontario seniors have worked hard to build this province and deserve dignity in care; and

"Whereas Bill 153 amends the Residents' Bill of Rights in the Long-Term Care Homes Act to provide the resident with the right upon admission to continue to live with their spouse or partner;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the Minister of Long-Term Care to pass Bill 153 and provide seniors with the right to live together as they age."

It's my pleasure to affix my signature and give this petition to page Rudra.

#### EDUCATION FUNDING

**Ms. Marit Stiles:** It gives me great pleasure to present a petition on behalf of a large number of folks in Willowdale riding.

"A Petition to the Ontario Legislative Assembly: Invest in the Schools Our Students Deserve. Stop the Cuts!

"To the Legislative Assembly of Ontario:

"Whereas the provincial government has announced over \$1 billion in funding cuts to our schools, which will result in bigger class sizes in grades 4 to 12; significantly less support for the most vulnerable students, including those with disabilities, special needs, and English-language learners; mandatory e-learning for high school students; and cuts to badly needed school repairs;

"We, the undersigned, petition the Legislative Assembly of Ontario to oppose these damaging cuts and implement:

"(1) Full funding to our public education system at existing levels, and no mandatory e-learning for any students;

"(2) An education funding formula that (a) increases support for special education; (b) reduces class sizes in kindergarten and grades 4 to 12; and (c) increases capacity to deliver front-line services by paraprofessionals;

"(3) An Ontario-wide state of good repair standard for all public schools so they are safe, healthy, well-maintained buildings that provide environments conducive to learning and working;

"(4) An evidence-based review of the education funding formula every five years to determine its effectiveness in supporting high-quality public education."

It gives me great pleasure to support this petition. I'll be affixing my name and passing it along to page Aditri to table with the Clerks.

## LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** I would like to thank Robert McIlvenna from Val Caron in my riding for this petition. It reads as follows:

“Time to Care....

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

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

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

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

“Amend the LTC Homes Act (2007) for a legislated minimum care standard of four hours ... per resident” per day, “adjusted for acuity level and case mix.”

I fully support this petition, will affix my name to it and ask page Finnegan to bring it to the Clerk.

## VETERANS MEMORIAL

**Mr. Michael Mantha:** I want to thank the good people of Wawa for presenting me with this petition.

“Support the Highway of Heroes Tree Campaign.

“To the Legislative Assembly of Ontario:

“Whereas during the war in Afghanistan, Canada lost 159 military personnel;

“Whereas those brave souls were driven along the Highway of Heroes between CFB Trenton and the coroner’s office in Toronto;

“Whereas since Confederation, 117,000 Canadian lives have been lost in military conflict;

“Whereas there is a recognized and celebrated plan to transform the Highway of Heroes into a living tribute that honours all of Canada’s war dead;

“Whereas that plan calls for the planting of two million trees, including 117,000 beautiful commemorative trees adjacent to Highway 401 along the Highway of Heroes;

“Whereas this effort would provide an inspired drive along an otherwise pedestrian stretch of asphalt;

“Whereas the two million trees will recognize all Canadians who have served during times of war;

“Whereas over three million tonnes of CO<sub>2</sub> will be sequestered, over 500 million pounds of oxygen will be produced and 200 million gallons of water will be released into the air each day, benefiting all Ontarians in the name of those who served our country and those who gave the ultimate sacrifice; and

“Whereas there is a fundraising goal of \$10 million;

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

“That the current government of Ontario put its financial support behind this fundraising effort for the Highway of Heroes Tree campaign.”

I wholeheartedly agree with this petition and present it to page Abbey for the Clerks’ table.

## EDUCATION FUNDING

**M<sup>me</sup> France Gélinas:** I would like to say a great thank you to Ginette Rancourt from Hanmer in my riding for this petition.

“To the Legislative Assembly of Ontario:

“Whereas” Premier “Ford’s new education scheme seeks to dramatically increase class sizes starting in grade 4;

“Whereas the changes will mean thousands fewer teachers and education workers and less help for every student;

“Whereas secondary students will now be forced to take at least” two “of their classes online, with as many as 35 students in each course;

“Whereas ... changes will” take “over \$1 billion out of Ontario’s education system by the end of the government’s term; and

“Whereas kids in Ontario deserve more opportunities, not fewer;”

**1530**

They petition the Legislative Assembly of Ontario to:

“Demand that the government halt the cuts to classrooms and invest to strengthen public education in Ontario.”

I fully support this petition, will affix my name to it and ask page Rudra to bring it to the Clerk.

## ORDERS OF THE DAY

SMARTER AND STRONGER  
JUSTICE ACT, 2020LOI DE 2020 POUR UN SYSTÈME  
JUDICIAIRE PLUS EFFICACE  
ET PLUS SOLIDE

Resuming the debate adjourned on February 19, 2020, on the motion for second reading of the following bill:

Bill 161, An Act to enact the Legal Aid Services Act, 2020 and to make various amendments to other Acts dealing with the courts and other justice matters / *Projet de loi 161, Loi visant à édicter la Loi de 2020 sur les services d’aide juridique et apportant diverses modifications à des lois traitant des tribunaux et d’autres questions relatives à la justice.*

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

**Mr. Gurratan Singh:** Before I begin my comments with respect to Bill 161, I wanted to share something that I was reminded about this morning. In the morning, before we started our day in this Legislative Assembly, we all

collectively said words together, and that was to pursue an Ontario where freedom prevails and where justice rules. It reminded me that as MPPs, as members of provincial Parliament, as lawmakers, we have an obligation, we have a duty and we have a guiding light to make actions and to put forward legislation that will allow freedom to prevail and will allow justice to rule.

These are rights and freedoms that are enshrined within our charter. Freedom and justice can be seen to be paramount in the charter. I always turn to section 7 of the charter, which reminds us that “everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.” These are the guiding principles that we must hold within our hearts. Whenever we put forth legislation, whenever we put forth any sort of action, we need to remind ourselves of this duty that we have.

But sadly, I see this obligation, this commitment to the charter being eroded by this Conservative government. It has been eroded in attacks against the charter, in threats to use the “notwithstanding” clause, and direct attacks against that piece of legislation which we should all be upholding, that piece of legislation which is meant to protect us all. Encroachments and infringements upon the charter, though they may hurt people individually, will ultimately hurt us collectively. Because when we set precedent, when we make it acceptable that we are able to infringe upon our charter rights, it demonstrates that this can happen to others. That’s a slippery slope that we go down when we encroach and we infringe upon the charter.

So any time we take an action that goes against the charter, we must be very vigilant against it. As opposition members, we look up to inspiration from a hawk that reminds us to be hawkish in how we hold the government to account, and as government, you should be wise, looking up to an owl to remind you to have wisdom in your actions. Those who act wise are those who uphold our freedoms, uphold our justice. As a reminder to us all, it’s important to keep this in our hearts: that we are lawmakers; that the core of what we do is create legislation that impacts every single Ontarian and has a greater impact because of its impact upon us collectively as a nation, as the precedent we set here can have impact on laws and legislation that will be put forth in other jurisdictions.

If our job is to make laws that impact everyone, then we have a moral, fiduciary and economic duty to the people of Ontario to ensure that we’re putting forth the best laws that are in the best interest of Ontarians. But once again, we are seeing legislation come forth from the Conservative government that is not in the best interests of Ontarians. Instead, we see legislation that is often clumsily and poorly written, legislation that results in court challenges and court battles. That is not how we put forth an agenda where we allow freedoms to prevail and justice to rule.

Specifically, I want to ask the lawyers in the Conservative government to understand that you have a double duty. You have a duty as a member of provincial Parliament to uphold and to serve your constituents and the

people of Ontario, but you have a further duty as someone who has knowledge of the law. As someone who has knowledge of the law, you have a duty to ensure that you are upholding the charter, that you are putting forth good legislation, that you’re not putting your years at law school to waste by putting forth legislation that is ultimately going to be challenged in court or not going to allow for a fair and just society.

So I ask you to remember your obligation, and also to choose your loyalty to the oaths that you took to be a lawyer, your oaths you took to be a member of provincial Parliament, to hold that above your partisanship—to hold your loyalty to people, to folks, to your constituents above those who would tell you to infringe upon it, because that is what makes you a just individual, that’s what makes you a wise individual, and that makes you an individual who is acting in the best interests of all of our constituents in our province.

The reality is that Bill 161 is a bill that hurts Ontario and further erodes the liberty of Ontarians. There are a lot of problems with this piece of legislation. Going through it, it’s an omnibus—there’s a variety of areas that this bill addresses, so I’m going to focus my criticisms on two specific areas. I’m going to look at how this bill negatively impacts legal aid and how it negatively impacts class actions.

Before we get into how this bill negatively impacts legal aid and class actions, let’s understand what class actions and legal aid are supposed to represent, what they’re supposed to serve in our society in Ontario.

Specifically, with legal aid, we see that the foundation of legal aid, the reason why we have a system of support, is to ensure that access to justice is a cornerstone of our society. Access to justice is a cornerstone of a just society, of a fair society, of an equitable society. We want to work to ensure that every individual has the right to access to justice by way of hiring a lawyer, by way of getting the legal support that they need, by way of getting any sort of resources or access to resources that they need to ensure that their rights are being upheld and being defended. That’s why it’s so important that we ensure that legal aid is well-funded, that legal aid is a system that is robust and that is strong—and you only understand how important a legal aid system is until you are engaged within the legal system. If you talk to individuals on both defence and crown—if you talk to people on both sides, they will say that the system works better when you have better-funded lawyers on both sides. Any lawyer will tell you that one of the worst experiences is going to court and having to deal with an unprepared lawyer. Given the circumstances—the cuts to legal aid, the cuts to funding across the board—when you have people who are unable to properly serve their client because legal aid is being cut, or clinics that are unable to provide the service that is required because of cuts to legal aid, it actually does a disservice to justice across the board.

It’s the same thing with class actions. Why are class actions so important? When one person doesn’t have the resources, when one person individually doesn’t have the

ability to pursue justice, collectively they can through a class action. Class actions are a balancing mechanism so that an individual who doesn't have all the resources can come together with other individuals and can collectively put forth legal claims and legal cases to ensure that they have access to justice. It gives everyday people the power to take on the big guy. That is why class actions are something that are indicative—the strength of the ability to carry out class actions is a sign of a just society. But the changes in Bill 161 take this power away from Ontarians.

Both of these principles speak to a very important protection and a very important concept in the legal system: our ability to defend ourselves against the state, which is the cornerstone of a free and just society. Legal defence is the check and balance to state abuse. That's why we have the charter. That's why we have these enshrined rights. So if there's ever a state which wants to overreach in their abilities to put forth legislation that may negatively impact a minority group or a person who is disadvantaged, we can turn to a piece of legislation which is a shield, which protects us and ensures that we have our rights upheld.

**1540**

But when you weaken the system, when we weaken our ability to hold government to account, we create a system that breeds injustice. Both cuts to legal aid and changes to our ability to enact class actions have that impact. They erode our democracy. They weaken the everyday Ontarian by weakening our ability to access the safeguards that we expect and that we truly need to be free and just individuals in our society, because the legal system—the lawyers across the side will tell you—is a combative system. What happens in the legal system is you have two individuals—you have a plaintiff and a defence, you have a crown and a defence—and through argument, through legal discourse, through the crucible of legal argument, you come forth with truth. In this combative system, what Bill 161 does is disarming one side.

Ultimately, at the end of the day, the multi-billion dollar corporations will have access to lawyers. The huge pharmacare industry, the huge insurance companies, the multinational corporations, the mining companies and the big super-rich companies will have access to justice. They can hire lawyers. They can hire the defence they need.

When you take away the ability for people to come together and take the course of class actions, you are weakening them and you are disarming them. When you take the power away from individuals' ability to access justice through legal aid clinics or through legal aid, you are disarming them in a system where they will face a lawyer on the other side. This is a system that collectively weakens us all.

That's why we must be super vigilant. We have to be, in a way, upset. We have to take this personally, because our individual freedom impacts our collective freedom. When one of us has our rights infringed upon, it impacts all of us. It sets a precedent, and there is a dangerous precedent being set right now by the Conservative government with respect to Bill 161.

The Conservative government purports that this bill is for smarter and stronger justice—the Smarter and Stronger Justice Act. That's what the government purports that this bill is. But this bill neither strengthens justice, nor is smart. Instead, it weakens us, and it subjects those who are most vulnerable to greater injustice. It will undoubtedly result in a system that is clumsy and a system that will spread injustice. It does not do what the name purports. It does not create a system which is smart and does not strengthen our justice; it does the exact opposite of that.

Let's look at specifically what aspects of this legislation—how it hurts us and how it weakens our justice. I want to turn first to how Bill 161 does a disservice to legal aid. We have to start by saying that when we saw from the get-go the cuts to legal aid—that was already, first, one of the most devastating and negative impacts towards our legal system, when we saw these huge cuts to legal aid. We saw an overall cut last year of \$133 million, and we saw that an additional \$31-million cut which was supposed to happen was cancelled, but ultimately, we still have \$133 million which has been cut from our legal aid system, and that is a loss that has already had its impact.

When we look at the impact of this cut, we see that it had a devastating impact to legal aid clinics across the board. We saw the articles in the media. We saw the impact to legal aid clinics attending Queen's Park, advocating and fighting and saying that you're hurting those who are most disadvantaged.

You are talking about people who represent injured workers. You're talking about people who represent racialized folks. You're talking about clinics that serve those who are in economically tough positions, those who are at the margins of our society, those who need support and who, in a just society—the quote is, "Judge a society by how it treats those who are worst off." That is their lifeline to justice, and that was cut with a direct number figure of \$133 million, a cut that devastated clinics across the board.

But when we look at this Bill 161, it does a lot more insidious changes to our justice. I want to start with one which is most glaring when I think of the purpose that legal aid serves and how this Bill 161 works contrary to what the essence of legal aid is supposed to be.

This morning, when the Attorney General had his remarks with regard to Bill 161, I asked him if access to justice was paramount. On one side, he did say yes, access to justice is an aspect of his role in his capacity as minister. But we see that his words are in complete contradiction to the words he has written in legislation. Words matter in legislation. I'll get to that later on in my comments today.

What Bill 161 does with regard to legal aid is actually remove the terms "access to justice," "low-income Ontarians" and "disadvantaged communities" from the Legal Aid Services Act. It removes the very foundation in the purposes section of the legislation.

What is the purposes section? The purposes clause will be used to interpret the legislative intent of the law. Removing the reference to legal needs of disadvantaged communities could be interpreted as an intention to

weaken fundamental equality guarantees enshrined within the act. It's a decision that ultimately signals that access to justice, and low-income Ontarians, and those who are disadvantaged, are not a priority in legal aid.

That is in contradiction, I would put forward. That is in complete contradiction. How are we having a legal aid system that takes out disadvantaged individuals, that takes out low income, that takes out access to justice in its purposes section? How is that at all consistent with a system that is meant to serve those in those positions? This is a very concerning impact and a very concerning change in Bill 161.

Another issue of Bill 161 is that the call has been clear from legal aid clinics that it is not enough to not go forward with the second cut of \$31 million that is supposed to happen. We need the cuts reversed, and we need the cuts reversed now. But Bill 161 does not reverse any cuts. The devastation that has already been wreaked upon legal aid clinics is still being upheld. That, in and of itself, is a clear indication that this Conservative government is not trying to fund clinics that are meant to serve those in tough positions.

Bill 161 also weakens the role of legal aid clinics. We know that legal aid clinics are at the front line of providing access to justice for injured workers and for people in poverty, and to racialized and immigrant communities. These legal aid clinics make sure that people are being serviced and get the support that they need. But Bill 161 hurts legal aid clinics specifically. I'll go over a few of the issues outlined within the bill that demonstrate how they are being weakened.

Bill 161, first off, weakens clinics, because it omits the recognition of clinics as a foundation for the provision of legal aid services in the area of clinic law. It's basically saying that legal aid clinics are no longer the foundation; that is no longer the main point of access for the work that clinics are supposed to put forward. That's something which is going to hurt a lot of clinics that are doing front-line work right now. By removing the provision that establishes clinics as a foundation for clinic law, it's going to have a really bad impact on these clinics. It's going to have an impact that's going to hurt these front-line workers who are at the forefront of providing this kind of service.

There are also changes towards language around funding and how Bill 161 changes funding. It changes the language from "shall fund" to "may fund." So we can see that it has a portion that says they'll change aspects of the act which will change the language from "shall fund" to "may fund," and would permit Legal Aid Ontario to provide legal aid services, but would not require it to do so—because the difference between a "shall" and a "may" in a legal context has a lot of impact. That change will have a negative impact upon legal aid clinics.

**1550**

There's also an issue with regard to definitions, and specifically with regard to the definition of "poverty law" as it now exists within the act. Previously, they would use a term that caught all of the different aspects of what those

issues that people in disadvantaged situations are facing. Previously, within clinic law—and "clinic law," in terms of the definitions, would be a catch-all for housing, for shelter, for income maintenance or social assistance. It would look at human rights law, health law, mental health law, employment law and education law. These are all listed in the previous definition of "clinic law." That definition of "clinic law" is being put to the side, and they're putting forward a new definition of "poverty law." And in poverty law, it's being restricted—this definition of what is defined by "poverty law"—as only housing, shelter, income maintenance or social assistance. So we see areas like human rights law, health law, mental health law, employment law are now being removed from the definition of "poverty law" as it pertains to the act. These are really important aspects. When you talk about things like human rights law, when you talk about things like health law or mental health law—these are services that need to be enshrined and protected within legislation, and these are instead being removed from the legislation, which has a negative impact on people who are accessing that kind of level of support in a legal aid clinic context.

So what we're seeing is that legal aid clinics are being given smaller scopes, and we're seeing that the essence of access to justice is being taken away from their mandate.

There are other issues that occur, as well, within Bill 161 that have a negative impact on clinics, and one of them is the ability for legal aid clinics to challenge decisions. Under the previous model, if there was a decision to not fund legal aid clinics, legal aid clinics had recourse. They were able to appeal these decisions, and often it would result in funding being returned or a decision to not fund to be overturned. That was a path that legal aid clinics had, especially—we have legal aid clinics that often are advocate clinics; that are on the forefront of not just providing services, but also advocating for greater justice in Ontario. If there was a decision made to no longer fund those advocate clinics, they had the ability to say, "No, this is required for our work, for our mandate, to pursue a just society." But that ability to appeal that decision is now being removed under Bill 161.

There's a serious question here. The question is—under the previous model, legal aid clinics could get a decision reviewed, and they had some solace in knowing that they had a second set of eyes on a decision being made that could have been to their disadvantage. But the Conservative government has instead chosen, under Bill 161, to blind that second set of eyes and to cancel any hope of review if a legal aid clinic decides to take that path.

But we see even more actions being taken which are stripping legal aid clinics and legal aid of their independence; specifically, with changes to the board of legal aid. What we see within the board of legal aid is that under the previous regimen, the way it looked is that there would be five individuals appointed from the Attorney General—the Attorney General would choose five individuals for the board for legal aid, and five would be chosen from the Law Society of Ontario, so there was a balanced system. Under Bill 161, they're changing the obligation to have folks

from the Law Society of Ontario, to change the requirement from five—they're changing it to three to five. So the ultimate impact of that is that you could have a board which is no longer balanced. You could have a board that could be stacked by folks who have not the interests of justice but the interests solely of the government. The independence of legal aid is crucial to ensure that they're making actions that are being done for the benefit of all, that are being done for the benefit of justice, not for the agenda of a government.

I'd ask the question: Why would that be an aspect? Why would that be a change? Why is that a priority of the government to ensure that they have further control over legal aid? It's a clear signal that the Conservative government is trying to take further independence away from legal aid. In a world where we have greater openness and we have governments who are putting themselves towards greater scrutiny and we have a world where we should have more open systems, what we see right now is a signal from the Conservative government to close off and to try to have greater influence in the systems and structures that should be independent.

What is the impact? Taken together, we see that these changes will be seen as the government seeking far greater and undue influence on access to justice through provision of legal services in Ontario. That is the impact. The impact is that people will start seeing the government making decisions that will be stacking the board of legal aid in their favour. They'll be taking away their independence. Ultimately, this could have a greater issue for eroding people's confidence in these structures, because people should have the faith in these institutions that they are being governed independently and for the benefit of all.

Something that I think is really troubling when we look at legal aid and the changes being put forward in this act is the fact that the object of legal aid is being changed. Previously, the object of legal aid was to establish and administer a cost-effective and efficient system for providing high-quality legal aid services to low-income individuals in Ontario. Bill 161 took that object, that goal, that direction, and they removed "high-quality" and "low-income." That, to me, is mind-boggling. Why would the government make a concerted effort to remove "high-quality" and "low-income" from the direction and the objects of Legal Aid Ontario? We should be providing high-quality services to those who are in tough situations. We should be providing support to individuals who are low-income. These should be guiding principles, and removing these from the objects is a clear sign that that is no longer a priority under the Conservative government. By taking that away as a priority, it's a signal that legal aid is not directed towards protecting those who are in the most precarious and tough positions.

Those summarize, I think, some of the major issues with respect to Bill 161 and legal aid. Ultimately, we're seeing that these cuts to legal aid are going to hurt access to justice across the board. They're going to hurt the independence of Legal Aid Ontario. They're going to narrow the scope and take away things like low income

and disadvantaged. They're going to take away aspects like access to justice, they are going to take away the independence by the changes to the board, and they're keeping the cuts—cuts that are having a real impact on clinics' ability to serve Ontarians.

I now want to turn to the changes on class actions and how these changes to class actions are going to have a very negative impact on people's ability to organize and come together and pursue justice from companies, from the government, from a variety of factors.

I want to start by looking at a quote from Justice Iacobucci, who writes that, "Class proceedings can level the playing field for plaintiffs by spreading the ever-increasing costs of litigation across a larger group and resolving multiple claims by way of single procedure. Further, class actions can provide defendants with a fair and efficient dispute resolution tool because of the certainty associated with collective claims resolution and the opt-out process. Although class actions may save defendants out-of-pocket legal fees, they may also result in liability for claims that, rightly or wrongly, would never have been pursued by individuals."

#### 1600

That quote by the justice really captures why class actions serve such an important role in our society and in a free and democratic society. Class actions are an incredibly important tool for access to justice and a democratic society, and we should be upholding that right. But as stated earlier, this bill will make it harder to carry out class actions, a right that is fundamental to everyday people standing up to those who have greater resources and greater power.

The Conservative government's bill has actually faced a lot of criticism. Do a quick Google search on Bill 161, and you will see that there's a variety of advocacy and legal rights groups that have come forward and come out against Bill 161, particularly for the changes towards the rights to carry out class actions—and one of them, actually, in a very interesting way. It's an organization called the Law Commission of Ontario. The Law Commission of Ontario is a group that the government actually consulted with on Bill 161. In the comments earlier today, the Attorney General actually said they are taking a lot of the recommendations of the Law Commission of Ontario.

Before I get into what the Law Commission of Ontario said, I want to talk about who they are. I just pulled this from their website: "The Law Commission of Ontario is Ontario's leading law reform agency. Since its inception in 2008, the LCO has completed 16 major projects and consulted with thousands of Ontarians on important law reform issues. We've completed projects on a broad range of legal issues, including class actions, the law of capacity"—a variety of different areas of law that they have experience with.

Who they are is actually very important. The Law Commission of Ontario "is a unique, innovative and productive partnership that was originally created by the Ontario Ministry of the Attorney General, the Law Foundation of Ontario, the Law Society of Ontario, Osgoode Hall Law

School and the Law Deans of Ontario.” So this is an organization that is not a fly-by-night. This is an established legal authority, a legal community, a legal organization in Ontario. They were initially formed by the Ministry of the Attorney General. They have the most prominent legal organizations that have come together to comprise this organization.

They wrote a letter, actually, to the Attorney General. It's dated January 22, 2020. They wrote the letter directly to the Attorney General, and in it they talk about the issues about Bill 161. Ultimately, what they say is that the Law Commission of Ontario is unable to support Bill 161 as currently drafted.

I find it very interesting that, on one side, we have the Attorney General saying, “We've consulted with the Law Commission of Ontario, and we've spoken with the Law Commission of Ontario, and they love the legislation we put forward”—or that they took their comments into regard, to correct my record. That was not a specific portion that was said by the government. But specifically, they did make reference to how they consulted with the Law Commission of Ontario and that they took some of their recommendations.

But when we look at this open letter, we see that the Law Commission of Ontario is very critical of their changes, specifically with respect to class actions. I want to go through these, because they're really telling us as to the negative impact of Bill 161, with how it pertains to class actions.

Let's look at Bill 161, and the first bullet within the letter.

They write: “First, Bill 161 will effectively restrict class actions and access to justice in a broad range of important cases, including consumer matters, product and medical liability cases, and any potential class actions where there may be a combination of common and individual issues.”

If we take the changes to Bill 161, and if they were to be applied retroactively—the letter further says: “Applied retroactively these provisions would likely have prevented important and successful class actions regarding Indian residential schools, environmental tragedies (such as Walkerton), tainted blood supplies (such as hepatitis C), and/or price-fixing. The provincial government should not restrict Ontarians' access to class actions in such broad and important areas.”

Speaker, this kind of legislation would have made impossible or would have restricted and prevented, as per this letter, class actions in cases like Walkerton. It would have prevented the people of Ontario coming together and saying, “When we have a failure by government we have a right to hold government to account.”

That is the impact of Bill 161. I say that, in and of itself, demonstrates a huge problem with respect to access to justice, because when we look at these landmark class actions right now—Indian residential schools, environmental tragedies, tainted blood supplies—these are exactly the kind of reasons why we have class action law. We have the ability to use this tool so that when government acts in a way that is inappropriate, there's recourse, there

is a check and there is a balance so that the people—everyday folks—have the ability to get justice. To take away that justice strikes, quite frankly, in contradiction to our role as elected officials, as members of provincial Parliament and as lawyers. We have an obligation, we have a moral and sacred duty to justice.

Further, the letter says, “Second, Bill 161's ‘superiority’ and ‘predominance’ provisions are demonstrably inconsistent with certification rules across Canada and will likely increase costs, delays and legal uncertainty for plaintiffs, defendants and justice systems across the country. As a result, these provisions contradict efforts in Canadian judicial administration to harmonize or at least promote consistent legal rules across the country. These provisions also circumvent Bill 161's very appropriate and necessary multijurisdictional class action reforms.”

We see that the bill in itself is being internally inconsistent and, more importantly, it's going to cost more money. It's going to result in greater costs. This is why earlier I talked about why we have a moral duty as lawmakers to make good laws. Because when you don't make good laws, it's not just that you have the ability to hurt people's ability to access justice, it's not just the impact it has on creating a fair and just society, but for the Conservative government that always talks about responsibility for the purse strings—I think all governments should have that responsibility—you're actually being irresponsible.

When you put forth bad legislation, you open up the door to greater costs because badly thought-out systems are going to have bad results, bad results that could end up in appeal, that could end up in a clumsy legal system, that could end up in confusion and could end up ultimately with the courts having to interpret bad legislation. That is not a good idea.

The Legislature should be in a position to actually create good legislation. We should be in a position to make good laws, because that is our job as elected officials. We have a responsibility, especially as lawyers, to create good kinds of legislation. We have a responsibility as lawyers, as elected officials and as members of cabinet, to create good laws.

“Third, Bill 161 creates an improbable and unwelcome situation in which Ontarians potentially have fewer legal rights and less access to justice than other Canadians. This is because the legislation gives rise to situations where a class action could be certified in, say, BC, but not in Ontario. At best, this will result in years of interprovincial litigation, delays and increased costs for litigants and courts. At worst, it will mean that Ontarians may not have access to the same remedies and compensation as other Canadians.” That is a huge issue. We're seeing in this point two very distinct criticisms: a criticism of access to justice and a criticism of cost.

“Fourth, Bill 161 adopts restrictive American legislative provisions and priorities that are inconsistent with decades of Canadian law.” This is directly from the letter. And we see, from bringing in Alabama-style reforms to education to now American kinds of changes toward our class action rules, that we have a clear agenda from the

Conservative government to bring in failed types of regressive changes that have not worked south of the border and to bring them here to Ontario.

**1610**

“The Supreme Court of Canada has repeatedly stated that the CPA ‘should be construed generously to give full effect to its benefits.’ The proposed changes to the certification test are inconsistent with the long-standing Canadian approach to mass harm redress.”

These kinds of American-style changes to either the legal system or to the education system, across the board, are not appropriate, as per this letter and the comments made. They’re not appropriate in the Canadian context, and it doesn’t actually work consistently with the years of jurisprudence and common law that we developed here in Ontario.

“Finally, Bill 161 and the new Crown Liability and Proceedings Act create significant barriers for Ontarians wishing to initiate class actions against their provincial government, government agencies, corporations and other institutions. The LCO report warned about the combined and negative impact of the new Crown Liability and Proceedings Act (CLPA) and the adoption of a preliminary merits test in the CPA. This analysis applies equally to Bill 161’s superiority and predominance provisions.”

That is what we see, and for any government to take that approach is wrong. The Conservative government should not be putting forth legislation that is making it less accountable to the law. That is in contradiction toward a free and open society and free and open government. These are checks and balances that ensure all of our freedoms. To take that decision is against, quite frankly, the tradition of a more open and free society and government.

Ultimately, the decisions that I just summarized explain why the Law Commission of Ontario has clearly stated that they’re unable to support Bill 161.

I do want to expand on this letter a bit, and I want to expand on the impact of this kind of legislation within Ontario. The letter explains how Bill 161 will make it more challenging for an action to be certified or to move forward by greatly narrowing situations where the common issues between plaintiffs are sufficient to proceed.

What’s an example of this? We have an example of this where, if we’re introducing a standard whereby all other options are considered prior to proceeding with the class action—this has been used in the US to enforce mandatory arbitration clauses which include forcing American Uber drivers to fly to the Netherlands instead of accessing domestic courts.

We have here a reference to that, where, when Uber drivers came together in 2017 to file a statement of claim against Uber for misclassifying its workers and denying them minimum wage rights, union rights and many of their health protections, the clause read that the Uber operatives were under Dutch law. It mandated that they had to go to Amsterdam, to those courts, to file the proceedings. The court found this requirement unconscionable, for one because the expected cost of bringing a dispute to Amsterdam, per this article, is around \$14,500, and it was

noted that a likely majority of Uber workers made around \$30,000 per year.

That is the kind of impact. This is the kind of legislation—these are the changes in how it’s restricting the ability for people like Uber drivers to take Uber to court. It’s putting in these barriers where you then have to travel to a different jurisdiction to make these kinds of legal claims.

Further, we’ve seen that this legislation has come under a lot of criticism here locally as well. I’m reading here an article from the Globe and Mail. It’s titled, “Ontario Using New Law to Suppress Suits Alleging Negligent Government Conduct, Lawyers Say.” I won’t read the entire article, but I’ll read some snippets of it, because they actually speak to how problematic this bill can be.

“The Ontario government is trying to shut down at least eight class action lawsuits that have already been given a green light by judges, under a new law that applies retroactively....”

“One case involves an inmate, Adam Capay, who was held in a windowless cell in Thunder Bay with the lights on 24 hours a day, for the majority of four and a half years in custody.”

These are the kinds of court cases that are being impeded, being hurt and being potentially dismissed under this retroactively applied law.

The lawyers describe this law—and this is reading from the article: “But lawyers say the new law goes much further. They describe it as the first law in Canada in the past 50 to 70 years—when crown immunity from many lawsuits ended—to make it difficult or impossible to sue over the negligent conduct of public officials (the failure to take proper care in how they carry out government policies).”

“The law also introduces procedural hurdles to suing the government over corruption or wrongdoing.”

I want to just note that this law is actually regressive in terms how governments have been moving. As we’ve seen over the past decades, we’re moving towards a more open style of government, where there’s a greater exposure to this kind of accountability. But this is moving in the other direction. This law is a clear indication of taking things in a new, regressive way.

One of the lawyers in this article says, “This is the first government we’ve ever dealt with in Canada that passed a law seeking—after the fact—to nullify existing claims that have already been commenced or certified.

“That’s pretty revolutionary for a democracy”—in a negative sense.

This is not how we should be creating an open and just society. These are not the ways that we create further access to justice, by putting in place a legal change that would nullify cases that have already commenced.

The article goes on further to read: “The eight class actions also involve allegations of prison overcrowding, and indeterminate waiting lists for support services for disabled adults. In a ninth case, involving allegations of bail delays, Koskie Minsky is appealing a judge’s decision not to certify the class action, and the government is citing



the new law's retroactive reach as a reason not to grant the appeal." So we're seeing the real impact of this kind of retroactive application.

Further, the article writes, "An early test of the new law and its retroactivity is scheduled to be heard in March before an appeal body, the Ontario Divisional Court. The case involves 21-year-old Briana Leroux, a woman from Timmins with a rare brain disorder that has left her non-verbal, functioning at the level of a three-year-old and needing constant care for basic functions, including eating and hygiene."

That is the kind of individual and their actions towards this government, in terms of pursuing legal recourse, that are being negatively impacted by this retroactive application. And further, this kind of action is ultimately going to have a result in hurting those pursuing justice and pursuing a society where we should be having the ability for people in those tough positions—who are facing inhumane conditions within jail, or not getting the kind of supports that they need in a health care capacity. They should have that tool available.

A Law Times article has a variety of experts describing their dissatisfaction with Bill 161 with regard to its changes to class action. We see here, again, the same kind of language: "A proposal to adopt US-style class action certification tests in Ontario may make it harder for plaintiffs to move forward with class actions." This is from a lawyer, Mohsen Seddigh.

He says, "People who will be most impacted by this are consumers, employees and anyone who is in a normally vulnerable position that needs access to justice through class actions."

**1620**

Further, the article reads, from Seddigh again, "I think the most important point in this statute and in these amendments is going to be the certification test, which has unfortunately gone ... backwards, and contrary to the rest of the country. It's even more cumbersome, to some extent, than the United States, because they don't have a cost regime" in the United States.

Another, Jasminka, "director of the Class Action Clinic at Windsor Law and co-principal researcher and co-author of the LCO class action report, said the superiority and predominance tests are 'radical' changes which 'would take class actions backward.' She estimated that famous cases, such as the Indian residential schools cases, would not have moved forward under the proposed system.

"'Because so much of Bill 161 is about modernizing the justice system, it is especially troubling,' she wrote in a blog post. 'The new superiority and predominance tests are conservative American principles that make many types of mass wrong impossible to litigate as class actions.'"

Ultimately, she writes, "It is a big move, in the wrong direction."

So what we see right now is legal experts, people from the Law Commission of Ontario, we see folks across the board coming together, different lawyers, all saying that

there are huge problems with Bill 161 with respect to its impact on class actions.

We also see the impact that this piece of legislation has on legal aid and legal aid clinics. I think the problems in Bill 161 are best articulated in the comments from the Attorney General this morning. This morning when I questioned the Attorney General and I asked him if he really felt that access to justice to low-income Ontarians and disadvantaged communities were a part of his mandate, he said that yes, they were. When I questioned him further and asked him how he could justify their removal, he said that he's more interested in actions than words.

Respectively, Mr. Speaker, in this House, our words are our actions. The words we write in legislation have a real impact, and the removal of these words are actions. And to instead say, "I'm not bound by these words because our actions demonstrate something else" is in very contradiction to our job as lawmakers.

We are lawmakers, we make good legislation, and every word we write in legislation has an impact. To take these terms out of legislation is an action. It's an action that low-income people are not a priority to this Conservative government. It's an action that people who are disadvantaged are not a priority to this government. It's an action that access to justice is not a priority to this Conservative government. It demonstrates that the Conservative government is not committed to the very foundational ideas and concepts that should be upholding our system.

We should be a system that is defined by justice, not one that we run from. We should be a system that is defined by equity, not one that we remove. We should be a system that is defined by justice, not one that we choose to instead tread upon. That is totally inconsistent with our responsibility, our moral, our fiduciary, our economic, our sacred responsibility as lawmakers in this House. To remove them demonstrates contempt for these principles, because it's a way of incrementally taking away the protections that should be afforded to those who are the most marginalized. We have an obligation to those who are the most marginalized. The inherent contradiction is, if you make a bad decision, you are now taking Ontarians' ability to hold us to account away from them. That is something that is truly unjust, wrong and truly sad. It brings the decisions of this government to a new low, I would say, because we should be holding ourselves to a higher standard. And government should be an example of how best to organize and how best to structure, of how best to be open and compassionate and empathetic. These are words that we should be including further within this act. We shouldn't be removing them. We should be making a system that includes compassion, that includes empathy, that includes care. That is what should define and work to build up a just legal system. Instead, we see the complete contrary by this Conservative government: a decision to remove terms that should be sacrosanct to us as both lawmakers and lawyers.

I know many lawyers are part of the Conservative government. A part of me truly thinks that those lawyers are uncomfortable with these decisions, because any of us

who went through those years of law school are reminded by the lessons. When we take our oath, when we are called to the bar—a calling, as it is described, a calling for those who would hold up our legal institutions, a calling for those who would hold up justice. These are not light terms that we should just throw to the side. These are not light concepts that we should so whimsically tear down. We must be vigilant, further vigilant, and daily increase our vigilance to uphold these institutions, because our vigilance will result in protections for everyday people. Our vigilance will make sure that situations like Walkerton do not happen again. Our vigilance will ensure that people live a life where they can be their best selves.

We must craft legislation with care, with attention, with compassion, with empathy. We should be having access to justice as our centre point. Remember the charter, the charter that should truly guide every action that we do. Remember the charter. Remember the words that we start our day with here—words that I find should motivate us all.

We are meant to create a province where freedom prevails and where justice rules. Justice rules when those who can't have access to it have access to it. Justice rules when people who have their rights infringed upon have the ability and the recourse to get justice, to collectively join with others who are facing injustice, in the pursuit to right that wrong. That is the kind of society we should be building up.

That's why I say Bill 161 will hurt Ontarians. Bill 161 will erode our democracy. Bill 161 will erode and hurt our ability to access justice. It will push those on the edges, those who are already on the margins, further to the margins. It will weaken our civil liberties. It will weaken our ability to access justice. It will weaken our liberty. It will weaken the charter that we should be upholding daily. It will weaken the rights that have made our province a province of prosperity. You are putting that prosperity in jeopardy, because our prosperity is tied to our liberty, to our freedom and to our protections afforded by the charter.

The changes to Bill 161 are regressive, are putting our legal system in a regressive direction. They erode independence to Legal Aid Ontario. They erode independence to an institution that should be independent, that should not ever have to work toward the whims of government, but should instead work toward the needs of people who are in marginalized positions. That should be the guiding light, legally.

Instead, we see a Conservative government whose agenda is clear. And it's important to note: What are the motivations for these kinds of changes? What are the motivations for bringing in this kind of legislation?

The new amendments claim to be made as a result of recommendations made by multi-stakeholders. In fact, they cherry-picked from one of the stakeholders—the LCO—and introduced some disturbing new standards which have been pulled directly from American lobbying efforts. These standards don't exist otherwise in Canada.

We look at some of these potential motivators. We see that the Canadian Chamber of Commerce urges action

against the growing number of class action lawsuits, asking that ultimately we work against a system that allows for people to hold big pharma, big companies, multinational corporations accountable.

**1630**

I end by saying this: If we truly want to create a just society, if we want to truly serve our constituents and serve those for whom we have the obligation to do so, then we should be creating a system that is defined by justice. We should be creating a system that is defined by access to justice. The removal of these terms from legal aid and the acts are a step in the wrong direction. Weakening class actions is a step in the wrong direction. It's important to note that when we are hurt individually, the impact will be felt collectively because of the dangerous precedent that will be set. We have an obligation to work against that tide and any sort of agenda that puts Ontarians and our justice and liberty at stake.

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

**Mr. Lorne Coe:** It's not unusual that we would hear a member of the opposition criticize the government's proposed changes to Legal Aid Ontario. It's not unusual at all. Yet Charles Harnick, the former Attorney General and chair of the board of Legal Aid Ontario, and David Field, who is the CEO of Legal Aid Ontario, stood next to the Attorney General during first reading of Bill 161 in support—in support, Speaker—of the changes.

How does the NDP and, in particular, the member from Brampton East justify his position on our proposed changes today, even when we have the support of Legal Aid Ontario, when they stood by in this Legislative Assembly and allowed the previous Liberal government to lay waste to our justice system?

**Mr. Gurratan Singh:** Speaker, respectfully, any decision that upholds the devastating cuts to legal aid, any sort of legislation that upholds the \$133 million that have been cut from our legal aid system, any sort of legislation that removes access to justice from the legal aid act clearly is not in the best interest of Ontarians and those who are in marginalized positions. That is in contradiction to our responsibility as people, as members of Parliament, as lawmakers, and we should be upholding these systems and we should be very vigilant against any cuts to legal aid and anything that removes access to justice from the act.

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

**Mr. Michael Mantha:** I want to thank the member from Brampton East. I really enjoyed your presentation while sitting here in the House. It was detailed, it was thorough, it was clear in regard to the objectives. As MPP for Algoma-Manitoulin, and all MPPs in the room, we get, every single day, people coming into our offices seeking aid for justice. We have individuals who are low-income and disadvantaged who are looking for access to justice.

Now, often, we don't hear of these organizations who are out there who are outspoken. They go about doing their daily work in regard to providing that justice and opening up their doors. We have individuals like legal aid lawyers,

the Society of United Professionals and also the Law Commission of Ontario who have raised red flags in regard to this bill.

Can you provide us details in regard to why those red flags are coming forward?

**Mr. Gurratan Singh:** I want to thank the member for his question. It's actually a really important question, because ultimately what's happening is people are raising questions when they see a variety of things. These clinics are at the front line of caring for people in precarious situations. They're at the front line of caring for people and providing services to those who are in tough positions. When they see cuts that impact their ability to really help people out, that's devastating. When we see the direction from this Conservative government to go away from principles like access to justice for people who are low-income and in disadvantaged situations, it's a clear sign that the Conservative government is putting forward a bill that ultimately is going to hurt more Ontarians and is not going to actually advance justice. I think those are some of the most drastic changes and some of the most problematic aspects of the bill.

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

**Mr. Randy Pettapiece:** It's interesting to me that the NDP caucus refuses to support common-sense changes that help facilitate juror privacy. I would certainly like to know about the member from Brampton East's thoughts, and would he want to sit on a jury where a convicted offender was able to know his personal information, especially if that member sat on a jury that ultimately led to the offender's conviction.

**Mr. Gurratan Singh:** I want to thank the member for his question. There is a variety of changes being put forth in this piece of legislation. There is a lot of different things being put forward and a lot of things that people are concerned about. What I'm really seeing people being concerned about right now—and particularly, I want to bring your attention back to that letter from the Law Commission of Ontario. The Law Commission of Ontario put forth a letter sent directly to the Attorney General, saying that despite the fact that they're one of the stakeholders who were consulted with, and despite the fact that the Attorney General himself cited them as a stakeholder, they are actually not in support of this piece of legislation.

These are the issues that are really pressing towards individuals. This is why people are concerned with Bill 161, because of its infringement upon these very basic rights and freedoms that should be upheld by our current system.

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

**Mr. Taras Natyshak:** I'm really pleased to be in the House to listen to my colleague the member from Brampton East disseminate the effects of this bill. My question to him is in regard to the changes to the Class Proceedings Act, specifically around the predominance requirements. How will that, in real-world situations, benefit those multinationals that are most often involved in class action proceedings? What will it look like in terms of a group seeking redress for some sort of mass accident? We're

living in a global age, where products and services are delivered around the world. Does it now put that type of legal action out of reach for those plaintiffs?

**Mr. Gurratan Singh:** I want to thank the member for his question. The concerns that you've articulated are the same concerns that are shared by the Law Commission of Ontario. Ultimately, they found that the changes across the board would have made situations like Walkerton—and we all know Walkerton. Walkerton is a part of our collective memory as Ontarians. It would have made class actions like Walkerton not possible in our current context. It limits people's ability to come together. It puts a further legislative barrier to people having these class actions to ultimately pursue justice. That is something that hurts every one of us. That's why we have really seasoned and respected organizations like the Law Commission of Ontario coming out with very strong language saying that this is a step in the wrong direction and this is not the kind of legislation that we need in Ontario right now.

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

**Mr. Stephen Crawford:** It's an honour to speak to Bill 161. This is a very important bill, and I appreciate the member opposite's comments. However, I do have a question. The members opposite voted against first reading of this bill, and I would like to know how the NDP caucus can justify not supporting changes to the Class Proceedings Act, legislation that has not changed in over 20 years and which does not put vulnerable people at the centre of class action litigation. Why won't the NDP support making the payment of lawyers' fees reasonable, making settlements fairer and in the interest of class members, ensuring proper notice when people are part of a class action, ensuring more protection for vulnerable class members and more? Why is the opposition so against this, helping these vulnerable people?

1640

**The Deputy Speaker (Mr. Rick Nicholls):** I return back to the member from Brampton East for a response.

**Mr. Gurratan Singh:** Speaker, I ask the member to turn his attention to the Law Commission of Ontario, an organization that is respected in its legal opinion. The Law Commission of Ontario has clearly stated in a letter that I'm holding in my hand right now, which was sent to the Attorney General, that they could not even support this piece of legislation. They could not support this legislation because of how it strikes at the heart of people's right to come together, to collectively organize and put forth class actions. Of course that is something that is going to impact people's ability to access justice, and something that we should look at and say, "This is the wrong direction for Ontario."

I ask the member to pay attention. If you're stuck on partisanship, then look at an independent body like the Law Commission of Ontario and see their opinions with respect to this piece of legislation. You will see that they echo mine, because I'm reading right from it. They are against this legislation because it hurts people's democratic right to hold big companies and government accountable. That is something that hurts us all, and that is something that we need to be extra vigilant on.

For me, as a member of Parliament, I am proud to say that when we have institutions like the Law Commission of Ontario coming out—as a lawyer, these are opinions that we should be looking to for guidance. As the government, I would hope that you would look to these organizations as people to take recommendations from and to follow their opinion as well.

**The Deputy Speaker (Mr. Rick Nicholls):** Before we continue with further debate, I beg to inform the House that the following document has been tabled: a report entitled *Tax Expenditures: Oversight, Growth and Distribution*, from the Financial Accountability Office of Ontario.

In addition, I beg to inform the House that pursuant to standing order 101(c), changes have been made to the order of precedence on the ballot list for private members' public business such that on the ballot list draw of November 4, 2019, Ms. Horwath assumes ballot item number 9, Ms. Fife assumes ballot item number 52, Ms. Lindo assumes ballot item number 27 and Mr. Arthur assumes ballot item number 35.

Further debate? I recognize the member from Carleton.

**Ms. Goldie Ghamari:** Thank you, Mr. Speaker. It's great to be back here in the Legislature.

Before I begin, I just wanted to give a quick shout-out to my constituency staff: Candice, Hina, Kirstyn and Megan. I miss them already, and I look forward to seeing them when I get back.

It's an honour to rise in this House today to speak to Bill 161, the Smarter and Stronger Justice Act, 2020. I would like to begin by thanking the Attorney General for introducing this critical piece of legislation.

Si le projet de loi est adopté, il modernisera et améliorera la prestation des services d'aide juridique, le traitement des recours collectifs, l'administration des procédures judiciaires et la vérification de l'identité et des documents juridiques en autorisant une vérification en ligne. Le projet de loi contient des propositions pour améliorer la façon par laquelle le système de justice fonctionne tous les jours de manière à fournir aux gens un accès plus rapide et plus abordable à la justice, quelque chose qui est si important pour la sécurité de tous les Ontariens et Ontariennes.

The Smarter and Stronger Justice Act proposes changes to more than 20 acts, updating old laws and streamlining processes so that our justice system works for the people of Ontario. Our government has heard loud and clear from people all across Ontario, including constituents from my own riding of Carleton and across the city of Ottawa, that the justice system has grown too complex, is outdated and is simply not client-focused. In order to better support the growth of safer communities while standing up for law-abiding citizens and victims of crime, Ontarians need our government to bring forward this long-overdue update. Ontario's legal aid legislation has not been substantially updated since 1998. To put it in perspective, I was 13 in 1998.

The current Legal Aid Services Act is outdated, and it simply does not reflect the type of modern and efficient

legal aid system that Ontarians expect and deserve. As a lawyer, I know this from first-hand experience. When I was a law student at the University of Ottawa, I had the opportunity to learn about the community legal aid clinic at Fauteux Hall. As a lawyer, I also participated in providing free legal aid services, on a voluntary and unpaid basis, to the community. Far too often, I was met with unnecessary and outdated administrative burdens that were not only unhelpful but costly, time-consuming and focused more on administration than actually providing support to low-income Ontarians.

By allowing legal aid services to be offered by a mix of service providers, such as private practice lawyers, law firms, community legal organizations and public legal education organizations, the proposed changes set out in the new Legal Aid Services Act will finally put clients at the core of our legal aid system.

Our government wants to enhance Legal Aid Ontario's ability to meet client needs by giving the LAO greater flexibility to work with its service providers, such as Community Legal Services of Ottawa, and create a sustainable service delivery model. We need a modern system that safeguards and enhances the quality of services provided to legal aid clients. In order to serve all Ontarians, we need to strengthen the scope of legal aid services offered. By allowing the LAO to provide a wider variety of services to Ontarians, including legal information, summary advice, alternative dispute resolution services, unbundled legal services and full representation, we can finally achieve a comprehensive system that works for every Ontarian.

Finally, Mr. Speaker, our government knows that we need to simplify services by removing unnecessary and outdated processes from legislation. These outdated processes have barred efficient service delivery for both LAO and its service providers. We want to remove the red tape for LAO impacting rules on operational matters—rules that currently must go through lengthy government approval processes.

Je suis tellement heureuse que ce projet de loi aidera tous les Ontariens et Ontariennes. Aussi, je suis fière que notre gouvernement prenne des mesures pour assurer la protection de nos communautés francophones.

La législation proposée donnera le mandat à Aide juridique Ontario de prendre en compte les besoins des personnes et des communautés francophones lorsqu'elle fournit des services d'aide juridique. Ça, c'est vraiment important dans ma ville d'Ottawa parce qu'il y a beaucoup de francophones et de francophiles qui habitent là. Notre gouvernement propose ces modifications législatives en reconnaissance de l'importance de veiller à ce que les Franco-Ontariennes et Franco-Ontariens puissent accéder aux services juridiques en français.

En plus des propositions législatives liées à la Loi sur les services d'aide juridique, la Loi pour un système judiciaire plus efficace et plus solide propose des amendements à la Loi sur les recours collectifs pour améliorer l'avis aux membres du groupe en donnant l'instruction que les avis soient publiés à la fois en anglais et en français. C'est la conviction de notre gouvernement

que ce changement aidera à faire en sorte que les Franco-Ontariennes et Franco-Ontariens reçoivent un avis en bonne et due forme d'action collective à laquelle ils pourront être admissibles afin d'y participer.

Finalement, la Loi pour un système judiciaire plus efficace et plus solide améliore les traductions françaises dans plusieurs textes législatifs, y compris la Loi sur le Barreau et la Loi de 2006 sur le Conseil canadien sur la reddition de comptes.

Mr. Speaker, every Ontarian has the right to feel protected, not only from crime within the judicial system. Our government is also taking action to strengthen laws around property forfeiture to ensure that criminals do not profit from crime. We believe that any proceeds from illegal activity need to be directed faster to victims and support programs that fight crime. Our government wants to make it as hard as possible for criminals to hold on to the proceeds of their crimes.

**1650**

The changes in this bill would make the process easier by allowing personal property, such as cash or cars, used by criminals for illegal activities, to be forfeited without a court order in cases where no interested person disputes the forfeiture. This change would relieve burdens on the police and the court system while more proceeds of crime will be reinvested to support victims.

Updating Ontario's 2001 laws on property forfeiture would expand Ontario's ability to take away the profits of illegal activity from criminals and re-establish the province as a national leader in deterring criminal activity.

Protections will remain in place to ensure that innocent people, including those who rent or lease their property, would not be adversely or unfairly affected by administrative forfeiture.

Also, through the Civil Remedies Grant Program and the Proceeds of Crime Frontline Policing Grant, Ontario is helping police carry out targeted crime prevention projects in communities to combat gun and gang violence, stop sexual harassment, stop sexual violence and end human trafficking.

Cette année, le Programme de subventions pour les recours civils a débloqué 1,5 million de dollars pour aider la police à lutter, dans tout l'Ontario, contre la traite de personnes, dont l'exploitation sexuelle et le travail forcé, et contre d'autres activités illégales qui financent des bandes criminalisées et menacent la sécurité publique.

Yes, this grant provided \$1.5 million to help our police services. I have seen personally how Carleton and surrounding Ottawa regions have benefited greatly from this.

In fact, the Ottawa Police Service also received over \$44,000 toward the Rapid Drug Identification and Community Alert Initiative. This helped to purchase an Ionscan, a portable detector that can identify a variety of drugs and dangerous opioids, such as fentanyl and its analogues, reducing injury and assisting with investigations.

At a joint press conference with the Ottawa Police Service and the Ottawa Police Association on December

17, 2019, I also announced that our government will be investing an additional \$195 million through the new Community Safety and Policing Grant to combat crime and keep communities safe, and that the Ottawa Police Service will be receiving \$13.8 million through that grant over the next three years, and will also be receiving an additional \$53,000 in funding through the province's Reduce Impaired Driving Everywhere, or R.I.D.E., program.

Nous avons entendu l'appui pour cette législation de partout en Ontario, des citoyens et de ceux qui travaillent au sein du système de justice. Chef Paul Pedersen, le président de l'Association des chefs de police de l'Ontario, a exprimé ses pensées : « Des dirigeants de la police, en Ontario, continuent de travailler, avec le gouvernement et nos partenaires à la modernisation et à l'efficacité du système judiciaire. Nous sommes contents des modifications législatives proposées à la Loi de 2001 sur les recours civils, car elles simplifieront les procédures relatives à la confiscation de biens au civil tout en allégeant le travail du personnel policier et des tribunaux. »

It is for reasons like this why our government has brought forward this bill and these specific changes. We have listened to those who work within and those who have been directly affected and impacted by our justice system.

This bill provides a truly comprehensive overview of necessary changes to make life easier for all Ontarians. This bill makes revisions to so many important areas of Ontario's outdated justice system. I'm so proud to be part of a government that puts the needs of its citizens first, especially since this bill looks to make so many changes that will stand up for law-abiding citizens and victims of crime.

To start, our government wants to make amendments to the Victims' Bill of Rights to make it easier for cyberbullying victims to sue their offender. In today's world, the Internet is everywhere. It affects all of us, including our families, our friends and our children. We want to make sure that the Internet is a safe and accessible place for everyone to connect, learn and grow.

Those who choose to exploit and discriminate against others over the Internet need to be held accountable for this serious offence. Cyberbullies use information and digital technology to deliberately and repeatedly harm a person or group. The proposed amendment to regulation 456/96 under the Victims' Bill of Rights would make it easier for victims to obtain damages in civil proceedings against offenders convicted of these offences. This will provide the peace of mind that, in today's world, is unfortunately necessary.

Aussi, ce projet de loi propose des modifications pour protéger la vie privée et la sécurité des jurés.

La modification proposée éliminera l'exigence d'inclure au tableau des jurés les adresses des jurés. Si cela est nécessaire pour un procès, les parties pourront demander par motion au tribunal la divulgation des adresses des jurés.

I've also had an opportunity to have several meetings, even prior to getting elected, with Gary Stein, an Ottawa-based lawyer and the executive director of Community Legal Services of Ottawa, a legal clinic that provides free legal services for persons with low income living in Ottawa.

As part of our ongoing conversations, on September 11, 2019, Mr. Stein said to me in an email that “the new legal aid legislation should continue to include reference to having locally governed not-for-profit legal clinics serving low-income communities.”

Mr. Speaker, that's exactly what we did. Our government is here for the people. We are here to listen, and we all want what is best for some of our most vulnerable citizens. That's why, in schedule 16 of the Smarter and Stronger Justice Act, 2020—the Legal Aid Services Act, 2019, as it's entitled—we included the following paragraph, found at subsection 5(1), which reads:

“‘Community legal clinic’ means a community legal organization that is structured as an independent corporation without share capital whose members of its board of directors are members of the community or communities it serves.”

And “‘community legal organization’ means a community organization that provides legal or other related services to the community or communities it serves, and includes a community legal clinic.”

In that same correspondence, Mr. Stein also indicated the need for new legislation to also “continue to have reference to the legal clinic approach to delivering services, including: having legal needs of low-income communities determined locally, not centrally. Having a locally responsive service is a key feature of our service delivery.”

Again, we consulted, we got feedback, we listened and we acted on this.

In the updated Legal Aid Services Act, 2019, at subsection 5(5), it reads:

“In determining how to provide legal aid services in the area of poverty law as described in section 4, the corporation shall have regard to,

“(a) the foundational role of community legal clinics in providing services in that area of law; and

“(b) determinations by community legal clinics of the legal needs of the communities they serve in that area of law.”

My meetings with Mr. Stein and other representatives of Community Legal Services of Ottawa have been incredibly informative. It's clear that the Attorney General has listened intently to the feedback he has received from all across the province, including from Ottawa. Mr. Speaker, I look forward to continuing these discussions and conversations with Mr. Stein and other key stakeholders in the Ottawa legal community.

I also wanted to touch upon some other critical aspects of the legislation that have been incredibly helpful and have worked to modernize the system that we have.

One of the things that we did was have widespread consultations. In fact, I believe it was approximately a year

ago that the parliamentary assistant to the Attorney General, MPP Park, actually attended—she was hosting round tables all across the province. The first one was in Ottawa, and I had an opportunity to join her at that round table. This was over a year ago, in fact. I remember the weather was terribly cold in Ottawa.

A lot of the things that were discussed during that round table we can find in the legislation today. The nice thing about that round table is that it wasn't just one section or one sector of the legal industry. We had lawyers representing law firms. We had lawyers working in legal aid services. We had crown attorneys. We had in-house corporate counsel. We really had a wide variety of opinions.

**1700**

Ultimately, Mr. Speaker, lawyers are the ones who are in the system. They're the ones who are here to help and to represent people. They would understand best the challenges that their clients might face, or the challenges that they would face as lawyers, in attempting to provide those services to low-income Ontarians.

We have to remember that when we're dealing with some of the most vulnerable people in Ontario, we need to make sure that their needs are being met. With the feedback that we received from these round tables in Ottawa and elsewhere, that's what went in to this legislation. I was there. I remember the feedback and I remember the comments that we got. It's so great to see that we have a piece of legislation that is directly related to the consultations and to the feedback, because again, when we were campaigning to be here today, we made a promise to Ontarians. We promised them that we would be here to listen and we would take their feedback. Ultimately, we are here for the people, and this piece of legislation I believe, speaks to that.

To conclude, Mr. Speaker, again, it's an honour to rise in this House today and speak to Bill 161, the Smarter and Stronger Justice Act, 2020. Our government made a commitment to the people of Ontario to bring accountability and transparency back to government. We also made a commitment to eliminate unnecessary red tape that makes life more difficult. That is why I am proud to speak in support of this bill, and I look forward to supporting the Attorney General and the Premier to make the Smarter and Stronger Justice Act, 2020, a reality.

I wanted to thank everyone for their discussions today. It has been very informative. I look forward to the questions and comments portion of this speech because it will be my first time.

**The Deputy Speaker (Mr. Rick Nicholls):** It is now time for questions.

**Ms. Suze Morrison:** To the member from Carleton: I did listen intently to her remarks throughout her debate. Early on in her debate, actually, she spoke quite passionately about the impetus for updating the legal aid legislation, and that Bill 161 came about specifically because of its age. The current legislation on the books was drafted in 1998, making it inherently obsolete. She mentioned that she was only 13 in 1998. I actually would

have only celebrated my 10th birthday that year. But my question to the member is: If the arbitrary year of 1998 is the member's litmus test for the relevancy of legislation, why does she and her party not apply that same means test universally, specifically perhaps to the sex ed curriculum, as one example that might come top of mind?

**Ms. Goldie Ghamari:** I would like to thank the member from Toronto Centre for her question, although I find it a little bit confusing, because never did I say that we are changing or modernizing this bill because it was made in 1998. I was just stating a fact. I essentially said that this bill hasn't been looked at or revisited for 20 years. I'm not quite sure how to respond to that, because I never made any statement that we are changing this because of the date. It was merely a statement of fact. However, if she's asking why we're modernizing the bill in general, I can say that the reason we're doing this is because we had widespread consultations, as I indicated in my speech. We even had consultations in Ottawa. Lawyers were saying that there need to be changes and that it needs to be updated.

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

**Ms. Jane McKenna:** It was interesting to listen to all that you had to say. I have a couple of questions. The first one is: I have met with many legal clinics in my riding over many months over the government's proposed changes to Legal Aid Ontario. I was very pleased to learn, obviously—with the MPP from Whitby as well—that Charles Harnick, former Attorney General and chair of the board of Legal Aid Ontario, and David Field, CEO of Legal Aid Ontario, stood with the Attorney General during first reading of Bill 161 to support the government's changes. Can you please describe how the proposed legislation would specifically impact clinics?

**Ms. Goldie Ghamari:** I want to thank the member from Burlington for her question. As I mentioned, we're updating legal aid legislation after more than 20 years to better serve clients and strengthen justice in Ontario. This was precipitated, obviously, by widespread consultations. It was because of these consultations that we are proposing tools to help Legal Aid Ontario provide seamless, sustainable and high-quality front-line services for clients.

The proposed changes that we've made really build on the strength of community legal clinics, duty counsel and use of private bar certificates to make the system easier to navigate for clients. The Ministry of the Attorney General and the Attorney General himself have been working closely with Legal Aid Ontario and also consulting with community legal clinics. I know this because Gary Stein told me that he's had direct conversations with the Attorney General, and everything we are doing is based on the feedback that we are getting from community legal aid clinics.

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

**Mr. Taras Natyshak:** I like this format. This is good; it's engaging. I appreciate the engagement with members.

My question to the member for Carleton is that I'm sure she's aware that many of the recommendations made by the Law Commission of Ontario—I believe somewhere

around 40—were adopted by the government in the context of this bill. But the bill being an omnibus bill—

**The Deputy Speaker (Mr. Rick Nicholls):** To the Speaker, please.

**Mr. Taras Natyshak:** Pardon me. That's the tough part, having someone behind you.

In the context of this bill, the Law Commission of Ontario states that, unequivocally, they cannot support the full nature of this bill due to the changes to the Class Proceedings Act, where they will essentially make class action lawsuits unattainable for those who need them.

She mentioned that the input was made by lawyers. These people are lawyers, and they're saying that they can't support this. How does she rectify her government's position on this bill?

**Ms. Goldie Ghamari:** I'd like to thank the member from Essex for his question. The Class Proceedings Act has not been looked at or reviewed for over 25 years, and within our consultations that we did, there was widespread consensus among the business and legal communities that the act should be modernized.

Ultimately, the proposed amendments that we're making to class action reforms would promote better access to justice and transparency for class members by requiring proposed settlements to be fair, reasonable and in the best interests of the class. It would enhance transparency regarding settlement and award distributions. It would establish new statutory guidance related to approval of lawyers' fees, including new criteria to ensure that fees are fair and reasonable. A lot of times in class action suits, it's a private contract, and ultimately lawyers can get what they want.

Ultimately, the changes and amendments we're making are to safeguard those rights and to ensure that they're more accountable and transparent, which is something—

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

**Hon. Paul Calandra:** Thank you very much, Mr. Speaker. I appreciate the opportunity to have a comment or two.

My question to the honourable member is that we seem to be hearing, since we've been back, a number of comments from the opposition, whether it was on the farm trespass bill or on this bill right here—that it is constantly opposed. It's just opposed for the sake of opposing.

But specifically to this bill and to the comments she made, I wonder if she might focus a little bit more attention on the fact that a number of us have heard from legal aid clinics across our communities about the need to refocus that aid back on the people who need it most, to cut red tape and to ensure that it is there not only for people who need it today but for future generations. I wonder if the member might comment on that for the benefit of the House.

**Ms. Goldie Ghamari:** Thank you to the government House leader for his question. I'm sorry; I didn't catch the first end of that. The member from Essex was speaking a bit loudly.

1710

But ultimately, the proposed changes that we're making would put clients at the centre of the legal aid system by allowing legal aid services to be offered a mix of service providers, like private practice lawyers, law firms and community legal organizations.

This is actually really critical, Mr. Speaker, because even as a freshly minted lawyer way back when, when I was trying to get involved so I could provide free legal advice to low-income Ontarians, there was a lot of administrative and bureaucratic red tape that even I, as a lawyer, had to get through. It was almost a disincentive to lawyers who really want to help out. So I'm really glad to see some of those changes we're making, because it will make it easier for lawyers to get involved so that low-income Ontarians actually have more access to resources and lawyers to get the help that they need.

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

**Mr. Gurratan Singh:** My question is to the member for Carleton. Does the member agree that the victims of Walkerton and residential schools were justified in their class actions? And knowing that the Law Commission of Ontario states that Bill 161 will likely prevent those kind of lawsuits today, how can she in good conscience justify Bill 161, knowing it would prevent victims like those in Walkerton and residential schools from carrying out their class actions?

**The Deputy Speaker (Mr. Rick Nicholls):** Back to the member from Carleton.

**Ms. Goldie Ghamari:** Again, I'm not quite sure how to respond to that, because it's a hypothetical. The member from Brampton East initially stated that this would likely prevent something and then he's saying that it would. I can't speak to hypotheticals. If the member from Brampton East is willing to provide some evidence that this would be the case, then I'd happily respond. But as it stands, there is nothing in the legislation or on the record that would prevent those kinds of class action lawsuits from happening if they had to go forward. Again, those are also a different matter because they deal with historical things, and the federal government is involved as well.

Again, I cannot speak to or answer the member's question because it's based on hypotheticals, and there are no facts behind it.

**The Deputy Speaker (Mr. Rick Nicholls):** Unfortunately, there isn't enough time for a question and response. Therefore, further debate?

**Ms. Suze Morrison:** Welcome back to all of my colleagues. It's great to be back in the House.

It's a privilege to rise in the House for the first time this session. I'm grateful to have the opportunity today to speak to Bill 161. Specifically, I'd like to raise some significant concerns that I have with the bill and share with the House some of the comments that I've received from constituents in my community.

First off, I'd like to say that this bill is quite lengthy and quite complex, and by all accounts an omnibus bill that will have significant and dangerous implications for the most vulnerable members of our communities as they seek

access to justice in our legal system. Make no mistake, this bill will gut legal aid clinics and specialized clinics across Ontario and leave them with no recourse to fight any future cuts that this government forces down on them. Schedule 16 of this bill specifically amends the Legal Aid Services Act, which is the act that currently governs access to justice and fair representation for the most marginalized folks in our communities.

I want to start by quoting a statement from the Society of United Professionals, which is a union that represents lawyers at some legal aid clinics across Ontario: "The Ford government introduced legislation on December 9 that literally removes access to justice from Legal Aid Ontario's purpose. In tandem with their 30% cut to Legal Aid Ontario in last April's budget, the Society, which represents Legal Aid Ontario lawyers as well as legal professionals at three legal clinics, called this the biggest attack on legal aid in Ontario's history.

"The so-called Smarter and Stronger Justice Act is an attack on legal representation for the poorest Ontarians. Beyond removing 'access to justice' and 'low income individuals' from the" stated "purpose of the Legal Aid Services Act, the legislation would radically alter Legal Aid Ontario's mandate."

Speaker, every week, my office sends dozens of constituents to our local legal aid clinic to get access to justice for incredibly important issues like housing and health care. Every week, that legal aid clinic turns people away because they already don't meet the incredibly low cut-off for income for the types of services that those clinics are allowed to provide. For years, LAO and the clinic system have seen their funding diminish while other social services are eroded. People in my community literally have nowhere else to go.

Consecutive Liberal and Conservative governments have ignored the social determinants of health, specifically poverty. Speaker, we didn't get here overnight. While they've let our health system erode and our social welfare system erode and our education system erode, they are allowing all of these structures that determine the social determinants of health to collapse while trying to stretch and pinch pennies farther and farther. I'm concerned that we're at a breaking point, Speaker, and that this government will take us from the bad situation the Liberals put us in and make it into a full-blown crisis.

But I want to speak to some of the most pressing issues in this bill with the time that I have. Right from the get-go, this bill amends the actual objective of Legal Aid Ontario, the entire purpose of Legal Aid Ontario as it's stated in the legislation. The bill removes words like "access to justice" and "low-income Ontarians" and "disadvantaged communities" from the purpose of legal aid.

The bill reads: "The purpose of this act is to facilitate the establishment of a flexible and sustainable legal aid system that provides effective and high-quality legal aid services throughout Ontario in a client-focused and accountable manner while ensuring value for money." While no one is arguing here that—there's a need to be flexible and sustainable and effective and high-quality. What I'm



concerned about is that the government has completely missed the boat here on what the legal aid system is actually meant to accomplish and who it's actually for—you've cut them literally out of the definition—and that's to ensure that all Ontarians, whether they have money or not, are equal in front of the blindfolded eyes of justice and can have access to equal representation no matter how much money they have in their bank account.

Further, Speaker, this section entirely omits mention of clinics as the foundation of legal aid law. As we know, both local and specialist clinics provide excellent service to all of our constituents in all of our communities. My office and, I know, my colleagues' offices work with these specialty and local clinics on a daily basis to support our communities. The removal of clinics from this section weakens their position within the legislation, which should cause pause to anyone who cares about access to justice and anyone who cares about the constituents who walk in the doors of our offices, who we refer to those services.

I'd also like to touch on an equally worrisome part of the bill, which suggests that Legal Aid Ontario is no longer required to provide certain services. The current act reads that "the corporation shall provide ... services in the areas of criminal law, family law, clinic law and mental health law," but the bill doesn't require it anymore, the way the previous legislation did. So we've moved from "shall" require to "may"—specifically, that "the corporation may, subject to the regulations, provide as legal aid services any legal or other related services that it considers appropriate." But the discretionary nature of this is a double-edged sword. Not only would it be within Legal Aid Ontario's purview to not continue providing the clinic system, but the section also restricts the kind of services that LAO can fund.

I want to read into the record a portion of an article from the Toronto Star on this: "What is or isn't set in legislation is crucial, said John Struthers, president of the Criminal Lawyers' Association, because even though LAO has said it will continue to serve low-income Ontarians, it will no longer actually be required to do so under the proposed act.

"It's much like if they repealed the Canada Health Act and said, "You know, although we believe people are entitled to health care, we're not going to make it a duty or legislative necessity anymore,"" he said.

"What they're doing is repealing the actual legislative basis for legal help for poor people in Ontario."

This bill also severely restricts the definition of poverty law, which will have a huge impact on our constituents. Every single one of you should be concerned about this. As a kid, I was supported by a single mom who chose to go back to university to try to make life better for our family. I know first-hand what a lack of class privilege can feel like and what it looks like on a daily basis for families who are struggling in our communities. You are stringing them out and hanging them out to dry with this legislation.

People who are poor in the province of Ontario deserve to have equal access to justice—period, full stop. Bill 161 limits the scope of poverty law to housing and shelter,

income maintenance, and social assistance. That's it; three things. This bill notoriously fails to understand the intersections of class, race, disability, health and mental health, gender and sexual diversity.

**1720**

Low-income people are frequently Black, Indigenous, racialized, queer and trans. They are women, people with disabilities and newcomers whose first language is not English. To think that their legal needs end at what is proposed in this bill is laughable. Areas of law practice such as human rights law, health law, employment law and education law are all currently practised by clinics to help their clients, and I would argue that all of those areas of law are, in fact, poverty law.

Further to this, the legislation currently looks at issues that particularly affect disadvantaged communities, and that language is also entirely removed from this bill. Legal Aid Ontario funds a number of specialty clinics that try to help specific communities, like the Chinese and Southeast Asian Legal Clinic, the South Asian Legal Clinic of Ontario, the Aboriginal Legal Services and the HIV and AIDS Legal Clinic Ontario, just to name a few. Funding cuts or discontinuation of funding to any of these clinics would be devastating to members of these communities that are already disproportionately affected by poverty and discrimination. Everything in this bill puts all of those communities in a much more vulnerable position.

Speaker, I want to speak next to the concerns I have in regard to the way that this bill modifies the structure and appointment for the Legal Aid Ontario board of directors, and the way in which clinics may or may not be able to appeal agreements, as well as the notice that they receive for such agreements. The current act provides for an appointment process for the Legal Aid Ontario board that gives a stronger voice to the Law Society of Ontario. Under the current act, five members of the board are recommended by the Attorney General and five are selected by the Attorney General from a list recommended by the law society.

The new bill provides that the Attorney General has to select at least three but no more than five from the law society's list. The bill also provides that the Attorney General has only to consult with the law society when recommending the appointment of the Legal Aid Ontario board chair. Under the current process, the Attorney General selects a chair from a list recommended by a balanced committee. Taken together, these changes will be seen, and should be seen, as the government seeking far greater and undue influence on access to justice through the provision of legal aid services in Ontario. Further, the bill removes the recognition that Legal Aid Ontario board members have to have knowledge, skills and experience related to the provision of legal aid services to low-income and disadvantaged Ontarians.

We know that this government has a bit of a track record on board appointments that, I have to say, hasn't always been above-board, and I'm quite concerned that the removal of these provisions will render the Legal Aid Ontario board more susceptible to partisan political

appointments for the Premier's insiders, friends and donors.

It's important to remember that clinics don't operate like typical law offices, and it's greatly beneficial to have board members who understand their local communities, who understand systems of poverty and oppression, and who will advocate for clients who sometimes can't advocate for themselves. That experience on those boards is absolutely essential. It should be people who are actually experienced and qualified in the work, not folks who have the closest ties to the Premier and his insiders.

To quote a Toronto Star article again, Speaker: "Those changes, both individually and cumulatively, suggest the government wants to be able to pull the strings about what happens at Legal Aid and that should be concerning given this government's track record on access to justice and the ... apparent love of unqualified patronage appointments," said Ottawa criminal defence lawyer Michael Spratt, a frequent critic of the government's handling of legal aid."

I would like to take a moment to remind this House of this government's track record on patronage appointments, because I think it's directly relevant to the bill.

**Ms. Marit Stiles:** Oh, yes, let's.

**Ms. Suze Morrison:** Let's.

Most recently, let's start with Quinto Annibale, the Conservative-appointed vice-chair of the LCBO, who was caught parroting PC talking points on education cuts in full-page newspaper ads that he paid \$200,000 for—

*Interjection.*

**Ms. Suze Morrison:** Yes—on behalf of a shady group called Vaughan Working Families. My good friend from the riding of Toronto–Danforth was quoted on the issue saying, "We have a shadowy organization spending big money with people involved who seem to be very, very close to this party—a long history. There's enough here to justify an investigation." I have to say, I agree, Peter. I couldn't have said it better myself.

I'm sure you'll all remember the news breaking in January of the two people the Premier appointed to the Ontario Human Rights Commission, even though neither of them appeared on the list of more than 300 applicants who were under consideration for the job.

Last February, we saw the Premier hand out an appointment to the Ontario Energy Board to his close ally Jenni Byrne, a position which she did not meet the actual posted qualifications for. After just eight months, she quit this \$197,000-a-year stint on the Ford gravy train so that she could go and work for Conservative candidates in the federal election last fall.

Then, up next, who remembers Ian Neita? The Premier's former chief of staff, Mr. Dean French, certainly had close ties to him. The Premier and his cabinet appointed Neita to the Workplace Safety and Insurance Board on December 20, 2018. His credentials had never been reviewed by the Ontario Legislature's Standing Committee on Government Agencies—which you sit on.

**Ms. Marit Stiles:** I do.

**Ms. Suze Morrison:** They blocked that appointment, didn't they?

**Ms. Marit Stiles:** Yes, they did.

**Ms. Suze Morrison:** Yes, they did.

So, in 2013, in a program for Ontario Basketball's Ontario Cup tournament, French and Neita are listed as head coach and assistant coach, respectively, for the Etobicoke Thunder number 1 atom girls team.

On LinkedIn, Neita had actually endorsed Mr. French for his investment skills.

The going rate for that cushy gig was \$275 per meeting.

Last summer—this is a long list. This is getting quite exhausting.

Last summer, we saw a number of international trade and adviser positions also get divvied up to a handful of other well-connected—

**The Acting Speaker (Mr. Will Bouma):** I recognize the government House leader on a point of order.

**Hon. Paul Calandra:** I recognize, Mr. Speaker, that we've changed the standing orders, but it is my understanding that even with the change in standing orders, members are required to speak to the bill that's at hand.

I can appreciate, if the member is as supportive of the changes in this legislation as she appears to be, since she's gone on to other topics, that maybe—

*Interjections.*

**The Acting Speaker (Mr. Will Bouma):** Order, please.

I would remind the member to keep her remarks to the bill, please.

*Interjection.*

**Ms. Suze Morrison:** Thank you, Speaker. If you'll allow me to continue, I do believe that this is directly relevant to the bill, because the bill amends—

*Interjections.*

**Ms. Suze Morrison:** The bill amends the appointments process for Legal Aid Ontario, to concentrate power for appointments back into the cabinet of this government. If this government's track record on public appointments is not directly related to this bill, then I don't know what is, so I will continue.

Further, we had Earl Provost. We had Jag Badwal. We had Tyler Albrecht. We had Ian Todd—

*Interjections.*

**Ms. Suze Morrison:** Speaker, can I please continue?

**Hon. Paul Calandra:** Mr. Speaker, on a point of order.

**The Deputy Speaker (Mr. Rick Nicholls):** I recognize the government House leader on a point of order.

**Hon. Paul Calandra:** Sorry, Mr. Speaker. I believe the Speaker made a ruling with respect to the member's comments, and that ruling was that she should focus on the content of the bill. So I would ask that you again refocus the member back on the contents of the bill. Otherwise, I suspect that what she's actually doing is challenging a decision of the Chair—

**The Deputy Speaker (Mr. Rick Nicholls):** Thank you very much. I was listening very intently, and I also listened very intently to the response from the Speaker previous. I would just caution the member not to come across as though you may be challenging the Chair or the Speaker.

Again, I will allow you to continue, but I would caution you on your approach. Thank you very much.

**Ms. Suze Morrison:** Thank you, Speaker. I'd like to mention next Jag Badwal, Tyler Albrecht, Cameron Montgomery, Ian Todd, Rueben Devlin, Gavin Tighe, and my favourite, Ron Taverner, Doug Ford's close personal—

**Hon. Paul Calandra:** Point of order, Mr. Speaker.

*Interjections.*

**The Deputy Speaker (Mr. Rick Nicholls):** Excuse me. I recognize the government House leader on a point of order, please.

**Hon. Paul Calandra:** Mr. Speaker, again, I think there have been two rulings of this House with respect to that, so I'd ask that the Speaker consider moving on to the next speaker on the rotation, given that the member seems to be unwilling to either listen to the order of the Speaker or—

**The Deputy Speaker (Mr. Rick Nicholls):** Thank you very much.

Look, in baseball, you get three strikes, okay? You've had two. I'm going to caution you. You know what the ruling has been with regard to staying on topic with the bill that's before you. Again, I would ask that you stick to the bill. If not, I will then be forced to move on.

1730

Again, back to the member from Toronto Centre to continue her debate.

**Ms. Suze Morrison:** The point that I was trying to make is that it's hard to sit quietly while this government legislates new rules for appointments processes specifically related to Legal Aid Ontario, particularly when we have had challenges with who this government has been putting into these positions.

Lastly, I want to say that Bill 161 removes the provision that clinics had to review Legal Aid Ontario decisions regarding their own funding. During the last round of cuts, many clinics used this provision to challenge the level of cuts that were passed to them by Legal Aid Ontario because of the cuts from the Ministry of the Attorney General—callous cuts that, I will remind this House, accumulated to more than \$133 million. This bill will continue to cut our legal aid system in Ontario to its core, much deeper than funding cuts alone could, and will leave clinics severely undervalued and unprotected and unclear about the merit of the folks that are helming this system.

Bill 161 strips the government of all responsibility when it comes to providing legal aid services to those with the greatest needs and completely ignores the foundation of what access to justice means in our communities, what that means to communities that have deep divides in class inequality and some of the highest rates of poverty that we have ever seen. Ontarians, specifically low-income Ontarians and disadvantaged Ontarians, deserve proper access to justice.

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

**Mr. Lorne Coe:** This legislation speaks about cyberbullying victims. I'd like to hear from the member from Toronto Centre whether she supports making it easier for

cyberbullying victims to sue offenders convicted of the offence of non-consensual distribution of intimate images.

**Ms. Suze Morrison:** I would challenge the government members opposite that this is exactly the problem with omnibus legislation. There are so many schedules in this bill that have so many drastic and broad, sweeping impacts across the province that we are never going to be able to get into the nuance of all of the different schedules in these debates. I only had 20 minutes and specifically only dug into schedule 16 in great depth.

To try to suggest that we don't support victims of cyberbullying, when in fact we are standing up for access to justice for every low-income person in this province, is a convoluted question. I would turn to your own benches and ask yourselves how this bill is going to hurt the constituents that are coming into your offices, the folks that you are referring to the legal aid clinics that you are cutting the feet out from underneath. I would pose to you: What is the cost of access to justice worth for those folks? Everyone in this province deserves equal justice for all, regardless of their income.

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

**Miss Monique Taylor:** I would like to thank the member from Toronto Centre for her very in-depth debate on this portion of the bill. As she said, it's a very large bill; that's why she took out sections 15 and 16 to dive into that deep, because it affects our constituents so deeply. I know in my office the amount of folks that come in that need our community legal clinic—people with disabilities, people with housing issues, people on Ontario Works, ODSP—will be strongly affected by this.

As I've been here for the entire debate this afternoon, I heard from a previous member who said that she visited with Legal Aid Ontario last year and how they were happy and they needed changes to the bill. When they visited with me last year, they had great concerns about the services that would be cut. So I'm asking the member from Toronto Centre: When she met with legal aid, what was her sense on the feeling of that meeting and the concerns that legal aid brought to her?

**Ms. Suze Morrison:** I'd like to thank the member from Hamilton Mountain for her question.

We know that in our communities, folks who are living with disabilities, who are facing the immense pressures of the housing crisis in this province, who are dealing with challenges with ODSP and Ontario Works, are some of the most vulnerable folks in our communities, and they deserve access to strong legal representation through our legal aid system and our legal aid clinics.

I've met with the specialty clinics and our local clinic in my constituency. We are so fortunate to have folks like Neighbourhood Legal Services in Toronto Centre, supporting our constituents.

I can tell you, Speaker, that the folks at Neighbourhood Legal Services are terrified. They've had staffing losses already because of the 30% funding cut that has come down from this province, and they are not happy with the direction that this province is taking legal aid.

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

**Mr. Daryl Kramp:** I'd like to ask the honourable member a question about juror privacy.

A number of us have had the opportunity or privilege, or sometimes even condemnation, of seeing violent criminals in action in the courtrooms, and we've seen threats. In this legislation we have proposed protection for jurors, to protect their privacy, so that criminals would not be in a position to either threaten or harm victims. Yet the opposition member and her caucus are against us putting in protection measures to protect jurors. I might ask the opposition member why.

**Ms. Suze Morrison:** Thank you to the member from Hastings–Lennox and Addington for the question.

I would respond to you that the real folks who are being treated like criminals in this province are the poor people that you are leaving behind with this legislation.

In Ontario, justice should belong to everyone, not just the rich and powerful. Single parents use legal aid clinics to get help with missing child support payments. Class action lawsuits deliver justice for the little guy by helping individuals who have been hurt to join together and take on Goliath.

In my riding of Toronto Centre, we have a class action challenge that's moving forward right now from folks displaced by a fire in a 30-storey housing complex that has displaced residents of my community for more than a year and a half now, and going on two years. Those folks deserve access to justice. The majority of people involved in that suit are low-income folks. They are new immigrants, they are young families, and they deserve access to justice. It's not just for the rich and powerful.

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

**Ms. Marit Stiles:** I want to thank the member from Toronto Centre for her very incisive and introspective comments. I felt that you touched on an enormous number of really important points.

One of the issues with omnibus bills like this, as we've seen again and again and again, is that the government wants to cherry-pick items that they can then throw back at us and say, "You know what, you guys? We dare you to oppose this." Well, you know what? We will stand up and we will oppose this bill, because this bill criminalizes the poor. It criminalizes the poor.

I also want to say, Mr. Speaker, that I really appreciated the member from Toronto Centre raising the issue of the appointments process to the board, because what this does is shift the balance. It politicizes the board of Legal Aid Ontario, which this government wants.

I wonder if the member opposite, the member from Toronto Centre, would care to comment a little bit further, though, on some of those issues of checks and balances that are, I think, missing from this legislation.

**Ms. Suze Morrison:** Thank you so much to the member from Davenport for the question.

Checks and balances are really important in our system, and in our legislative system as well. One of those checks

and balances in our Legislative Assembly, for example, is our public appointments committee, where we keep a check and balance on who the government is appointing to bodies, including Legal Aid Ontario—a process which you are trying to amend in this legislation.

I'm disappointed that when I was trying to convey that concern in my debate, I wasn't able to make those points. This government has a disturbing track record on who it appoints to public bodies, including Legal Aid Ontario. When our committee is cut off from holding this government accountable in that process, I have very significant concerns.

1740

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

**Mr. Jeremy Roberts:** I've enjoyed this debate today and learning more about this piece of legislation that's going to help to modernize a number of outdated pieces of our legal system.

I recognize that the member for Toronto Centre and I are both millennial members of this chamber, and I'm excited as a young member of this Legislature to see some of the work around modernizing and making online our notary system. I think that's a really exciting thing, and so I'm curious if the member for Toronto Centre can comment on how this is going to help some of her constituents who are millennials—busy lives—and want to be able to access some of those services online. I'm curious if she can share some thoughts on that.

**Ms. Suze Morrison:** Thank you so much to the member from—is it Ottawa West–Nepean? I got that right?

**Mr. Jeremy Roberts:** You got it.

**Ms. Suze Morrison:** Okay. Thank you so much. I'm certainly happy to see some more millennial members in the Legislature. But I have to say, you can't just cherry-pick the handful of non-atrocious pieces you've crammed into an omnibus bill and say, "Oh, can't you just accept the complete erosion of justice and the complete erosion of rights across the province? Because we've got these cherry-picked little bits that we've crammed into an omnibus bill that are pills that you could maybe be able to swallow." Sure, there's a handful of little pills that I'm not going to choke on in this bill, but am I going to stand here and vote for the erosion of justice for poor people in Ontario because of these tiny little bits that aren't the worst thing ever in the bill? No, and I think it's absolutely outrageous to expect us to support that.

I stand for justice. I stand for equal access to justice, and for everyone, not the people who can afford it the most.

**The Deputy Speaker (Mr. Rick Nicholls):** Unfortunately there isn't enough time for further questions and responses. Therefore, further debate.

**Mr. Kaleed Rasheed:** Today I have the opportunity to speak on a bill that will build a stronger justice system and help grow a safer Ontario.

But Mr. Speaker, before I get into the debate, I would like to wish my daughter Aisha Rasheed, as she is turning

one today, a very happy birthday, and my son, Yousuf Rasheed, who is going to be turning six tomorrow, a very happy birthday, and I love you both.

**Mr. Daryl Kramp:** How'd you do that?

**Mr. Kaleed Rasheed:** Timing.

Back to the debate, Mr. Speaker: I want to thank the AG for bringing forward Bill 161, the Smarter and Stronger Justice Act, and to make various amendments to other acts dealing with the courts and other justice matters. I'm proud to say our government is working hard for the people of this province by modernizing and amending outdated laws for a more just and efficient justice system.

Now, I'm not a lawyer, but these amendments are ones that I can comprehend and understand. Legal jargon can be very complex and hard for the average person like me to understand, but through Bill 161, we can see that this bill helps simplify and modernize 20 legal acts that affect everyday Ontarians. In total, the proposed legislation includes changes to more than 20 acts that would simplify complex and outdated processes so justice works better for Ontarians.

The current state of our legal system is not perfect, but it can come close to it. Mr. Speaker, the AG saw this broken system and has taken the right steps to creating and building a stronger justice system to grow safer communities. Our government is making it easier, faster and more affordable for people to access a justice system that will work for them. Bill 161 will help simplify a complex and outdated justice system.

To put some context on how outdated our system is, Ontario's legal aid legislation has not been substantially updated since 1998. Mr. Speaker, 1998 is a long time ago. That's 22 years. In 22 years, this world has evolved drastically. In fact, 1998 was the year that my favourite online search engine, Google, was born. If this was the year Google was founded, it is safe to say a lot has happened since. This goes to show that it's time that the legislation be modernized to better serve the people of the 21st century.

If passed, this bill would modernize and improve how legal aid services are delivered, class actions are handled and court processes are administered. It would make life easier for Ontarians by paving the way to allow identities and legal documents to be verified online.

As an avid advocate for modernization and technological advancement, I can see that this bill is the right step to a better and more efficient legal system that will work for the people of this province.

The AG has heard and seen first-hand that the Ontario justice system has grown too complex and outdated. It is clear that the system needs to better support the growth of safer communities while standing up for victims of crime and law-abiding citizens.

Our government, through Bill 161, is proposing smart and sensible reforms that will allow people to spend less time and money resolving legal matters while strengthening access to legal supports Ontarians need. There are amendments that will help our province get back on track.

Ontarians should receive the care and justice they deserve through their legal system.

Mr. Speaker, some of the proposed amendments that stood out to me, which I believe will help move Ontario towards a stronger and smarter justice system, are:

(1) We are paving the way to allow for the online verification of identity and legal documents for transactions such as real estate agreements, gifting a used vehicle to a family member or starting a claim in court.

(2) We are also enhancing Ontario's civil forfeiture laws to ensure crime does not pay and proceeds of crime are used to support the victims of illegal activity.

(3) We are allowing for a simplified procedure for small estates, making it less costly to administer estates of a modest value.

(4) Furthermore, we are making it easier for cyberbullying victims to sue offenders convicted of the offence of non-consensual distribution of intimate images.

Some key provisions included in this proposed legislation are amendments that would give Legal Aid Ontario the tools it needs to help clients resolve their legal issues faster and with fewer roadblocks.

Recently, Mr. Speaker, I had the opportunity to speak with the executive director of Mississauga Community Legal Services. They said, "Bill 161 is a recognition of the important role legal aid plays in ensuring access to justice in this province. Accordingly, it sets up a legal aid system, administered by Legal Aid Ontario ... that provides a wide range of legal services to low-income Ontarians."

They later said that the bill recognizes that there are multiple areas of law in which legal aid services could be provided and that there are multiple methods of providing these services. They agree that this is a fine balance and an important one to maintain to ensure confidence in the work of our publicly funded community law offices.

#### 1750

Community clinics are valuable resources in those communities they serve. Their storefront offices focus on the most fundamental legal needs of our low-income community and serve the most vulnerable members of that community by ensuring that they keep a roof over their heads and food on their tables. These legal services provide our vulnerable population with the security they need to encourage social cohesion and participation in our society.

The proposed changes build on the strengths of community legal clinics, duty counsel and the use of private bar certificates to fix or replace outdated processes. They also provide Legal Aid Ontario the authority to make rules about operational matters. As a result of these changes, Legal Aid Ontario could seamlessly and sustainably provide high-quality services to clients where and when they need them. This bill is an important step towards improving access to justice in Ontario. It offers opportunities for innovation and allows us to address gaps in the justice system.

In the remainder of the time I have, I want to focus on two main amendments that our government is making for a stronger and more accessible justice system: firstly—and

my favourite one—the online verification of identity and legal documents for transactions; and secondly, tackling cyberbullying.

For the first amendment, it is clear that as our society modernizes, our legal system should as well, Mr. Speaker. The online verification amendment will help with creating a modernized system that will work for the people. Through this bill, we are making life easier by paving the way for Ontarians to verify legal documents online, including real estate agreements, gifting a used vehicle to a family member or preparing a claim for Small Claims Court.

Just a few months ago, I had the opportunity to visit ServiceOntario with my father-in-law and my wife because my father-in-law was gifting a vehicle to my wife, and we went for the transfer of the documents. I remember standing in line for almost 35 minutes or so before I had the opportunity to go to the counter and start the process, and then it was one paperwork after the other. It took us at least, I would say, an additional 15 to 20 minutes to get the paperwork done and the vehicle transferred. While I was there, Mr. Speaker, I was thinking to myself, “Why can I not just do this from my own home or from my cellular device or something, where it’s just the paperwork and I just need to do the transfer?”

I’m glad that now the AG and the team are looking into this, because basically our job is to make life easier for the people of this province, and I think doing this verification or the vehicle transfer thing online may help the people of this province save a lot of valuable time in their day. So that’s why I think it’s a great step, and I fully support this. As somebody who experienced this, I must say that we should definitely go ahead with this part of the bill.

But we are also providing more choices and convenience in Ontario’s justice system by paving the way for online document verification and by allowing paralegals to be appointed as notaries, like lawyers. This will help reduce times to access the legal system.

Bill 161 is the right step to creating a legal system that will work. As someone who is an advocate for modernization and technological advancement, I’m proud of our government. With this technological advancement, there are, of course, security measures that will be available to ensure the safety of Ontarians.

We see this with technology today. Many accounts use facial recognition for identification, but also may require other steps to ensure the individual is who they say they are. I’m a firm believer in two-way authentication or two-factor authentication. We do this every day when we are accessing our emails or any secured documents. I have that system in place where it’s a two-factor authentication. So

I’m sure when we implement these policies, we can definitely come up with a way to make sure that these transactions are done safely. We do it on a daily basis with our banking as well. We do our banking online and there are ways to make sure the verification is done in a proper fashion or in a proper way. So why can we not do it with our legal system?

The second amendment that I would really like to focus on is that we are making it easier for cyberbullying victims to sue offenders convicted of the offence of non-consensual distribution of an intimate image. I’m proud that our government is taking a stance for victims of cyberbullying to take action.

Just last year, Mr. Speaker, I put forward Bill 154 that recognizes Stop Cyberbullying in Ontario Day, and this bill helps in many ways. Cyberbullying can have significant, lifelong physical and mental health effects upon children and adults, as well as many other personal and social consequences for both victims and perpetrators. In extreme circumstances, the effects of cyberbullying can cost a life. Our government knows the importance of tackling these issues and, through Bill 161, we have taken the necessary steps to creating a system that works for the people.

When I was working to create my bill on cyberbullying, I had the opportunity to speak with the CEO of Hope 24/7. CEO Laura Zilney said, “Women and girls continue to experience the physical and psychological impacts central to the non-consensual creation, distribution and consumption of intimate images.”

We talked about how our government is working hard for victims to receive the justice they deserve. I know that through this bill, they would be glad to see that the province is taking the first step in eliminating this form of cyberbullying and violence against women. I want to personally thank the AG, the parliamentary assistant and the entire team for doing such a great job, a wonderful job, and making sure that cyberbullying is part of Bill 161. Many provinces have already taken steps to tackle this issue, and I think it is time for our government, through this bill, to make sure that we are able to tackle this situation.

**The Deputy Speaker (Mr. Rick Nicholls):** I thank the member, and when Bill 161 is debated again in the Legislature, you will have an opportunity to finish your time, as well as to entertain questions and responses.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Rick Nicholls):** But right now, it is 6 o’clock and this House stands adjourned until 9 o’clock tomorrow morning.

*The House adjourned at 1800.*



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