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**Wednesday 18 February 2009**

**Mercredi 18 février 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 18 February 2009

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 18 février 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

*Prayers.*

### ORDERS OF THE DAY

#### REGULATED HEALTH PROFESSIONS AMENDMENT ACT, 2009

#### LOI DE 2009 MODIFIANT LA LOI SUR LES PROFESSIONS DE LA SANTÉ RÉGLEMENTÉES

Resuming the debate adjourned on February 17, 2009, on the motion for second reading of Bill 141, An Act to amend the Regulated Health Professions Act, 1991 / Projet de loi 141, Loi modifiant la Loi de 1991 sur les professions de la santé réglementées.

**The Speaker (Hon. Steve Peters):** Further debate?

**M<sup>me</sup> France Gélinas:** Thank you very much. I was locked out of the House, so I just came in.

I'm happy to rise today to speak to Bill 141, the Regulated Health Professions Amendment Act. There is no question that as health care consumers and health care providers, there is no greater objective than ensuring patient safety at all times. In fact, this is the express purpose of the Regulated Health Professions Act.

Since it was introduced in 1991, the purpose has been and remains to protect the public from unqualified, incompetent or otherwise unfit practitioners. The bill also encouraged the provision of high quality care. It allows the public the freedom to choose safe health care providers and it promotes flexibility in the role of health professionals to ensure maximum efficiencies of the health care system. This is what the Regulated Health Professions Act is all about, and we are about to modify it with Bill 141.

As medical procedures and the medical profession change over time, it is imperative that both the regulatory college as well as the province adjust to these changes and address any issue that could affect patient safety.

The bill before us today is, in part, a response to a tragedy that cost a young Toronto woman her life. In September 2007, Krista Stryland, a Toronto real estate agent, a 32-year-old mother, underwent a routine liposuction procedure in an out-of-hospital facility. Following

the surgery, she went into cardiac arrest and, tragically, she died. The physician who performed Mrs. Stryland's liposuction was not formally trained in plastic surgery.

Plastic surgeons must have five years of specialized training. They must pass national exams and be certified as specialists in plastic surgery by the Royal College of Physicians and Surgeons of Canada. The physician who performed Mrs. Stryland's surgery had no hospital privileges. He was a general practitioner, better known to most as a family physician. Mrs. Stryland's untimely death was a wake-up call to the province, to the college and to us all that we must take a good look at the current system of regulations surrounding cosmetic surgery.

It is a great tragedy that nothing was done sooner and nothing was done to prevent this death, because dating back to 1989, a full 20 years before, a 44-year-old woman from Unionville died after undergoing cosmetic surgery. There was an inquest into her death and recommendations for greater regulation of cosmetic surgery were made at the time. That was 20 years ago. Unfortunately, there were few regulatory changes between the tragic death in 1989 and the one that I was just talking about that occurred in 2007.

Today, we have an opportunity to take the first step, although a tiny one, in closing this gap in oversight and patient safety. While there is no question that Bill 141 is an important step, it is also a small step. That is why we are looking forward to the conversation that is beginning today about how this bill could be pushed further and what next steps are needed to more fully protect Ontarians. This conversation affects us all and must be shared with Ontarians at large.

Some might say that cosmetic surgery is the wild west of medical practice. It is not true only in Ontario, but around the world. There have been deaths reported from Vietnam to Australia, from Thailand to the United Arab Emirates. It is likely no surprise to anyone here that we live in a world obsessed with beauty and the constant drive for perfection. Cosmetic surgery is something that more and more people are turning to as it becomes increasingly affordable and socially acceptable. But it remains surgery, with all of the dangers associated with such a procedure. It is the obligation of both the government and the regulatory colleges to understand these trends, keep current with them and ensure that safety is a primary concern of any cosmetic procedure.

According to the CPSO survey, cosmetic surgery procedures climbed at an alarming rate—if you ask me—of 150% between 2002 and 2006. Toronto is the sixth-biggest market for cosmetic surgery in North America—

right here. That means there are an awful lot of people undergoing these types of procedures that, like every other invasive surgery, are complex and always come with risks. It is these patients who count on the college and on us, on the province, to ensure their protection and their safety. Following the tragic death of Mrs. Stryland, the College of Physicians and Surgeons moved quickly to create regulatory changes that would prevent a further tragedy like this. The College of Physicians and Surgeons recognized that the medical community had not kept pace with the expanding field of cosmetic surgery and that patient safety in Ontario was being compromised. They recognized the need to better monitor cosmetic surgery in Ontario. I guess one has to say that recognizing that you have a problem is the first step in trying to fix it, so I commend the college for taking those actions.

#### 0910

CPSO started by conducting a survey of more than 2,400 of its members, asking if they had expanded their practice to include cosmetic and anaesthetic procedures without having obtained proper training—quite a daring ask, I might say. They were basically asking whether physicians were advertising themselves as cosmetic surgeons without informing their patients that they were not formally trained and qualified to perform those surgeries. The result of the survey was revealing. There were, indeed, physicians across the province of Ontario who were performing those procedures and they were not adequately trained.

Following the results of this survey, the College of Physicians and Surgeons of Ontario moved on changes to fill in some of the gaps that they identified. For example, the college has now changed its policy of voluntary self-reporting, which resulted in some physicians, but not all of them, reporting and undergoing the training, supervision and assessment required by the policy.

In October 2007, the college made it mandatory for all of its members to submit a detailed account of the cosmetic procedures they were providing to their patients. That was new. Here again, kudos to the college. As well, a regulation will soon be forthcoming to limit the use of specialist titles such as “cosmetic surgeon” only to physicians who have received the proper training to safely conduct those procedures. The details of this policy change are still under way, and while we support a well-thought-out strategy, we urge both the college and the province to move as quickly as possible, because hundreds of people in Ontario are receiving those types of procedures right now, not always from qualified plastic surgeons.

The details of this could have potential patient impact. Patients have the right to a system and to terminology that clearly distinguishes between physicians with different training levels and different specialties. The thought that a patient would think that a physician has the kind of training and experience in a specific medical procedure when they do not is a reason to move as quickly as possible. As was the case, the physician was a family physician—a general practitioner, if you want—but let it

be known that he could perform cosmetic surgery and let it be known that he was a cosmetic surgeon, when in fact he was not. The thought was wrong.

From all of this work that the CPSO completed following the tragic death of Mrs. Stryland, the college submitted recommendations to the Ministry of Health that have formed the basis of Bill 141, the bill that we are talking about today. I must note that the college submitted a number of regulations and bylaw amendments to the ministry in March 2008 and it has taken nine months for the government to come back with this small amendment—not exactly the type of speed that we would have liked, but, regardless, there is no question that the bill before us today is a very important first step when it comes to protecting patient safety.

Many of the cosmetic procedures occurring in this province are occurring in clinical settings that are outside of hospitals, with very few regulations. Without this bill, the college has no right to go into these practices and directly observe physicians. This was one of the primary gaps identified by the college in the Regulated Health Professions Act and was a limit to the college’s ability to directly observe their members in practice.

If you think about it, this is a rather serious gap when it comes to medical care. For professions like law or accounting, it is likely that virtually every major decision, and perhaps even the thought process of how a decision was made, is recorded on paper. If you have a question as to why your accountant came to the conclusion they presented to you, they will likely be able to walk you through each figure and column as they have recorded it. Well, this is not the same when it comes to medicine, and especially not the same when it comes to surgery—and, I would add, cosmetic surgery.

Surgery is hands-on and, I would say, as much an art as it is a science, relying on sometimes split-second decision-making, a type of thought process that may not be so obvious to an external person looking on. Bill 141 lays the groundwork for observing of the members, but merely observing physicians may not be enough in some situations. That is why the CPSO, the College of Physicians and Surgeons of Ontario, has highlighted the need to amend Bill 141 and include a provision that will allow the college to interview physicians about their practice and any concerns that have arisen following the observations. The ability to interview a physician may make all the difference in clarifying whether the physician or the surgeon fully understands the implications of their practice or the surgical procedure and could help identify any gaps in knowledge before an accident happens. As we’ve seen, some of those accidents may have horrific consequences for the patients.

There is a second issue that this bill does not address. Bill 141 could be more effective if the college was permitted to directly observe physicians wherever they practise. Currently, the scope of the observation is tied to the facility rather than the procedure or the physician. Other provinces, such as Alberta and British Columbia, have moved faster on recognizing the importance of

extensive monitoring. In these provinces, all surgeons and the surgical facilities they operate in must be licensed for each and every one of the procedures that they perform. This is the kind of oversight that may prove effective in preventing any further tragedies like we have seen here in Ontario.

This is the kind of discussion that needs to happen around patient safety and emerging areas of practice. This bill needs input from the regulatory college, from Ontario patients, from the medical schools and from all of the stakeholder groups out there so that we can get it right, protect the patients and avoid any future tragedies.

New Democrats strongly believe in oversight at our health care facilities. We believe that Ontarians deserve a place to turn to when something goes wrong for them or for a loved one across the medical system, or any other problems that they may encounter. There is perhaps no more important an area of oversight of issues and services than the one that affects our health and our well-being.

It would seem that this government has kind of an aversion to oversight, and this concerns us. New Democrats know that oversight is something we need to embrace and push for. That transparency is essential when it comes to good-quality health care and good health issues. This is why we have been pushing for Ombudsman oversight of this province's hospitals and long-term-care facilities in private members' bills, in question period and across the business of this House on a weekly basis. Ombudsman André Marin has pushed to have his role as Ontario's independent public watchdog expanded to include hospitals and long-term-care homes. As Ombudsman André Marin himself stated, "Ontario is the only province in Canada whose Ombudsman does not have a mandate to oversee hospitals," despite Mr. Marin's office receiving many serious complaints about hospitals every year that he cannot investigate. Actually, in 2007 a total of 228 complaints about hospitals were received by the Ombudsman's office, but he does not have the mandate to investigate them.

It is clear that today we have another issue of oversight in front of us, and today we actually have an opportunity to put the appropriate structure in place to avoid future mistakes and needless deaths. I urge the ministry to continue working with all health regulatory colleges to make sure that proper safety standards are in place for all high-risk procedures, not just cosmetic surgery. The work done by the CPSO is a step in the right direction, and we strongly encourage this government to adopt the amendment and regulatory changes as fast as possible.

**0920**

New Democrats think this is a conversation that needs to be had with Ontarians at large. We need their input on the type of changes and transparency they want to see to ensure a safe medical system, including cosmetic and anaesthetic procedures. I look forward to seeing the ministry act swiftly to strengthen patient safety so that all Ontarians have confidence in our health care system, and I look forward to the actions that will be generated out of our conversations today.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Ms. Helena Jaczek:** I'm pleased to rise in support of Bill 141, An Act to amend the Regulated Health Professions Act.

This amendment is all about arming our health regulatory colleges with the tools they need to further Ontario's patient safety agenda. This is clearly extremely important to the McGuinty government, and we're taking steps in a prudent, incremental fashion to ensure that patient safety is paramount. So we've moved on a number of fronts.

In July 2008, an amended regulation of the Public Hospitals Act was enacted to require hospitals to disclose to patients and their families any critical event that resulted in serious injury or death. In September 2008, we started full public reporting on eight patient safety indicators, including *C. difficile*, as part of a comprehensive plan to create an unprecedented level of transparency in Ontario's hospitals.

In the course of the debate today and yesterday, there are some comments that perhaps there is excessive regulation in Ontario. In this particular case, I think it's clear that the number one reason for regulation is the health and safety of Ontarians—not for us the careless slashing of regulations such as the previous government pursued, where they privatized labs, and medical officers of health no longer received reports of water quality in this province, which led, and was a contributing factor, to the tragedy in Walkerton. We're taking a careful, prudent approach to both looking at unnecessary regulation and ensuring that we have strong regulation to promote and preserve the health and safety of our residents.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John O'Toole:** It's always good to hear the member from Nickel Belt, the critic for the NDP. I think she is very committed to the file. But I'm very interested, as well, in the comments in a few moments by our critic from Kitchener-Waterloo.

Bill 141 is a very small bill; in fact, it really has one paragraph. I'm quite disappointed, actually: If you read the purpose clause, it says, "... is amended to permit health colleges to make regulations providing for the direct observation of members in their practices."

I know there has been a report filed with the Ministry of Health by many of the participants under the Regulated Health Professions Act, and they're waiting for other, I would say, more comprehensive changes to allow patient choices in the health care field.

Just recently, I was at the optometrist's in my riding and they were asking me, for the second or third time, about a bill that was passed but the regulations have not yet been set for optometrists to prescribe TPAs—topical medications. Now, that would actually be more convenient for the optometrist, when trained and approved by their college, as well as for the patient. The patient wouldn't then have to go, as they have to today, to a general practitioner, who literally wouldn't have all that much training on the eye and some of the medications to

deal with glaucoma and other things, and yet the GP can issue the prescription. With those kinds of changes, which make it more convenient and more professional, using the services of other professionals like pharmacists, nutritionists, psychologists and all the other practitioners under the Regulated Health Professions Act, I think this bill would have some substance to it. But once again, we have a government with no plan. This bill will be supported by us and I don't know why it's on the table this morning.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments?

**M. Gilles Bisson:** Ça me fait plaisir de commenter ces commentaires de la part de ma collègue M<sup>me</sup> Gélinas. Je pense qu'elle a bien fait le point que beaucoup d'ouvrage a été fait par cette législature faisant affaire avec toute la question de s'assurer que les chirurgies faites par les chirurgiens de la province sont faites d'une manière transparente. On sait que, si tu rentres au bureau du médecin et tu te fais référer pour une chirurgie, à la fin de la journée tu veux savoir qu'il y a une qualité, une qualification, et que la personne est compétente pour faire ce qu'il y a à faire envers les chirurgies.

C'est déjà le cas dans les hôpitaux, comme on le sait. Il y a déjà la situation où un collègue peut aller visiter les hôpitaux pour voir ce qui se passe pour s'assurer que la qualité est là, et que la formation est en effet ce dont on a besoin pour être capable d'aller en avant avec les chirurgies d'une manière efficace et sûre. Mais il y avait toujours le problème avec ce qui se passe dans les cliniques privées.

Cet amendement regarde à donner aux collègues les mêmes droits qu'on a déjà en place pour ceux qui font des chirurgies dans des institutions publiques. C'est un pas important. Pourquoi ? Parce qu'on sait qu'il y a eu beaucoup d'occasions où des personnes qui sont médecins ont décidé d'ouvrir une branche de pratique, on va dire, avec les chirurgies de maquillage—« face surgery »; des fois on ne trouve pas les termes assez faciles. Mais quand ça vient aux chirurgies de figure etc., il y a eu certaines occasions où les personnes ont eu des complications faisant affaire avec leur chirurgie. Donc, on a besoin d'avoir un meilleur régime en place pour s'assurer d'avoir une qualité : premièrement, que les médecins qui décident d'aller dans cette branche-là de la médecine sont qualifiés ; et deuxièmement, s'ils sont qualifiés, d'avoir l'habileté de se faire vérifier par le collège des chirurgiens pour s'assurer que l'ouvrage qui est fait, en effet, est sûr. C'est un amendement qui fait du bon sens, et on prend plaisir à voir ce projet de loi aller en avant.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? Further debate? Oh, excuse me. Member for Nickel Belt, you have two minutes to respond.

**M<sup>me</sup> France Gélinas:** I'd like to thank the member from Oak Ridges–Markham for her comments. Certainly, I agree with what she said: that it is an important step in the right direction and it would lead to better safety for patients who undergo cosmetic surgery by ensuring that

the physicians who perform those surgeries are properly trained and that their college has an opportunity to check that training.

I also support the member from Durham when he says that although this bill takes us a small step in the direction of patient safety, we need more comprehensive reforms to the health professions act. He talked about examples where different health professionals and the public of Ontario would benefit from an expansion in their scopes of practice. I hope that those changes will be coming to this House shortly, if they need to come to the House, or the changes will be done to the health practitioners act in order to allow—he talked about optometrists, but there are also nurse practitioners, pharmacists, physiotherapists and a lot of other regulated health professionals who would benefit from an expansion of their scope of practice that would allow them to better serve the people of Ontario.

Finalement, j'aimerais remercier mon collègue de Timmins–Baie James pour ses commentaires. Certainement, on peut voir qu'il a à cœur la sécurité des gens de l'Ontario. Lorsqu'un médecin offre de la chirurgie cosmétique mais n'a pas eu la formation pour le faire, on met les clients à risque. Ses commentaires allaient dans le sens que le parti néo-démocratique veut que notre système de santé soit aussi sécuritaire que possible.

**0930**

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Now we're ready for further debate.

**Mrs. Elizabeth Witmer:** I'm very pleased to rise on behalf of the Progressive Conservative Party to respond to this legislation, which is entitled the Regulated Health Professions Amendment Act, 2008, and which we of course support. We do have some amendments that we hope the government will consider at this time. When the legislation is open is the time to make sure that the legislation becomes the best it possibly can be.

Once this bill is passed, it will give Ontario's 23 health regulatory colleges new powers to conduct inspections in settings that are currently unregulated. The changes would allow a regulatory college, such as the College of Physicians and Surgeons of Ontario, to directly observe a health professional's practice and watch a procedure being performed. Of course, much of the reason for the legislation having been introduced is the result of a Toronto Star investigation over the past two years that documented "a regulatory black hole" surrounding Ontario's growing cosmetic surgery industry.

I think we're all familiar with the September 2007 tragedy that happened to Krista Stryland, a Toronto real estate agent and a 32-year-old mother. She went to her doctor's office to undergo a routine liposuction treatment and, tragically, she did not survive. She died of cardiac arrest. Subsequently, the court documents showed that she had 23 incisions that had been made in six parts of her body during one surgical session. Sadly, this case is but one of several high-profile deaths which have put a negative spotlight on cosmetic surgery. Another example is in 2004. We have TV producer Micheline Charest

dying after she underwent a facelift and breast augmentation. In 2007, Olivia Goldsmith, author of the book *The First Wives Club*, also died while undergoing cosmetic surgery.

Regrettably, these are some of the situations that people find themselves in, so we need to strictly regulate those who are performing cosmetic surgery, as they do in other Canadian provinces such as Alberta and British Columbia. Unfortunately, we have been slower in Ontario to take action.

If you take a look at Alberta and British Columbia, all the surgeons and the surgical facilities must be licensed for each procedure they perform. As well—and I think this is extremely important—doctors cannot advertise themselves as cosmetic surgeons without holding a surgical specialty. We know that is a problem in this province as well. So in 2008, the College of Physicians and Surgeons of Ontario proposed regulatory changes that would prevent doctors from calling themselves “cosmetic surgeons,” a term applied to doctors who are not plastic surgeons and who perform procedures including facelifts, tummy tucks and liposuction. I would like to point out that this term is not formally recognized by licensing bodies. According to the CPSO’s website, the college, “since April 2007 ... has undertaken a number of initiatives, in addition to the proposed regulations on out-of-hospital facilities and use of specialist titles that are intended to improve patient safety.” Really, that’s what this bill is all about—the need for us here to ensure that the lives of the public are protected.

They go on to say on their website that they have done the following: They’ve passed a policy which requires doctors to report changes in their scope of practice—for example, if they suddenly decide they are going to call themselves a cosmetic surgeon without holding any surgical specialty. They have produced an information fact sheet to provide to Ontarians with important information they should consider before deciding to have cosmetic procedures. You know, it’s always important that people are totally familiar with what is involved when they are undergoing surgery of any kind, but particularly this type of surgery. As well, it includes asking all doctors who perform cosmetic procedures to give the CPSO information about their practice and their training, to ensure that doctors are only practising in areas where they have the necessary knowledge, skill and training.

In September 2008, the Ontario Supreme Court ruled that the CPSO has the authority to force a health professional to submit to an interview and observation by an investigator. According to the *Globe and Mail* article on September 29, 2008, this decision “will push forward the stalled CPSO investigations of a handful of doctors, launched” after the death of Ms. Stryland. “With hundreds of family doctors performing cosmetic surgery in Ontario, the court’s decision has set an important precedent.”

The CPSO is trying to continue to do everything it can, in its power, to protect patient safety. The legislation that we’re talking about today should give regulatory

bodies like the CPSO more control over monitoring their members for the purpose of protecting the public.

When this legislation was introduced last year, I had indicated that we were quite interested in hearing what the colleges had to say about the legislation and also what the public had to say about this legislation. For the benefit of people who are watching today, I just want to share some of the feedback we have received since this bill was introduced.

“Bill 141 is a good first step”—and I emphasize “first”—“to improving patient safety at out-of-hospital facilities.” We are talking here, of course, about places like these cosmetic surgery clinics. “However, ensuring the safety of patients in all settings across Ontario is of even greater concern.” If we’re going to do that, and I hope the Minister of Health and his staff are listening, “This will require legislative amendments that will explicitly codify a college’s investigatory powers to ensure that physicians are meeting expected standards of practice.”

We also have to remember—and this is feedback we received—that “full patient safety requires that a good facilities inspection system be complemented by an effective investigation system to provide adequate oversight of the health professionals that work at health care facilities.

“In addition to what is contained in Bill 141, amendments to the Health Professions Procedural Code (Schedule 2 of the RHPA) are needed to clarify the authority of health college investigators and confirm that they have the power to compel members to provide interviews and to observe members perform procedures.

“These amendments” to this bill “are needed because the colleges”—at least one—“are currently involved in litigation regarding the extent of their investigators’ powers under the HPPC (i.e., requiring interviews and observing performance of procedures). The final outcome of this litigation will likely not be known for many months, if not years.

“While this legal challenge is contested at various levels of the court, the tenor of the investigations process is changing and some regulated health care professionals are taking a more adversarial stance.” As a result, you have a college “facing difficulties in some serious investigations,” and regrettably, the outcome is that we compromise patient safety. That’s why the Ministry of Health and the McGuinty government need to consider making amendments to this bill at a time when the legislation is open.

#### 0940

If we take a look at interview powers, we know that “Interviews are an essential tool that must be available to investigators to conduct a meaningful investigation. Interviews are a usual and accepted manner of evaluating medical knowledge and judgment. The medical chart tells only one part of the story; the remainder needs to come from ... the health care provider. Whether care is simply poorly charted or is in fact poorly provided can often only be told from an interview.”

By the way, most of this information that we have received concerning necessary amendments to Bill 141 comes from the College of Physicians and Surgeons of Ontario.

They go on to talk about observation powers: "In ... limited cases, a college investigator will need to observe a member perform a procedure or technique—for example, members who perform procedures but have not completed a formal residency program.

"As surgery is a manual discipline, direct observation of the manual skills of the physician is important in order to thoroughly assess or examine the physician's surgical practice.

"A medical investigator will often be unable to draw any meaningful conclusion unless he or she is able to observe the member perform the procedure. It is through direct observation that an investigator can best assess the level of skill, knowledge and judgment of a surgeon."

So I hope that the ministry and the minister will take a look at making amendments to Bill 141 "to include HPPC amendments that codify these investigatory powers of health colleges to ensure public safety."

I hope, as well, that the government will listen very closely and consider all of the recommendations that have been put forward by Ontario's 23 regulatory bodies. As I well know, having served as Minister of Health, the time to make the changes that are going to fully protect the public should occur when the act is open. We know it will probably be a long time before it is opened again, so we must make all the necessary changes to help protect the safety of Ontarians.

Finally, I don't think anybody disagrees with this legislation. I would simply encourage the government to act quickly in order to ensure that Bill 141, with its amendments, passes as quickly as possible in order that we can protect public safety.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Gilles Bisson:** I listened intently to the comments and it's fairly clear that there is strong support for this move in this direction on all sides of the Legislature. I think it speaks to, far more often than people realize, a fair amount of agreement in regard to what needs to be done for the public good. Just for the record, I think people often look at this Legislature and say, "Oh my God, they're in there fighting like a bunch of kids. They can't get along. If only they could work together." I think this is an example where we may not agree entirely with what the government has done as far as their amendments—and that's for committee—but that's the legislative process. Generally the direction being taken is something that I think we can all support.

As a member of the New Democratic caucus, we were actually the government that first came in with the Regulated Health Professions Act in the early 1990s. Since then, we've had to find ways to learn and to strengthen and to make sure that we put in place the safeguards necessary to protect the public when it comes to practices by surgeons and physicians in this province.

We need to say, for the record, that the vast majority—99.9%—obviously are doing the best they can and they're hopefully treating people with all due care, but there are cases where we need to have a bit more transparency, and that's what this particular bill does. It allows what normally happens in hospitals, where the College of Physicians and Surgeons is able to go into a hospital surgery and take a look at the practices that are happening within the surgery as to how the physician—he or she—does the surgery and the process and procedures they follow, to ensure that there's quality at the end and that we're doing whatever is humanly possible to make the surgery a success. We need to have the same type of transparency within private clinics, such as people who do cosmetic surgery. What this particular bill tries to do is take that type of transparency and give the college the same type of rights that we already have within hospitals. I think that's a step in the right direction, and we should see what happens at committee.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Mike Colle:** Just speaking to the comments of the member from Kitchener–Waterloo, I think she made some very helpful, positive comments on a piece of legislation which is really about public protection, where they're very vulnerable, because it's obvious that there are all kinds of procedures taking place under the auspices of so-called, in some cases, experts in plastic surgery. There are some very unfortunate catastrophes that have occurred, and the member pointed those out. That's why this ability by the College of Physicians and Surgeons to monitor and to supervise these medical practitioners is needed, and that's why this legislation is needed.

I know yesterday in this House we heard a different version from a member of her own party, though, who condemned this legislation and regulatory change as totally unnecessary and totally a waste of time. So I'm just trying to figure out how the critic could stand up and say that this is needed and very important and not a perfect piece of legislation but at least it's needed, whereas yesterday in this House we heard members on the other side railing against this bill which protects the public from charlatans who are out there in the public, who are making millions performing plastic surgery on unsuspecting people who have faith in these people because they have these medical diplomas on their wall and are being abused. In some cases, again, people lost their lives as a result of the lack of protection.

This piece of legislation is about responding to a need. The public has been made very, very susceptible to these charlatans, and we have to protect the public when we couldn't do so under present legislation. So I support 141 and I support the member from Kitchener–Waterloo in her support of it.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Ted Arnott:** I'm pleased to congratulate my colleague the member from Kitchener–Waterloo on her



comments this morning on Bill 141, An Act to amend the Regulated Health Professions Act, 1991. It seems from the debate that we've heard this morning on this issue that there is a consensus in the Legislature that this bill should pass. I would predict that there's going to be unanimous support for this legislation; we're debating it at second reading. It is needed legislation, as was pointed out, and I would agree with that. But I would also say that we need to move forward on this bill quickly, because given the fact that there is support, let's get on with it. Let's move forward, let's pass the legislation so that we can move on to other urgent priorities.

Today's Toronto Star: "GM to Slash 47,000 Jobs." "Chrysler, GM Now Seek \$39B" in terms of government support. We have a provincial budget that has been needed for some time. We had a government that indicated that it was going to bring forward a budget on a priority basis. Now we're hearing the budget isn't going to be presented in this House for weeks to come. There is an extreme economic emergency in our communities, and this government is doing nothing in terms of sending a positive signal that it has a plan to resolve these issues, to work with the people of Ontario, to work with the opposition parties so that we can work together to work our way through this challenge. I think it's most unfortunate that this government is unwilling to bring forward those kinds of solutions or any kinds of ideas to deal with the economic challenge that we're facing. That's what we're talking about from this side of the House.

We call upon the government to bring forward its budget as soon as possible, so as to send a positive signal out there to the people of Ontario that it has a plan in place, that it has some credible ideas to work with them to send a positive signal for the future of Ontario. That's what's lacking and that's what's needed. That's what our party is calling for, and we're going to continue to call for this. We'll work with the government, from a perspective of opposition. We'll hold them to account but we'll work with them, and I call upon the government to recognize these urgent priorities—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. I shouldn't have to remind members, but I will, that questions and comments are intended to be directed toward the speech that was given by the member. From this point on, I'll be more observant when applying that rule.

Questions and comments?

0950

**Hon. David Caplan:** I'm pleased to rise and respond to the comments by the critic opposite. I appreciate the fact that she recognizes the importance of this legislation. I did find it curious, however, because I took a chance to read the transcript of Hansard from yesterday in this House and her colleague the leader of the official opposition says: "What are we debating in the Legislature this week? Cosmetic surgery? Young offender housing? Does that suggest a government and a Premier who know what they're doing? I say no."

So I say to the member that perhaps she does have some work to do to convince her colleagues about the

efficacy of and the support that should be in place for significant patient safety legislation, as she herself does recognize.

**Mr. John Yakabuski:** What about support for the economy?

**Hon. David Caplan:** I hear the member from Renfrew say "support for the economy," and yes, this government does have a plan for the economy as well. But we have a plan for health care. We have a plan for patient safety. We have a plan in education. The work of this government—and we reach out to the opposition and ask them for their help and their support, their ideas in order to strengthen this. I want to congratulate and recognize the member from Waterloo, who brought forward some constructive ideas. I look forward to her fleshing those out and sharing them with us. Perhaps when the bill is in committee we would look toward her very sage advice in this matter.

I don't think any member on either side of the House has a monopoly on caring about the well-being of Ontarians and patient safety. I believe that all members, regardless of where they sit in this Legislature, do hold these very true. I urge the member from Waterloo to talk to her learned colleague from Brockville to perhaps get him on side and make him aware of the importance of patient safety. I again thank her for her support.

**The Deputy Speaker (Mr. Bruce Crozier):** We are now ready for the response from the member for Kitchener–Waterloo.

**Mrs. Elizabeth Witmer:** I appreciate the comments that have been made by the members for Eglinton–Lawrence, Timmins—is it St. James?

**Mr. Gilles Bisson:** James Bay.

**Mrs. Elizabeth Witmer:** Timmins–James Bay, sorry; and Wellington–Halton Hills and the Minister of Health. I do think it's incumbent upon all of us to ensure that this legislation passes through this House as quickly as possible, because there does seem to be a consensus of support for the legislation. I certainly would say to you that everybody in the Progressive Conservative caucus does support this bill. We also hope that the minister will be receptive to the amendments that we have brought forward today. As I said, they're not our amendments; they're amendments that have been provided to us by the colleges, in particular, of course, the College of Physicians and Surgeons. They are going to be important because they are needed to codify the investigatory powers of health colleges to ensure public safety.

I also agree with my other colleagues, whether it's the Leader of the Opposition here or whether it's my colleague from Wellington–Halton Hills: We need to get this legislation passed. We need to make the amendments because there are some very pressing issues. The Legislature has come back four weeks early this year. People in this province are focused, regrettably, on the economic distress that many of them are suffering, and this government does need to develop a plan, obviously, to ensure that we can create an environment that is going to provide hope and opportunity and jobs for our citizens.

So I would say, let's move the bill forward, let's make the amendments that are needed and let's focus on the priority of the economy.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Further debate? Does any other member wish to speak?

If not, Mr. Caplan has moved second reading of Bill 141.

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

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Shall the bill be ordered for third reading?

**Hon. Monique M. Smith:** I would ask that the bill be referred to the Standing Committee on Social Policy.

**The Deputy Speaker (Mr. Bruce Crozier):** Shall it be so referred? Agreed.

Orders of the day.

**Hon. Monique M. Smith:** There's no further business this morning.

**The Deputy Speaker (Mr. Bruce Crozier):** There being no further business, this House is in recess until 10:30 of the clock.

*The House recessed from 0955 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Tony Ruprecht:** I'm very delighted today to introduce to the House two distinguished guests: the president of the Federation of Canadian Turkish Associations, Mr. Nedim Duzenli; and a person who has written 17 books—he's from the international relations department of Ankara University—Professor Dr. Türkkiye Ataöv, who also is the director of five organizations attached to the United Nations. Welcome to the House.

**The Speaker (Hon. Steve Peters):** Introductions?

I want to take this opportunity to welcome two guests of mine to the Speaker's gallery today: Jane Tucker and her daughter Rachel. Welcome to Queen's Park.

## LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** I'd like to beg the indulgence of the House as we use this as an opportunity to introduce our new pages. Please assemble.

I ask all members to join me in welcoming this group of legislative pages serving in the first session of the 39th Parliament: Purnika Anton, York South–Weston; Reed Bell, Bruce–Grey–Owen Sound; Danielle Boers, Ancaster–Dundas–Flamborough–Westdale; Zaman Dubey, Brampton–Springdale; Arjun Gandhi, Vaughan; Alexander Glista, Oakville; Rachel Goldstein, Kingston and the Islands; Xiao Yan Guo, Willowdale; Tariq Haji, Thornhill; Nancy Kanwal, Etobicoke North; Jacob Macpherson, Kitchener Centre; Ashton McInnis, Windsor–Tecumseh; Olivia Mew, Trinity–Spadina; Patrick Mott, Pickering–Scarborough East; Jordan Plummer, Ajax–Pickering; Grace Qu, Davenport; Andrej Rosic, Missis-

sauga–Streetsville; Rachel Trow, York–Simcoe; Maddie van Warmerdam, Haliburton–Kawartha Lakes–Brock; and Emily Wilson, Wellington–Halton Hills.

Welcome to Queen's Park.

## USE OF QUESTION PERIOD

**The Speaker (Hon. Steve Peters):** Yesterday, the member for Oshawa rose on a point of order at the conclusion of question period to take issue with a question asked of the Minister of Energy and Infrastructure respecting GO Transit. The member took the position that the minister's answer addressed the issue in a way that might more properly have been done in a ministerial statement.

The minister addressed the point of order by noting that the question and response related to a joint announcement that had already been made earlier yesterday by the Premier and the Prime Minister.

I undertook to review the matter and have now done so. The member for Oshawa is correct in his understanding that question period should not be used as a forum for the announcement of new government policy or initiatives. This has arisen many times before, and Speakers have consistently taken this view.

I would not categorize yesterday's occurrence as a blatant transgression of the Speakers' directions in this regard, it being more right on the line. But I will say to the minister that it is less about the timing of the announcement outside the House yesterday and more about the fact that the announcement did take place outside the House.

The Speaker, of course, cannot compel that government announcements first be made in the House, but many Speakers before have noted that it is courteous, where possible, to do so. Having said that, if the matter previously announced is subsequently brought to the attention of the House, then a ministerial statement is usually the proper vehicle to do so. Fairness to all sides is thereby observed since the standing orders permit the opposition to reply to such statements.

I thank the member from Oshawa for raising the matter yesterday and I ask the government side to be more vigilant about inappropriately using question period to make government announcements.

## ORAL QUESTIONS

### ONTARIO BUDGET

**Mr. Robert W. Runciman:** My question is to the Premier—and it's good to have you join us today, Premier. Yesterday we were—

*Interjections.*

**Mr. Robert W. Runciman:** Nothing out of order, Mr. Speaker. Yesterday—

*Interjections.*

**Mr. Robert W. Runciman:** A very sensitive group over there. I wonder why.

Yesterday we were unable to get any meaningful answers from your finance minister as to why, in the midst of a recession, with almost 74,000 Ontario jobs lost just last month, you were delaying tabling a budget weeks beyond its promised date. Premier, do you not recognize the urgency of the situation, or are you simply at a loss in terms of how to react?

**Hon. Dalton McGuinty:** I know that the opposition and Ontarians generally have a real interest in our upcoming budget, and we look forward to presenting that in this House. I must say, though, that I think Ontarians have an expectation that we will do everything we can to get it right. In particular, there are two expectations that we have to meet. One is, we have to speak to the urgency of the global recession and of the job losses that are affecting us and the downturn we are experiencing in the Ontario economy. But at the same time they also want us to begin to build the foundation for a new and stronger economy for the future, and we will take the time necessary to get that right. But I can say—and I'll speak to this again in the supplementaries—that there is much that we have been doing and will continue to do before the budget itself comes out.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** That offered a lot of clarity, didn't it?

I would suggest, Premier, that, given your recent flipping and flopping on economic policy positions, you have, in essence, panicked. You're in deep water and you don't know how to swim. As they say in Great Britain, your knickers are in a twist, and your indecision is the real reason behind the budget delay. Premier, how can the people of this province have confidence during this difficult and challenging time when you have no concrete plan on how to respond to our economic challenges?

**Hon. Dalton McGuinty:** Just to remind my honourable colleague that four months ago we announced \$1.1 billion in new infrastructure funding for our municipal partners, four days ago we announced \$1 billion in infrastructure for smaller Ontario communities, and yesterday alone we announced another half-billion dollars for GO Transit improvements.

The point I want to make to my colleague and to Ontarians generally is that while we continue to make preparations for our budget, while we do everything we can to make sure we get it right for today and for tomorrow, we are continuing to make investments in the kinds of things that will create jobs in the short term and enhance our competitiveness in the long term.

1040

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Robert W. Runciman:** I'm going to quote from a column in the Ottawa Citizen, which commented on Mr. McGuinty's musings on the state of the economy: Mr. McGuinty, you can have a long conversation about

renovations, but "You can't have a long conversation about renovations when your house is on fire."

Premier, in Ontario, we've lost 136,000 jobs since November—almost 74,000 last month—bankruptcies are up 50%, and I think most objective observers, not to mention the people losing their jobs, would agree that this house is on fire. And you apparently don't know where to find the hose, let alone turn the water on.

Premier, will you show real leadership, meet your original budget timeline commitment, and ensure that it includes a comprehensive and realistic economic action plan?

**Hon. Dalton McGuinty:** Again, I understand my colleague's eagerness to receive the budget, and we are just as eager to present it in this House, but as I say, we will take all the time that is necessary, and no more than the time that is necessary, to ensure that we get it right, both for today and tomorrow.

In addition to those recent infrastructure announcements—again, four months, four days and just one day ago—we're also going to be shortly introducing into this Legislature our new green energy act. That has an objective to create some 50,000 new, clean and green jobs in the province of Ontario. We're going to do that before we introduce the budget, and I hope I'll be able to count on my colleagues in opposition, to have their support as we move forward with yet another piece of legislation to create more jobs for the people of Ontario.

#### ONTARIO ECONOMY

**Mr. Robert W. Runciman:** Back to the Premier, and it has to do more specifically, Premier, with your jumping from pillar to post on economic policy at a time when Ontarians need to have confidence in the leadership of their government. Three months ago, you were boasting that your five-point plan was the answer to the province's economic challenges. Short weeks later, you've publicly discounted its effectiveness and started to muse about big ideas and make outrageous and inaccurate comments about being the first to come to grips with big questions related to our economic future. Premier, do you appreciate that Ontarians are increasingly concerned with your leadership and about what some describe as erratic behaviour?

**Hon. Dalton McGuinty:** I always appreciate my colleague's particular perspective on these issues, but I think that what we've got to do is keep our eye on the ball here. The fact of the matter is that we are experiencing the negative consequences of a global economic recession.

Let me just come back to our five-point plan, because I know that my colleagues, in their heart of hearts, continue to support the principles and objectives behind this plan. We continue to cut business taxes in the province of Ontario. I know that my colleagues, in fact, support that direction. We continue to invest in infrastructure. Last year, it was \$10 billion; this year, we had originally planned to spend \$8 billion, but it will, not surprisingly,

exceed that. We continue to invest heavily in innovation; I know that my colleagues support that. We continue to partner with business; they support that as well. And we will continue to invest in the skills of our people; I know they also support that. We've done that in the past and we'll keep doing that.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** I remember the Premier's comments about layoffs in the auto industry not too long ago: "It's just a little bit of a contraction."

Premier, if you're steering the ship, it's apparent you're doing it without a nautical chart and we're hitting the shoals. We have a recession gripping the province, people losing their jobs and their homes, businesses closing, communities suffering. You called the Legislature back into session to deal with what? Our agenda this week: cosmetic surgery and young offender housing legislation. Premier, please explain to people having trouble putting food on their table why you have no clear plan to address their plight.

**Hon. Dalton McGuinty:** Again, I talked about announcements we made four months ago, four days ago and just yesterday. I'll just speak in a little bit more detail about what we announced yesterday. Together with the Prime Minister, we announced \$500 million for improvements in our GO Transit service. In particular, we're going to create 6,800 more parking spaces at 12 different GO Transit stations.

My friend says, though, that those are not a worthy investment, and I disagree strongly. Not only will those result in jobs—5,000 jobs alone for those projects—they will also speak to a cleaner environment and a greater quality of life for our families who rely on our GO Transit service. That's 5,000 jobs as a result of one announcement just made yesterday, to say nothing of the others that we made before that and the others we will continue to make, in some cases in concert with the federal government.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Robert W. Runciman:** In October of last year, the Premier introduced what was described as an emergency motion on the economy. Very few government members participated in that debate. Both opposition parties introduced constructive amendments. That emergency motion is still sitting on the order paper, not being debated or voted on, and I think it's symptomatic of this government's apparent inability to act in the face of real challenges.

This is a leadership crisis as well as an economic crisis, and as a result, the province is suffering. Other jurisdictions have acted. Premier, I ask you again, when will you show real leadership? Bring in a budget, an economic recovery plan, by no later than the first week of March.

**Hon. Dalton McGuinty:** I say to my colleague, given his desire to create jobs in the short term for Ontarians, I fully expect that I will have his support when we introduce our green energy act in this Legislature very

shortly, which has as an objective the creation of 50,000 jobs.

I want to remind my colleague of an announcement we made just last Friday of three particular projects, coincidentally in the riding of Leeds–Grenville. We're investing in the restoration and redecoration of the historic Brockville Arts Centre; we're investing in the King Street West infrastructure renewal project; and we're investing in the construction of a single building to house public works, fire, parks and recreation. I think those are significant projects, and I think they're important to people living in that particular riding. Those are the kinds of things that we will continue to support on a—

**The Speaker (Hon. Steve Peters):** Thank you, Premier. New question.

## MANUFACTURING JOBS

**Mr. Gilles Bisson:** My question is to the Premier.

Yesterday, Premier, more bad news: General Motors and Chrysler have announced that 40,000 jobs are possibly going to be lost. We know there's going to be some effect on the Ontario economy.

Premier, you know it's an economic tsunami. Community after community is being affected across this province when it comes to job loss, and all you've been able to do is duck and hide. Your budget is not coming forward in order to deal with some of these issues. We, as New Democrats, have put forward a number of initiatives in order to respond to the situation that we're in. If we've been able to do that from the opposition side of the benches, why have you, as the government, not acted on what is a crisis now in Ontario?

**Hon. Dalton McGuinty:** I appreciate the question and I want to remind this honourable colleague of some of the measures that we have already put in place. Again, just four months ago, we invested \$1.1 billion, through our Investing in Ontario Act, in new infrastructure funding to our municipal partners. That work is under way right now and creating jobs right now. Four days ago, working with the federal government, we announced \$1 billion in infrastructure projects for smaller communities. Then, just yesterday, we announced another \$500 million by way of new investment in GO Transit improvements. Those are all government initiatives designed to create jobs in the short term and enhance our productivity in the long term. So of course I will disagree with my colleague when he says that we aren't doing anything between now and the budget. We've done much, and we'll keep doing more.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Gilles Bisson:** Nobody is going to argue that investments in infrastructure aren't important. But the bedrock of this economy is the automotive sector, the forestry sector and other manufacturing sectors in this province, and they're bleeding jobs by the hundreds of thousands. Workers across this province are saying, "If I haven't already got the pink slip, I'm worried I'm going to get one tomorrow." So my question to you is not about

what money you're putting into infrastructure. What are you going to do to attack the job losses in the manufacturing sector across this province?

**Hon. Dalton McGuinty:** Let me speak to the challenge being faced by our auto sector.

I understand the sentiment being expressed by my colleague. There is a great deal of anxiety being felt by Ontario families. In some cases, there's outright fear. What we're experiencing in Ontario is really without precedent; I understand that. But let me tell you what we're doing on the auto sector front.

**1050**

The first thing that we're doing is, we're working as closely as we can both with the federal government and the United States of America's government, understanding we have a fully integrated industry, understanding that this is going through restructuring, but understanding that what's at stake here is 400,000 good Ontario jobs. So we have said to the auto industry—and my colleague is aware of this—we're prepared to put forward \$4 billion by way of initial support for this particular industry. That's a significant contribution on the part of Ontario taxpayers. We'll expect that the auto sector, including the workers themselves, will bring something to the table.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Gilles Bisson:** Premier, you just don't get it. You're like the person at the crime scene who saw the crime and said, "Oh, God, nothing I can do." Listen: We've lost these jobs over the last three or four years. We've seen job after job being bled out of southern Ontario and across northern Ontario, and your government has sat back and done hardly nothing. You've had to wait for Obama in the United States or Stephen Harper to do something and you sit here like an innocent bystander. So I say to you again, when are you going to take your responsibility as the Premier of Ontario and do something about trying to stop the massive job losses in this province?

**Hon. Dalton McGuinty:** Again, I appreciate the perspective my colleague brings, but I don't agree with it and I just don't think Ontarians agree with it. I think they understand that something is happening, which is pretty big and comes from beyond Queen's Park and Ottawa, that is affecting the global economy on the whole. I think they understand that. I think what they want us to do is everything that we can, and we will continue to do everything that we can.

One of the things I want to remind my colleague, in terms of recent supports we provided for Timmins–James Bay: Just last week, we've invested in the drinking water distribution system in that riding. We have invested in the Hollywood Boulevard construction, in the Timmins east end water supply improvement project and in the fire hall renovation. Those are continuing investments. Those are important for the people living in that community. They will create jobs in the short term and will enhance the productivity and competitiveness of that community in the long term.

## MANUFACTURING AND FORESTRY SECTOR JOBS

**Mr. Gilles Bisson:** Well, I have no idea where Hollywood Boulevard is in my riding, but that's a whole other issue.

Premier, you say that you're concerned; imagine those people who are in the situation of having lost their jobs. We saw last week Marathon, the only employer in town, shutting down and leaving those people high and dry with no jobs, as we saw in Smooth Rock Falls last year. We saw Terrace Bay, this morning, announce a layoff for some six or eight weeks. We see the same thing going on in Nairn Centre. What do you say to those workers who have been waiting for your government for the last five years to do something about stopping the loss of jobs in northern Ontario and the forestry sector, as they see more coming?

**Hon. Dalton McGuinty:** Again, I know that some parts of Ontario have been hit harder than others and northern Ontario, particularly because of its reliance on forestry and some of our resource-based industries, has been particularly affected by this. But I want to assure folks living in those communities that we will continue to do everything we can to lend some strength to their economies. I know, again, last week in Terrace Bay we invested in a community centre roof replacement, for example. That's a project that is close to \$1 million. I know it's not everything, but it will create some jobs in the short term.

We will continue to do everything that we can but we can't do everything. I think Ontarians understand that. But we will do everything we can, particularly through our upcoming budget, to address some immediate pressures while at the same time building a stronger foundation for a future economy.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Gilles Bisson:** Nobody in Terrace Bay and nobody in Timmins–James Bay or anywhere else argues that infrastructure investment is not important. We all agree on that. The issue is, what is your government going to do in order to assist those industries that are shutting down, one after the other, across this province? We saw just this morning, again, the issue of Terrace Bay and Nairn Centre. Last week it was Marathon. Before that it was Thunder Bay. The week before that it was Hearst. We are seeing town after town lose jobs across this province and your government's done nothing. So I'm going to ask you this: Are you prepared, at the very least, to announce an industrial hydro rate in order to assist those industries that are most affected by the price of electricity in this province?

**Hon. Dalton McGuinty:** To the Minister of Energy and Infrastructure.

**Hon. George Smitherman:** I want to say to the honourable member that we recognize the north has experienced particular challenges, but Minister Gravelle and I had the opportunity recently to host the Grow North forum in Thunder Bay on February 4; 375 people from northern Ontario came together with a sense of

enthusiasm about their communities. As one example, the request for expressions of interest that the Ministry of Natural Resources and Ontario Power Generation have launched to create a made-in-Ontario supply of biomass for conversion of our coal-fired assets has created excitement in many communities in northern Ontario and for many of those who are unemployed related to the forestry sector. The Ministry of Natural Resources has worked with forestry companies to invest with them directly to transition them to lower-cost operations, so they use less electricity.

There are many challenges in the north. This government stands with northerners, working with them to look for opportunities in this difficult environment. We've demonstrated our willingness to invest and we will invest further to protect the jobs that are possible to protect in northern Ontario, to stand alongside those—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Gilles Bisson:** Further to the Premier: We saw last week the question of what happened in Sudbury with Xstrata: 700 jobs lost. We, as New Democrats, my colleagues Shelley Martel at the time and the other northern members along with Howard Hampton, were in Sudbury with the municipalities and the unions and others two years ago calling on your government to make sure that we had guarantees when it came to the sale of Vale Inco to Xstrata and those companies, that there would be some protection for jobs in Sudbury and Timmins. But even more important is the protection of the services being sold to the companies. Here we are; we've seen the 700 job losses. Basically, those agreements have not been kept.

Will you agree, finally, that you missed the boat two years ago in doing what should have been your responsibility in order to give protection to the people of Sudbury?

**Hon. George Smitherman:** To the Minister of Northern Development.

**Hon. Michael Gravelle:** Certainly in terms of the question itself, it was devastating news last week when Xstrata announced the layoffs of those workers. Our hearts go out to the workers. It has been a very difficult and challenging time, there's no question about it. If there's a silver lining, it is that Xstrata remains very committed to the Sudbury area. They're committed to the operation of their Nickel Rim South project and they have worked very closely with the union to try to extend the benefits for those who have been laid off for 16 more weeks.

There's no doubt this is a very challenging time in all sectors. Certainly, the mining sector is not immune from the global financial crisis, but I think it's important that we continue to work closely with the mining companies and with all those who are involved in the process while we go through these really difficult times.

#### ONTARIO BUDGET

**Mr. Tim Hudak:** A question to the Premier: One of the bland expressions that Dalton McGuinty used to pass

off as leadership was "to do much to fix the roof while the sun was shining." Well, Premier, let's review your record since the last election: 72,700 full-time jobs gone; 86,000 private sector jobs gone; and 100,000 well-paying manufacturing jobs gone. Ontario has officially become a have-not province on the welfare rolls of Confederation. I hope the taxpayers got some kind of warranty, because if the roof isn't caving in, I don't know what that is.

Premier, it is finally time to act. Speak to the gentleman beside you and tell him to come forward with a budget immediately.

**Hon. Dalton McGuinty:** Again, I understand my colleague's impatience in this regard, but we're going to take the time to get it right. That may frustrate them, but so be it. We will take all the time that is necessary, and no more than the time that is necessary, to ensure that we put forward a budget that speaks to the expectations of the people of Ontario and that achieves two important objectives. One is to respond to the crisis as it's affecting our families and businesses today, and the other is to begin to lay a stronger foundation for a new economy.

The ground continues to shift under our feet. It is very difficult to get a consensus from economists as to where the economy is going to go during the course of the next six months, let alone during the course of the next 18 months. So we will take the time to get it right. In the meantime, we will continue to invest in new infrastructure projects.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** The Premier says his priority is to find consensus. Premier, Ontario families want to see leadership in action.

Premier Wall in Saskatchewan, four months ago, brought forward his economic stimulus package that lowered business taxes. Three months ago, Prince Edward Island acted with a major stimulus investment. In British Columbia, Premier Campbell, four months ago, brought forward his 10-point economic plan.

Here in Ontario, Dalton McGuinty looks like he was on the losing end of a game of freeze tag. Premier, it's time to end the paralysis. Speak to the guy beside you. Tell him to get off his backside and bring forward a budget by the end of this month or the first week in March.

**1100**

**Hon. Dalton McGuinty:** I wish my colleague was as well acquainted with the happenings in this Legislature as he is with the happenings in other Legislatures. It was four months ago, in our own fall economic statement, that we did a number of things, including investing \$1.1 billion in new infrastructure projects with our municipal partners. Those projects are under way right now. We made that announcement in this House four months ago.

I can appreciate that my colleague has an interest in what's taking place in other parts of the country, but I'd ask him to pay a little bit of attention to what we're doing, through this Legislature, right here in Ontario.

### ONTARIO ECONOMY

**Mr. Paul Miller:** My question is to the Premier. Here's the disastrous state of Ontario's economy by the numbers, Premier: January job numbers from Stats Canada show a collapsing job market, with 71,000 jobs lost in November alone. Over 300,000 manufacturing jobs have been lost in the last four years. Manufacturing shipments have declined by almost 10% in one month alone.

The NDP has a jobs plan. Where is the minister's plan? Also, the Premier stands up in this House and always says he wants to work with the opposition for the betterment of Ontario. It doesn't happen, because they don't pass any of our bills.

**Hon. Dalton McGuinty:** To the Minister of Economic Development.

**Hon. Michael Bryant:** The member knows, just locally, about the investments that have been made in the city of Hamilton through the communities in transition fund, investments made with the Dofasco Learning and Development Centre, investments made with Ironworkers Local 736 and the United Brotherhood of Carpenters and Joiners Local 18. These are just some of the investments that the government has made.

This government's approach has been to take a series of taxpayer investments and funds and provide assistance directly to communities and businesses. We have not been doing that for the last couple of months; we have not been doing that for the last year; this has been the strategy that this government has undertaken for the last five years.

So, yes, it is true that other provinces are making investments. But it is a strategy that this government has been undertaking over the last five years, and we will continue to make those investments in all of your communities out there.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Paul Miller:** We've done the government a favour. We laid out a plan that would get Ontario's economy moving again. We need the NDP's aggressive Buy Ontario program not just in transit but in all areas of public sector procurement. We need a real, massive, aggressive infrastructure program. Not only will it put people back to work immediately, but it will lay out the groundwork for jobs of the future. We need a \$10.25-an-hour minimum wage immediately, to put money in the pockets of people who can spend it directly in our economy.

We've done our part. We've laid out a good plan. Where is the minister's job plan, and why won't you cooperate with the opposition?

**Hon. Mr. Bryant:** The member refers to the need for massive investment. I remind the member of a \$14-billion investment just last week—where? In East Hamilton Recreational Trail Hub and Waterfront Link. This is a \$14-billion investment that's being made. Look at this investment as we go into the future, not only in terms of the investments in the city of Hamilton but in the province.

I recognize that when the New Democrats were in power, the unemployment rate was 9%. I recognize that when the Conservatives were in power, the unemployment rate was higher than it is today. But we will continue to work with the opposition parties to make investments such as this in Hamilton—millions of dollars of investments—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### HEALTH CARE

**Mrs. Carol Mitchell:** My question is for the Minister of Health and Long-Term Care. Since I was elected in Huron-Bruce, my constituents have continued to ask me one very important question: Where can they find a family health care provider? Last week, I was very pleased to see the launch of a new program to help connect unattached patients with a health care provider. It is a tool that I know every member of this House will use to help constituents find the care they need close to home. However, I am wondering how effective this program will be in areas of the province where there may be a shortage of health care providers. How will patients in these areas get connected to care?

**Hon. David Caplan:** I would like to thank the member from Huron-Bruce for the question. I know that she is a very passionate and committed advocate in helping constituents find health care providers. Our new Health Care Connect service is a unique, made-in-Ontario solution that the Premier launched last week. It is a telephone hotline that will help Ontarians who don't have a family health care provider find one. By calling a special 1-800 number, Ontarians without a family health care provider can add their names to a registry. A nurse, known as a care connector, will then attempt to match that unattached patient and their family with a family health care provider—a physician or a nurse practitioner—who is accepting patients. The strategy will help us ensure that more Ontarians are able to get access to family health care. We're still committed to rolling out an additional 22 nurse-practitioner-led clinics and 50 family health teams. Health Care Connect helps us target the areas that need these—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Carol Mitchell:** I can hear from all the members of the House that they do agree that it sounds like a very promising initiative.

In the last election our government committed to finding family health care providers for another 500,000 Ontarians. I think Health Care Connect will help us reach this very ambitious goal. In the meantime I know that a lot of Ontarians without a family health care provider are relying on emergency rooms to provide them with the care that they need. I have heard the Minister of Health and Long-Term Care refer to ERs as the "default doorway into the health care system." But for people with minor ailments or injuries, the ER probably isn't the

best place to go for treatment. Can the Minister of Health tell the House how he is going to ensure that Ontarians know about the health care options other than ERs that exist in their communities?

**Hon. David Caplan:** Again, I want to thank the member for the question. It's very germane and appropriate. I'm pleased to tell the House about another innovative initiative that we launched last week. It is a new website called Your Health Care Options. Using Google-style mapping and simple search terms, the site makes it easy for Ontarians to find health care services in their community. By typing in their postal code, Ontarians can find the nearest walk-in or after-hours clinic, urgent care centre, family health team, general practitioner and emergency room. The site will link to other health resources, including information about Health Care Connect. Eventually, the site will be expanded to include information relating to all front-line health services in Ontario, including community care access centres, nurse-practitioner-led clinics, laboratories and long-term-care homes. I'm so excited about both these new initiatives. I have no doubt that our Health Care Connect phone line and Your Health Care Options website will reduce wait—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### MINISTRY OF THE ATTORNEY GENERAL

**Mr. Frank Klees:** The question is to the Premier. On July 26, 2007, the Premier accepted the resignation of one of his cabinet ministers following an investigation that revealed inappropriate distribution of taxpayers' funds through a program of the Ministry of Citizenship and Immigration. At that time, the Premier said this: "This is ... a government that believes in accountability. And in this circumstance, Mike feels, and I agree, the minister must be held accountable—and that stepping down is the right thing to do."

Will the Premier tell us if he believes that the out-of-control spending of \$23.4 million on outside lawyers and consultants to recover \$3.5 million is responsible administration by his government? And if not, which of his ministers does he believe should be held responsible? The minister responsible for the Ontario Realty Corporation, the Attorney General, or both?

1110

**Hon. Dalton McGuinty:** To the Attorney General.

**Hon. Christopher Bentley:** My friend will remember that the case actually started under the government of which he was a part. But let's be clear: That's a lot of money. I think we can do better in our approach to private counsel, and that's why we've taken a number of steps. First of all we brought the case in-house, we concluded the case, we were successful and we're pursuing the costs from the losing party.

Secondly, we have taken the approach that we do not hire outside counsel on a regular basis now as was once

the practice. We do everything we can in-house. Where we do retain outside, we partner up, and when we have to retain outside, there is a much more rigorous examination of accounts than there was. I can speak to further reforms that we've taken in the supplementary.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Frank Klees:** The Attorney General himself attempted to keep the truth about these scandalous legal fees from the public.

**The Speaker (Hon. Steve Peters):** I would ask the member to choose more parliamentary language, please.

**Mr. Frank Klees:** On behalf of the government, he fought the Toronto Star's efforts to get access to that information, but he lost that fight. We now know that there were \$23.4 million in outside legal and consulting fees paid. For eight years, this government signed blank cheques to Bay Street lawyers. There was no oversight and there was no accountability. As one veteran litigator said, "It was throwing good taxpayer money after bad. It was out of control. In all my years practising law, I had never seen anything like it."

Will the Premier agree that this out-of-control spending by his ministers is in fact unacceptable, and will he tell us if he intends to hold either one of them responsible—

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. Christopher Bentley:** With respect to the release of information, our position on that from the beginning was that when the case was over, the information would be released. We will not release information that may affect the public interest in the course of a lawsuit. That's been our position all along.

Secondly, I say to my friend again that this case did start some years ago, and you may recall its beginning, because you were part of the government responsible for the agency that started it. But we're here now. We took the three steps I outlined and we've also taken steps to streamline the civil litigation process itself. Beginning January 1, 2010, we're going to have a much more simplified process that will make this and all cases faster, less expensive and more accessible.

#### SPECIAL CARE HOMES

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée. A few weeks ago in this House, I raised the issue of sexual abuse allegations at the Goodfellow home for special care in Garson, in my riding. I asked the Minister of Health and Long-Term Care if his ministry had been inspecting the home regularly as per regulation. First the minister said that it was not his responsibility, but then last week the minister confirmed in a letter that homes for special care are indeed the responsibility of his ministry, and I thank him for that.

My question is, did the Ministry of Health inspect the Goodfellow home for special care in Garson twice monthly as per regulation?



**Hon. David Caplan:** The member is correct; I did clarify and expand on my earlier answer, and did provide that in fact the ministry has undertaken its statutory requirements. The homes for special care program is an important program where long-term-care residence is provided for people discharged from provincial psychiatric hospitals. I can confirm to you that the Minister of Health and Long-Term Care is responsible for licensing and the financial administration of homes for special care under the act. In order to receive their yearly licence, each home must comply with inspections conducted by the fire department, public health and the psychiatric hospital field office. The Goodfellow residence has undergone these inspections on a regular basis.

**The Speaker (Hon. Steve Peters):** Supplementary?

**M<sup>me</sup> France Gélinas:** I want to make sure that I understood his answer clearly. What I want to know is, I want to have confidence that the inspection of the Goodfellow home took place every two weeks, like they are mandated to do to maintain their licence, as the minister said, because some of the residents at the Goodfellow home tell me that they never saw an inspector at that home. I'm really worried as to who is protecting those vulnerable residents in dozens and dozens of homes for special care in this province.

Are inspections occurring at all homes for special care twice monthly across this province, as the minister said and as per regulation from his ministry? We want reassurance. Thank you.

**Hon. David Caplan:** I believe I just provided a very clear answer to the member that in order to receive—

*Interjection.*

**Hon. David Caplan:** I know the member from Niagara may not care about this.

In order to receive their yearly licence, each home must comply with inspections conducted by the fire department, by public health and by the psychiatric hospital field office. I can confirm to the member that the Goodfellow residence has undergone these inspections on a regular basis, in compliance with the regulatory environment.

The member asked, related to an ongoing police investigation—since there is a police investigation that is currently underway, I can't comment further on the status of that investigation, obviously, as the member would well understand. I do want to thank the member, however, for her interest and for her advocacy on behalf of these vulnerable individuals who need and deserve the very best care possible that the province and our partners—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### POVERTY

**Mr. Yasir Naqvi:** My question is for the Minister of Children and Youth Services. Two weeks ago, I had the opportunity of hosting a poverty reduction town hall in my riding of Ottawa Centre, and I'm very grateful that

the minister attended that town hall meeting. We had representatives, from the large groups of people who came to this meeting, from the city of Ottawa, the youth services bureau, the social planning council, the Centretown Community Health Centre, ACORN, the Odawa Native Friendship Centre and many more.

The purpose of the meeting was twofold: one, to get feedback about the poverty reduction strategy, and also to talk about the next steps in terms of implementing the strategy. Those at the meeting were happy to have the opportunity to present their feedback to the minister on the poverty reduction strategy and express their excitement about being part of the solution.

My question is, how will the government continue to engage community partners so that they have a say in how the poverty reduction strategy is implemented?

**Hon. Deborah Matthews:** I was very happy to be in Ottawa with the member a couple of weeks ago to have a conversation with individuals and groups in his community about our recently released poverty reduction strategy. We heard first-hand from people about the challenges that they face, about the successes they've had in making a difference locally, but most of all I think what we learned is how committed people are to work together to implement solutions that work in Ottawa, that work in the local community.

I've had the opportunity to go to other communities—Mississauga, Peterborough, Ingersoll; tomorrow I'm going to Kitchener–Waterloo to talk to people there who are concerned about this issue.

For the first time, we have a plan to reduce poverty in this province. I'm proud of the plan, but the work has just begun. Our government is committed to working with our partners to make sure that we make the difference we know we can make.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Yasir Naqvi:** I appreciate that my constituents and community partners would not only be listened to, but also empowered to put in place local solutions that work to reduce poverty.

There were some people at the meeting who were concerned that a poverty reduction strategy only sets a target to reduce child poverty. Poverty affects us all. Whether it's a child, a single adult or a person with a disability, we all suffer when someone doesn't get the help they need to achieve their full potential. I know that the poverty reduction strategy recognizes there are many groups disproportionately affected by poverty and includes initiatives to support them, but some groups have argued that we should also set specific targets for these groups or one general target for everyone.

Can the minister please explain why the poverty reduction strategy has an initial focus on children, and why the target is based on child poverty?

**Hon. Deborah Matthews:** I thank the member for this very important question, and certainly one I have been getting across the province. When we set out to create Ontario's first poverty reduction strategy, we knew we couldn't do everything all at once. If we wanted to

make a real, tangible difference for Ontarians, we had to start somewhere. We learned that focusing on children first and giving them the tools and supports they need is the smartest long-term investment we can make. Dollars invested now in kids will create a more prosperous Ontario for years and, indeed, generations to come. So we did make the choice to set our first targets with children. We have a plan to break the cycle of poverty by giving children and families the opportunity to achieve their full potential. Our target is to lift 90,000 children out of poverty over the next five years. It's the right thing to do. But we are by no means ignoring—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

1120

### TOBACCO INDUSTRY

**Mr. Toby Barrett:** A question to the Minister of Agriculture: Tonight, the tobacco board is hosting a mass meeting for farmers to discuss the \$300-million federal exit package for farmers forced out of business by governments, including Mr. McGuinty's government. Banks are calling in loans. Farmers have lost something like \$500 million in equity. Tonight we will hear the federal plan. Minister, what is the McGuinty plan to carry tobacco country beyond this economic devastation?

**Hon. Leona Dombrowsky:** First of all, I would remind the honourable member that our government has provided a \$50-million investment for transition for tobacco producers: \$35 million went directly to tobacco producers; \$15 million went to communities that would be impacted when the transition would take place. So our government has been quite proactive.

In addition to that, we have also, with our rural economic development program, been very open to hearing from those communities that have ideas around how they can co-operatively work in partnerships to assist with this transition.

So our government has been there with the \$50-million transition. We continue to be there with our rural economic—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Toby Barrett:** Minister, last August you received \$157 million as your part of the civil settlement agreement with the tobacco companies. The farmers are looking for a bit more leadership from Mr. McGuinty here. The fiscal year is drawing to a close. We now need a made-in-Ontario solution. We need something to replace well over 9,000 jobs destroyed by the demise of this tobacco economy. You indicated previously that you would be part of this federally led exit program.

Minister, the question is, will you, at minimum, establish a mechanism for dialogue with the tobacco community and with tobacco farm families throughout southwestern Ontario?

**Hon. Leona Dombrowsky:** I would say the mechanism that I've been using with the tobacco farmers has

been the telephone and face-to-face meetings. I've met with them very regularly. In fact, I have embraced the proposal that they brought to this government, as has this government, with respect to having a user-funded strategy. That is what Ontario committed to be a part of.

At this point in time, tobacco producers have been working with their tobacco board around the exit strategy that was announced by the federal government. We certainly are supportive of those efforts. I understand that the marketing board is meeting today with its members to provide the details of that plan.

We will continue to be there to assist in any way that we can, whether it's with the commission or providing supports to the board. We believe that—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### CONSUMER PROTECTION

**Ms. Cheri DiNovo:** My question is to the Minister of Small Business and Consumer Services. An advisory board recommended that borrowing costs for payday loans be capped at \$21 per \$100. That's substantially above Manitoba's rate of \$17, despite the previous minister, Ted McMeekin, saying in this very House, "I really am optimistic, as an honourable member, to do better than that." For low-income Ontario workers facing increasingly difficult times, the recommended rate is worlds away from Manitoba's, let alone my Bill 54, modeled after Quebec's 35% cap. Why won't the minister side with low-income families instead of the payday loan industry?

**Hon. Harinder S. Takhar:** I want to thank the member for asking this question. First of all, I really want to thank the board members for actually doing very extensive consultation with the companies that make payday loans and also the people who borrow these loans. They came up with very good recommendations, in my view at this point in time, that balance the interests of the industry but also the interests of the people who borrow these services.

*Interjections.*

**Hon. Harinder S. Takhar:** This is the recommendation that is made by the board. The government has not made any decision with regard to it.

The Payday Loans Act came into existence in 2008, and there are other measures we are taking in order to protect the most vulnerable in our society that I would be more than pleased to outline in my supplementary.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Cheri DiNovo:** I miss the previous minister's optimism and ability on this.

The fact is that the recommended cap will only affect the fringe payday lenders. It's no wonder the Canadian Payday Loan Association called the recommendations "balanced"; they won't even be affected. Instead of standing up for the payday loan industry, why won't the new minister stand up for low-income Ontarians?

**Hon. Harinder S. Takhar:** I really want to congratulate the previous minister for actually coming up with the Payday Loans Act.

Let me just talk about some of the other measures that we are doing with regard to the Payday Loans Act. One is prohibiting the rollover of loans. The other recommendation that was made by this board is that most of the people who use these loans sometimes get used to these loans. That's why we are coming in with the education system, so that we can actually educate the people that these are expensive loans; they don't need to get into these again and again and again. So the education is an important component of this.

We are also making sure that these loans are posted so that people are aware of the cost of these loans. There is going to be full disclosure; there's going to be an education component to this. But at the same time, as I said before—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### MUNICIPALITIES

**Mr. Bas Balkissoon:** My question is for the Minister of Municipal Affairs and Housing. Minister, recently I came across a press release from one of our NDP colleagues vying for their leadership and his plan for Ontario municipalities. Many of the items being proposed are ones that our government has worked hard on, in partnership with municipalities and other partners, to improve Ontario communities. I remember specifically when the government released a provincial-municipal review last fall. Minister, I would, however, appreciate you outlining what our government has done for Ontario municipalities and how we are working with them to strengthen our communities.

**Hon. Jim Watson:** I want to thank the honourable member from Scarborough—Rouge River. We're very fortunate in this caucus to have a number of MPPs who have municipal experience, as the honourable member does. They understand the challenges facing our 444 municipalities. That's why I was so pleased in October when we reached a consensus agreement with AMO and the city of Toronto for a report that talks about and implements an uploading strategy for the next several years. In fact, when all of the uploading takes place, municipalities across this province will save \$1.5 billion. But we're not waiting for the full implementation. In fact, this year alone, municipalities, as a result of uploading ODSP administrative costs, will save \$86 million.

We look forward to continuing to work with the municipal sector. I thank my colleague the Minister of Finance, AMO and the city of Toronto for reaching this landmark agreement that finally gives the respect to municipalities they deserve.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Bas Balkissoon:** Thank you, Minister. Like yourself, I come from a municipal background. I spent a number of years as a municipal councillor in Toronto and

kept a close eye on the proceedings at city hall last week when Toronto unveiled its budget for 2009. Like many jurisdictions, Toronto is facing difficulties in the wake of global economic uncertainty. As the largest city in Canada and the financial centre of the country, it is critical that Toronto continues to be a strong and vibrant city able to compete globally.

Infrastructure projects have been cited a great deal recently to help stimulate the economy, but other measures such as investments in affordable housing, transit and providing relief to property taxpayers can provide needed support. What steps and what investments has the province taken to support cities like Toronto?

**1130**

**Hon. Jim Watson:** I want to congratulate the Liberal MPPs from the city of Toronto who are non-stop advocates for their city, for their community, and they do an excellent job making sure that Toronto gets its fair share.

Let me just start by telling the member that support for Toronto—this is important to hear—from this government, the McGuinty government, since 2003 is five times higher today than it was when this government took over. Let me give you a couple of examples: the Investing in Ontario Act—Toronto received \$238 million; \$180 million for the affordable housing program; the rent bank, \$6.3 million, which has prevented over 3,000 evictions to date.

As a result of the Provincial-Municipal Fiscal and Service Delivery Review, the uploads this year alone for the city of Toronto are close to \$60 million, and when fully implemented, the upload savings to the taxpayers of Toronto will be close to \$400 million.

#### CHILDREN'S MENTAL HEALTH SERVICES

**Mrs. Julia Munro:** My question is for the Minister of Children and Youth Services. I'm sure that the minister is aware of the correlation between economic downturn and the demand for children's mental health services. My question is simple: What steps have you and Mr. McGuinty taken to anticipate this demand?

**Hon. Deborah Matthews:** The member opposite is absolutely right that an economic downturn does increase the demand for services across my ministry and others as well, whether it's children's aid societies, children's mental health or social assistance. We are all impacted by an economic downturn.

That is why we really strengthened services for children in the first five years of our government. That strengthening of services will pay dividends as the anticipated increase does in fact come to fruition as the economy does what it is already doing.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Julia Munro:** We already have evidence that the economic downturn is affecting the demand for children's mental health services. Since 2006, Windsor has lost thousands of manufacturing jobs. With unemployment soaring above 10%, children's mental health cases

in Windsor and Essex have increased by 50% since the auto downturn. Is the minister aware of this, and what has she done to help the children of Windsor and Essex county?

**Hon. Deborah Matthews:** I think it's important that the member opposite acknowledges that we have actually made tremendous improvements in children's mental health—the first base funding increases in over a decade. In fact, when her party was in power, they froze children's mental health and kept it frozen. It was only when our government was elected that we began to reinvest in children's mental health.

We provided the first base increase in over a decade in 2004-05 and another \$24.5 million in 2007-08. We've also expanded access in rural, remote and underserved communities through the telepsychiatry program. We doubled funding for that. It went from one hub and 14 satellite offices to three hubs and 24 offices.

Children's mental health is a very important priority for our government. We're committed to continuing to improve it. We welcome the select committee's work on this—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### HEALTH CARE

**M<sup>me</sup> France Gélinas:** My question is for the Minister of Health and Long-Term Care. Lyn Edwards, the NDP candidate in Haliburton–Kawartha Lakes–Brock, knows that people in her riding need solutions to the lack of access to primary care and the lack of physicians. Mrs. Edwards and her community support the development of a community health centre for Lindsay and Kawartha Lakes, a model of primary care that will provide access to doctors, nurse practitioners, social workers, dieticians etc. for people in her riding.

Will the minister admit that a hotline will not replace the need for community health centres, primary health care or more doctors?

**Hon. David Caplan:** It didn't take a by-election to get this government working on the problem of getting doctors and patients together. In fact, since 2003, 630,000 Ontarians who did not have access to a family physician now have one, because of the determined work of this Premier and this government. Because of the work of this government, we have doubled the number of community health centres in this province, and I'm very proud of that record. Because of the work of this government, we have rolled out new initiatives, like nurse-practitioner-led clinics. The first one, as the member would be aware, is located in Sudbury, with a satellite in Walden. Three more are on the way to be awarded, and an additional request for proposals for the remainder will be going out this spring.

It doesn't take a by-election to get this government working to provide better access to health care. In fact, we started on day one.

**The Speaker (Hon. Steve Peters):** Supplementary?

**M<sup>me</sup> France Gélinas:** More than 25,000 people in Haliburton–Kawartha Lakes–Brock do not have access to primary care: They do not have access to a nurse practitioner; they do not have access to a physician. While this government has been busy promoting a phone line and a new website, they seem to have forgotten that solving the province's problems in health care takes more than phone lines and websites. Communities like Haliburton–Kawartha Lakes–Brock need real solutions—solutions that are tailor-made to their communities, like funding a new CHC; solutions which Lyn Edwards would be ready to bring to this House.

What is the minister planning to do regarding the new community health centre in Haliburton–Kawartha Lakes–Brock?

**Hon. David Caplan:** Ontarians remember that the New Democrats cut medical school spaces 13%. Is it any wonder that we experience these kinds of shortages? That's why on day one, this government began over doubling the number of med school spaces in this province.

I can tell you I've had conversations with Rick Johnson. Rick Johnson has been advocating for better health care in Haliburton–Kawartha Lakes–Brock, and in fact he wants to build on the record that this government has provided. Whether that's to more than double the number of international medical graduates, whether that is increasing the number of medical school spaces by 23%, I can tell you that Rick Johnson knows and gets it. Rick Johnson advocates for the people and wants to build on the results. We don't want to go back to the sorry NDP days where we cut doctors, where we cut nurses, and it's Ontario patients who paid the price.

**The Speaker (Hon. Steve Peters):** Thank you.

The Minister of Economic Development and Trade on a point of order.

#### CORRECTION OF RECORD

**Hon. Michael Bryant:** Mr. Speaker, in my exuberance for the investment, and in the hurly-burly of question period, I did misspeak as to what the investment is. It is a \$14-million investment in the city of Hamilton. That ain't chicken feed, and it's still a good investment—

**The Speaker (Hon. Steve Peters):** That is a point of order. The member is correcting his record.

The member from Hamilton East–Stoney Creek, on a point of order.

**Mr. Paul Miller:** I'd like the minister to have the balance of the cheque sent to my riding so we can build all those things he promised.

**The Speaker (Hon. Steve Peters):** That is not a point of order.

There being no deferred votes, this House stands recessed until 3 p.m.

*The House recessed from 1138 to 1500.*

## MEMBERS' STATEMENTS

## SCHOOL PLAYGROUND

**Mr. Ted Arnott:** This morning I had the opportunity to speak in this House about the extreme economic challenge we're facing and the government's lack of leadership in responding to it. This afternoon, I wish to call the attention of the House to a local matter of concern to many of my constituents in Acton.

Because of what the Toronto Star calls "pressure" from the Minister of Education, the Halton District School Board was pushed toward initiating a process to sell part of the playground at McKenzie-Smith Bennett public school. According to yesterday's Star, hundreds of people gathered on Family Day to support the children of their community and their children's right to keep their existing playground.

I've received numerous e-mails from constituents and I'm aware that the board and the town of Halton Hills council are working together to find a solution. But let's remember who started this schoolyard spat: It was this Minister of Education. Once a self-styled champion of local school board autonomy, she is now forcing school boards to take the heat for unpopular decisions, decisions that are, in fact, rooted in her own bad policy and evasion of responsibility.

Acton has spoken loud and clear. The community wants a solution to keep the school playground, but for that to happen, we need the minister to back off the board and let the children play.

## EDEN MILLS SKI CLUB

**Mrs. Liz Sandals:** Cross-country skiing is a wonderful way to stay fit and have fun during our great Canadian winters. The Eden Mills cross-country ski club is located just south of Guelph. Their jackrabbit program provides children aged four to 14 with skills training, while also focusing on the lifelong benefits of active living and fitness. Eden Mills ski club also offers a wide range of skiing challenges for the more advanced cross-country skier. Their mission is to help children learn and enjoy cross-country skiing in a safe and supportive environment.

I'm very pleased that the Ontario Trillium Foundation has provided Eden Mills with a \$15,000 grant to assist with the purchase of new trail-grooming and rental ski equipment. Eden Mills has been using aging, 20-year-old grooming equipment, hoping it would make it through just one more winter. The Trillium funding allows the club to acquire reliable, efficient and up-to-date equipment so that they can continue grooming the trails for prime skiing. The addition of rental ski equipment for children will permit more families to enjoy cross-country skiing. Being able to rent ski equipment for kids, whose height and feet grow every winter, helps parents reduce the costs of participating in a great sport.

I'm thrilled our government is able to support such a worthwhile program.

## WASTE DISPOSAL

**Mr. John Yakabuski:** On February 4, in the House of Commons, the member for Ottawa South, David McGuinty, implied in his questioning of the Minister of Natural Resources, the Honourable Lisa Raitt, that there was a connection between two truckloads of sewage from the city of Ottawa found to be radioactive and Atomic Energy of Canada's Chalk River nuclear facility.

There are two things that trouble me here. The first is the member's total lack of knowledge of how a municipal water and sewage system works. The second is his total disregard of the facts.

On the first part, I would urge him to spend some time visiting the system operating in his city, instead of conjuring up ridiculous scenarios that aren't even possible. On the second issue, I would remind him that, as a parliamentarian, he has a duty to accept the responsibility bestowed upon him. That responsibility would include not falsely attempting to create a panic by completely misrepresenting the facts. When this is done solely to gain partisan political points—

**Mr. Dave Levac:** Point of order, Speaker.

**The Speaker (Hon. Steve Peters):** Stop the clock. The member for Brant on a point of order.

**Mr. Dave Levac:** I let this one go on hoping that the member would get off that course, but in our standing rules, section 23, "In debate" or a statement, "a member shall be called to order by the Speaker if he or she: ... charges another member with uttering a deliberate falsehood" or "imputes false or unavowed motives to another member."

That was not acceptable.

**The Speaker (Hon. Steve Peters):** I hear the point of order that is raised. I was listening very closely myself. None of the discussion that the honourable member had related to any member in this chamber. He was making reference to somebody within the House of Commons in Ottawa. I have no jurisdiction over that. I'm going to allow the member to continue.

**Mr. John Yakabuski:** When this is done solely to gain partisan political points, it calls into question the member's ethics. I ask that the Premier, who is also the MPP for Ottawa South, help deliver this message. After all, he enjoys greater access to his federal counterpart than I do.

The Premier knows that when one behaves irresponsibly, they can hurt a lot of innocent people. Surely he'll let the member know that it is time to grow up.

## CHILD PROTECTION

**Ms. Cheri DiNovo:** There was once a little girl who lived very close to my riding and went to school and church in my riding. Her name was Holly Jones. Holly was born on September 14, 1992. She died in her 13th

year, on May 12, 2003. There is no one in my riding who does not know the name Holly Jones and the horrible circumstances of her death. Many in our riding know about the valour, the courage and the incredible social justice activity of her parents—Maria Jones in particular, her mother.

Maria came to see me and asked that something be done, really, to commemorate the memory of her daughter Holly Jones, but also to prevent the abuse that Holly had suffered from ever happening to any child again. On her better instincts and on her advice, I introduced a motion: “That, in the opinion of this House, primary prevention programs such as the Boost Child Abuse Prevention and Intervention program be mandatory in all Ontario elementary schools as requested by the family of Holly Jones.” I would certainly encourage this government to speak to curriculum committees across the province to make it so. It’s a very inexpensive program, about \$1 million.

The time to address the state of children or a child at risk is always the same; it’s always now.

#### AUTOMOTIVE RESEARCH AND INNOVATION

**Ms. Sophia Aggelonitis:** I have good news. Ontario is joining forces with a world-leading company that creates innovative infrastructure for electric cars. The California-based company called Better Place will establish a Canadian head office as well as an electric car demonstration and education centre in Ontario. Building on this partnership, we will be releasing a study in May which will look at ways to speed up the introduction of electric vehicles in this province.

In addition to establishing international partnerships, we have been making significant investments in automotive research and innovation right here at home, particularly in my hometown of Hamilton.

Keeping ahead of the curve, we have invested over \$15 million in the initiative for automotive manufacturing innovation. This collaboration between McMaster University and the University of Waterloo is focusing on developing new technologies for producing lighter-weight, cost-competitive automobiles.

These partnerships and investments could not have come at a better time. They will ensure that Hamilton and Ontario remain at the cutting edge of automobile research and development in a transforming economy.

#### HEALTH CARE

**Mr. John O’Toole:** Yesterday, the citizens of Durham riding saw a new plan for the delivery of acute care services in hospitals. The clinical services plan was presented to the board of the Central East Local Health Integration Network.

The Central East Local Health Integration Network is a very large area, serving from east Toronto to Algonquin Park, including Peterborough and Northumberland. I

want to emphasize that this plan must not reduce or detract from the local hospitals with dedicated teams who provide outstanding service in my riding of Durham and in many parts of the large area.

Health care is a provincial responsibility, and it is up to Premier McGuinty and his government to ensure that Durham region’s hospitals receive their share of funding. Thanks to Dalton McGuinty, Lakeridge Health Corp., a part of the Central East LHIN, now faces a \$10.8-million deficit. The Growing Communities Healthcare Alliance estimates that high-growth communities like Durham in the GTA/905 receive \$255 less per resident compared to the rest of Ontario.

This is all about fairness for all Ontarians. It should be noted that the latest federal government budget has an additional \$868 million for health care transfers to Ontario, and that gives me hope. I would urge Premier McGuinty to use this new federal health money to—

**The Speaker (Hon. Steve Peters):** Thank you.

1510

#### SIR WINSTON CHURCHILL COLLEGIATE AND VOCATIONAL INSTITUTE

**Mr. Bill Mauro:** Thunder Bay’s Sir Winston Churchill Collegiate and Vocational Institute students are making dreams come true for seniors at the Versa Care Centre. Outstanding students such as Matt Smiley and Sarah Gogal, grade 11 students from Churchill, are part of the school’s peer leadership class and new Dreamweavers program, which started in September 2008.

In the second semester, 24 students from grades 11 and 12 worked with 11 seniors. Created by peer leadership teacher Ryan McDonnell and former Versa Care Centre program manager Emily Bosma, students have been developing relationships with seniors at the home, getting to know them and determining what dream they would like help fulfilling.

Students have taken senior residents swimming. Other dreams included taking a resident to a play and treating a woman to a day at a spa with her daughter. Reuniting special people in their lives is often requested, as are learning to play the piano, seeing a special place and reliving past experiences. Dreams for fun-based activities are often requested, or simple things that can mean so much: a new dress to go to church in or a cup holder for a wheelchair.

I want to applaud the idealism and spirit of service of all the other students involved: Cathy Harmar, Christina Maitlains, Karly Olson, Dustan and Adam Zimmerman, Meighan McKillop, Erin Muller, Brennan Wright, Greg Fraser, Alex Stevenson, Janine Stajkowski, Brandon Myketa, Mark Bystrican, Evan Poile, Lloyd Claridge, Kyle Tang, Jordan Adams, Tyler Gasper, Liam McDonnell, Justin Grachowski, Joy Vanesse, Paula Marsh, Brandon Charlebois, Mitch McKillop, Devin Breukelman and Corey Hoogsteen.

## RURAL CONNECTIONS BROADBAND PROGRAM

**Mr. Jeff Leal:** It gives me great pleasure to rise and share with this House the McGuinty government's commitment to improving access to technology for all Ontarians. The McGuinty Liberals recognize that we have highly skilled workers, dedicated business owners and tremendous natural resources. A strong commitment to investing in technology is essential to achieving sustainable communities and allowing them to compete in the 21st-century economy.

The Rural Connections broadband program is a four-year, \$30-million program that will leverage municipal and private sector investments to bring high-speed Internet access to rural and remote communities, enabling Ontarians to get access to e-health, e-education and e-government services.

Rural Connections will continue to address broadband gaps across rural southern Ontario. Fifteen municipalities across southern Ontario have already qualified for over \$8.8 million in funding for broadband projects that will have a positive impact on families, enhance economic development and improve access to public services. This funding builds on the one-time \$10-million investment announced in the 2007 budget, which helped fund broadband infrastructure projects in 18 southern Ontario municipalities.

Our government recognizes that the Rural Connections broadband program is a key part in developing successful and sustainable municipalities. We recognize there is more to do. The McGuinty government will continue to work hard for all Ontarians to ensure they have the tools they need to succeed.

## LEGISLATIVE INTERNS

**Mr. Dave Levac:** With today's challenging economic times, the undeniable importance of young Ontarians' education is at the forefront of most of our minds. I can't help but look at this year's group of legislative interns and think how fortunate they are to be participating in a sponsored program that provides such a rich educational experience through exposure to the many facets of legislative, political and public life. But more importantly, as members, we are fortunate to meet such great young energetic men and women.

Since October, I have been pleased to host Emma as an intern in my office, and I have made sure to include her in as many aspects of my MPP activities as possible, since I am well aware that the internship is intended to be a period of gaining real-life experience in the many nuances of politics and serving the public. Emma has contributed to the various projects in my office, sat in on meetings and seminars, and spent time working in my constituency office, among many other activities. She tells me that this experience has been truly life-changing and has given her an opportunity to pair her academic background in public policy with practical political insights.

The internship is also non-partisan, and soon Emma will be leaving my office to work with a member of the opposition. While I'll miss her in my office, her learning will be enhanced through her opposition placement. That's what counts. Quality educational experiences are crucial to develop young Ontarians, particularly in the field of politics. This year's 10 legislative interns—Emma, Kim, Chelsea, Rosanne, Meghan, Angela, Igor, David, Waqas and Tejas—are fortunate to be able to gain, through this program, such a rich educational experience in provincial politics. More importantly, as members, we are fortunate to have had these bright, young political enthusiasts among us.

Let us all thank the interns, the coordinating team and the sponsors of this great program.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr. Jerry J. Ouellette:** I beg leave to present a report on the Ontario sex offender registry from the Standing Committee on Public Accounts and move the adoption of its recommendations.

**The Speaker (Hon. Steve Peters):** Does the member wish to make a brief statement?

**Mr. Jerry J. Ouellette:** First of all, I want to thank the clerk, the research staff and all the members of the committee for their hard work.

This registry is run by the Ontario Provincial Police. There are over 8,500 individuals registered on the registry. It has about a 95% compliance rate, and Ontario is the only province that has a registry.

Some of the areas reviewed include: Many sex offenders in federal custody and incarcerated in Ontario are not being registered. This is one of the key problems, as well as follow-up on non-compliance offenders.

The report includes 14 key recommendations, which include but are not limited to verifying that individuals have actually been moved out of Ontario, because then, they're deregistered from the registry, as well as to find out how the ministry will better be able to aid the police in investigations relating to the sex registry.

Having said that, I move adjournment of the debate.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Debate adjourned.*

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr. Jerry J. Ouellette:** I beg leave to present a report on the fish and wildlife program from the Standing Committee on Public Accounts and move the adoption of its recommendations.

**The Speaker (Hon. Steve Peters):** Does the member wish to make a brief statement?

**Mr. Jerry J. Ouellette:** We reviewed a number of key areas within the ministry and made 14 specific recommendations and asked for a 120-day response time. They included invasive species, proper moose management to ensure that tag allocation represents moose populations in a number of areas, ensuring that volunteer hatcheries continue to work with the ministry and also ensuring that diseases are not introduced to provincial waters, and of course enforcement with the conservation officers and ensuring that they have the proper number of officers and the time required.

Having said that, I move adjournment of the debate.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Debate adjourned.*

## INTRODUCTION OF BILLS

### TRUTH ABOUT CALEDONIA ACT, 2009

#### LOI DE 2009 CONCERNANT LA VÉRITÉ SUR CALEDONIA

Mr. Barrett moved first reading of the following bill:

Bill 146, An Act to provide for a public inquiry to determine the truth about the administration of justice, law enforcement and the ownership of land within the former Haldimand Tract and nearby areas / Projet de loi 146, Loi prévoyant une enquête publique pour établir la vérité sur l'administration de la justice, l'exécution de la loi et la propriété de biens-fonds dans les limites de l'ancien terrain de Haldimand et dans les zones environnantes.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Toby Barrett:** By way of explanation, a short title is the Truth About Caledonia Act, 2009. The bill requires the Premier to recommend to the Lieutenant Governor in Council that a commission be appointed to inquire into land disputes and other related activities in the former Haldimand Tract and nearby areas.

It's the role of the commission to inquire into and report on the administration of justice, law enforcement and the ownership of land. It's also the role of the commission to make recommendations directed to the prevention of attempts of intimidation and related behaviour in similar circumstances. The commission is given powers under the Public Inquiries Act. Once the inquiry begins, the commission must make an interim report in six months and a final report in 12 months.

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### HOLODOMOR MEMORIAL DAY ACT, 2009

#### LOI DE 2009 SUR LE JOUR COMMÉMORATIF DE L'HOLODOMOR

Mr. Levac moved first reading of the following bill:

Bill 147, An Act to proclaim Holodomor Memorial Day / Projet de loi 147, Loi proclamant le Jour commémoratif de l'Holodomor.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Dave Levac:** If passed, the Holodomor Memorial Day Act will become the first-ever tri-sponsored bill. The honourable member from Newmarket–Aurora, Frank Klees, and the member from Parkdale–High Park, Cheri DiNovo, have agreed to co-sponsor this bill. If passed, the bill will provide for the declaration of Holodomor Memorial Day on the fourth Saturday of November in each year in the province of Ontario. It will extend an annual commemoration of the victims of the Holodomor to Ontario. A memorial day will provide an opportunity to reflect on and to educate the public about crimes against humanity that occurred in Ukraine from 1932 to 1933, in which as many as 10 million Ukrainians perished.

## PETITIONS

### ASSISTANCE TO FARMERS

**Mr. Ernie Hardeman:** I have here a petition that was sent to me by Bert Vorstenbosch, a proud pork producer from Mitchell and a proud Rotarian, by his business card. The petition is to the Legislative Assembly of Ontario.

“Whereas the Minister of Agriculture, Food and Rural Affairs, the Honourable Leona Dombrowsky, has publicly stated that she ‘absolutely’ wants to help the beginning and new entrants to agriculture; and

“Whereas beginning and expanding farmers are going to be important in the coming decade, as a record number of producers are expected to leave the industry; and

“Whereas the safety net payments—i.e., Ontario cattle, hog and horticulture payments (OCHHP)—are based on historical averages, and many beginning and expanding farmers were not in business or just starting up in the period so named and thus do not have reflective historic allowable net sales; and

“Whereas beginning and expanding producers are likely at the greatest risk of being financially disadvantaged by poor market conditions and are being forced to



exit agriculture because there is not a satisfactory safety net program of payment that meets their needs;

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

“To immediately adjust the safety net payments made via the OCHHP to include beginning and expanding farmers, and make a relief payment to the beginning and expanding farmers who have been missed or received seriously disproportionate payments, thereby preventing beginning farmers from exiting the agriculture sector.”

It's signed by a great number of constituents in Ontario. We thank them for presenting this petition and we thank you, Mr. Speaker, for allowing me to present it to this Legislature.

### PROTECTION FOR MINERS

**The Speaker (Hon. Steve Peters):** Member from Scarborough Southwest—oh, the member from Nickel Belt.

**M<sup>me</sup> France Gélinas:** Thank you, Mr. Speaker. Did I give you the evil eye?

“Whereas the current legislation contained in the Ontario health and safety act and regulations for mines and mining plants does not adequately protect the lives of miners, we request revisions to the act;

“Lyle Everett Defoe and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins.

The mining regulation “states that, ‘A shaft, raise or other opening in an underground mine shall be securely fenced, covered or otherwise guarded’.... The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle’s body was recovered from behind the scoop tram.

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

“Concrete berms must be mandatory to protect all open stopes and raises;

“All miners and contractors working underground must have working communication devices and personal locators;

“All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

“The entire act must be reviewed and amended to better protect underground workers.”

I fully support this petition, will affix my name to it and send it to the Clerks’ table with page Rachel.

### POPE JOHN PAUL II

**Mr. Lorenzo Berardinetti:** I have a petition, and it’s addressed to the Parliament of Ontario.

“Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

“Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada’s multi-faith and multicultural traditions;

“Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario’s diverse religious and cultural communities;

“Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member’s bill by Oak Ridges MPP Frank Klees entitled An Act to proclaim Pope John Paul II Day.”

I affix my signature to it, as I agree with it.

### CHILD CARE

**Mr. John O’Toole:** I’m pleased to present a petition from my riding of Durham which reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Minister of Community and Social Services, Madeleine Meilleur, has decided that grandparents caring for their grandchildren no longer qualify for temporary care assistance; and

“Whereas the removal of the temporary care assistance could mean that children will be forced into foster care; and

“Whereas the temporary care assistance amounted to \$231 per month, much less than a foster family would receive to look after the same children if they were forced into foster care;”

Therefore, “we, the undersigned, petition the Legislative Assembly of Ontario to immediately reverse the decision to remove temporary care assistance for grandparents looking after their grandchildren.”

I am pleased to sign and support this and present it to Patrick, one of the new pages.

### HOSPICES

**Ms. Sophia Aggelonitis:** I have a petition to the Legislative Assembly of Ontario.

“Whereas hospices on church or hospital property do not pay taxes; and

“Whereas hospices are not-for-profit organizations providing emotional, spiritual and bereavement support and respite care to terminally ill individuals and their family members; and

“Whereas a residential hospice (usually an eight- to 10-bed home-like facility) provides around-the-clock care to terminally ill individuals and support to their families; and

“Whereas hospice services are ... free of charge;

“We, the undersigned, petition the Legislative Assembly of Ontario to allow hospices across the province to be exempt from municipal taxes.”

I agree with this and will sign my signature and bring it to the table with Grace.

## ASSISTANCE TO FARMERS

**Mr. Toby Barrett:** I have signatures on a petition titled "Safety Net Payments and Beginning and Expanding Farmers."

"Whereas the Minister of Agriculture, Food and Rural Affairs, the Honourable Leona Dombrowsky, has publicly stated that she 'absolutely' wants to help the beginning and new entrants to agriculture; and

"Whereas beginning and expanding farmers are going to be important in the coming decade, as a record number of producers are expected to leave the industry; and

"Whereas the safety net payments—i.e., Ontario cattle, hog and horticulture payments (OCHHP)—are based on historical averages, and many beginning and expanding farmers were not in business or just starting up in the period so named and thus do not have reflective historic allowable net sales (ANS); and

"Whereas beginning and expanding producers are likely at the greatest risk of being financially disadvantaged by poor market conditions and being forced to exit agriculture because there is not a satisfactory safety net program or payment that meets their needs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately adjust the safety net payments made via the OCHHP to include beginning and expanding farmers, and make a relief payment to the beginning and expanding farmers who have been missed or received seriously disproportionate payments, thereby preventing beginning farmers from exiting the agriculture sector."

These petitions were gathered by Corner Ridge Farms Ltd., St. Marys, and I affix my signature in support.

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## FIREARMS CONTROL

**Mr. Mike Colle:** In response to a lot of senseless drive-by shootings in the city of Toronto, I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas the growing number of" guns found "in motor vehicles is threatening innocent citizens and our police officers;

"Whereas police officers, military personnel and ... licensed personnel" should be "allowed to possess firearms; and

"Whereas a growing number of" guns "are transported, smuggled and being found in" cars; and

"Whereas impounding" cars "and suspending driver's licences of persons possessing" illegal guns "would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act..., into law so that we can reduce the number of crimes involving" illegal guns "in our communities."

I support this petition and I affix my name to it.

## MOTORCYCLE SAFETY

**Mr. Ernie Hardeman:** I have here a petition that was sent to me by Glen Hall in Ingersoll, and it is to the Legislative Assembly of Ontario.

"Whereas to impose a total ban on an activity or sport under the guise of protecting the public from injury as presented by MPP Helena Jaczek in Bill 117 to amend the Highway Traffic Act, section 38.1, 'No person shall drive or operate a motorcycle on a highway if another person under the age of 14 years is a passenger on the motorcycle,' would be an injustice to us, the people of Ontario; and

"Whereas the restrictive aspects of this proposal far outweigh the minor risks associated and confirmed by the annual Ministry of Transportation statistical safety reports, and further, there is no clear distinction that 'motorcycle-related injuries' apply to Ontario streets or highways, as stated in defence of Bill 117;

"We, the undersigned, petition the Legislative Assembly ... as follows:

"Request that Bill 117 be rejected and not become law."

Thank you very much for allowing me to present this petition.

BATHURST HEIGHTS  
ADULT LEARNING CENTRE

**Mr. Mike Colle:** I have a petition from Walter and all the staff and students at Bathurst Heights Adult Learning Centre. This is to the Legislative Assembly of Ontario.

"Whereas there are over 2,000 adult ESL students being served by the Bathurst Heights Adult Learning Centre, operated by the Toronto District School Board, in partnership with the province of Ontario; and

"Whereas this is the only English-as-a-second-language ... learning centre in this area of the city located directly on the Spadina subway line, making it accessible for students" from right across the GTA; and

"Whereas newcomers" to "Toronto, and in the Lawrence Heights area, need the Bathurst Heights Adult Learning Centre so they can succeed in their career opportunities; and

"Whereas the proposed revitalization" plan for "Lawrence Heights threatens the existence of the centre;

"Therefore we, the undersigned," ask "that any revitalization of Lawrence Heights include a newcomer centre and ensure that the Bathurst Heights centre continues to exist in the present location."

## SALES TAX

**Mr. John O'Toole:** I have a petition from my riding of Durham, which is the home of the automobile, you might say. It says:

"To the Legislative Assembly of Ontario:

"Whereas potential automobile customers in Ontario are having trouble accessing credit and loans; and

“Whereas the North American automotive industry is having difficulty selling vehicles; and

“Whereas the province of Ontario has recently lost more than 270,000 jobs in the manufacturing sector alone; and

“Whereas the auto industry in Canada supports an estimated 440,000 jobs, including in that the auto sector parts sector and dealership sector, and generates many billions of dollars in annual tax revenue;

“Therefore we, the undersigned, petition the Dalton McGuinty government to introduce a sales tax holiday in the next Ontario provincial budget for the purchase of North American manufactured vehicles.”

I'm pleased to submit this and sign it and endorse it and present it to Alexander, one of the new, rather tall, pages.

### SALES TAX

**Mr. Toby Barrett:** This petition is titled “Implement a Sales Tax Holiday for Vehicle Sales.” Its signatures were gathered at the Rick McCall GM dealership in Simcoe.

“To the Legislative Assembly of Ontario:

“Whereas potential automobile customers in North America are having trouble accessing credit and loans; and

“Whereas the automotive industry is having difficulty selling vehicles;

“We, the undersigned, petition provincial, federal and state governments to implement a sales tax holiday on the purchase of new and used cars and trucks.”

There are signatures here from Brantford, Waterford, Woodhouse township, Cambridge and, of course, Simcoe.

I sign this petition.

### CHILD CARE

**Mr. John O'Toole:** It's a pleasure to have the opportunity to present all these petitions today.

“To the Legislative Assembly of Ontario:

“Whereas the Minister of Community and Social Services, Madeleine Meilleur, has decided that grandparents caring for their grandchildren no longer qualify for temporary care assistance; and

“Whereas the removal of the temporary care assistance could mean that children will be forced into foster care; and

“Whereas the temporary care assistance amounted to \$231 per month, much less than a foster family would receive to look after the same children if they were forced into foster care;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately reverse the decision to remove temporary care assistance for grandparents looking after their grandchildren.”

I'm pleased to sign, to endorse this petition and present it to Maddie, one of the new pages from Haliburton-Kawartha Lakes-Brock.

### ORDERS OF THE DAY

#### CHILD AND FAMILY SERVICES STATUTE LAW AMENDMENT ACT, 2009

#### LOI DE 2009 MODIFIANT DES LOIS EN CE QUI CONCERNE LES SERVICES À L'ENFANCE ET À LA FAMILLE

Resuming the debate adjourned on February 17, 2009, on the motion for third reading of Bill 103, An Act to amend the Child and Family Services Act and to make amendments to other Acts / Projet de loi 103, Loi modifiant la Loi sur les services à l'enfance et à la famille et apportant des modifications à d'autres lois.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Paul Miller:** I rise today to speak to Bill 103, youth justice.

As my colleague said yesterday, the bill forces us to have the necessary discussion about what effective system would enforce youth justice. We all have the responsibility for public safety, to ensure that we protect the right of everyone to live without fear in their communities. I realize that we won't be returning to the days of unlocked doors to our homes and cars, but we should be able to return to the days when we could safely walk the streets to our homes at any time of the day or night.

Often, victims of crime are working people who don't have the means to protect themselves in gated communities or through private security systems. We have the responsibility to do everything possible to prevent crime against these people and to ensure that those who perpetrate these crimes take full responsibility for what they have done.

In many cases, youth who become involved in the justice system have come through very difficult situations, often growing up in poverty or in sexually or physically abusive situations or struggling with alcoholism or mental illness—their own or their parents'. These youth could come from any of our communities. They might be the children of our neighbours, they might be classmates of our children, or they might attend your local school.

We have to recognize that we have a general responsibility to the youth of today in their social situation, their education and within the justice system too, even when it is difficult to see them as youth, even when we feel that their actions, which are well beyond their years, deserve a different severity of sentence. This responsibility entails taking an approach to youth justice in a way that is effective and based on the knowledge that has been accumulated here and in other jurisdictions. We must agree on an approach which ensures that in the

pursuit of justice and appropriate actions, unwarranted harm is not done.

I'd like to discuss some recommendations and questions about the process which we brought up in the committee hearings on this bill.

**Open detention:** One of the issues raised by our committee member was that we need to be careful about using language that applies to the adult justice system in a youth justice bill. The NDP echoed the calls of the Provincial Advocate for Children and Youth and the organization Justice for Children and Youth when it came to open detention. Young offenders are not adults and cannot, and should not, be treated the same way. Custody is a disruptive and sometimes traumatic experience that can have negative future consequences for a young person. The last thing we want to do on our watch is create worse circumstances for a kid who is already having trouble in the system. That's why the issue of detention cannot be a hastily decided one.

Keeping in mind the Youth Criminal Justice Act, YCJA, which talks about least intrusive means, we reiterate that open detention should be the first point of entry to the system.

**1540**

This must also include provisions which take into consideration where secure detention may be used—instances where there is a need to ensure that a young person will appear in court or where secure detention is necessary in the name of public or personal safety.

While in secure detention, a program that will clearly show offenders the ramifications of their situation should be implemented. They also should receive counselling on how to avoid negative peer pressure to stay out of further trouble with the law.

When these youth are in secure detention, they must be protected from the aggressions of older youth. For example, a 14-year-old should not be in with an 18- or 19-year-old. Youth should only be in secure detention with other youth within a year or two of their own age, providing that the other youth is not in for a much more serious crime.

Furthermore, we want to ensure that young people 16 or older are not exempt from the safeguards contemplated in the use of secure isolation, as set out in this bill. The Child and Family Services Act standards protect young people in vulnerable situations, and there should be no—I repeat, no—exemptions made to the CFSA standards.

**Lack of consultation with the Provincial Advocate for Children and Youth:** The Provincial Advocate for Children and Youth was very concerned about not being consulted in the drafting of Bill 103, a concern deeply felt by our party. The advocate's office was told that this bill was created to address just "housekeeping issues." This is clearly not the case.

The first reading of the bill was on September 29, 2008, and the advocate attended the ministry briefing on September 30, 2008, where on the presentation deck it stated that the Office of the Provincial Advocate for

Children and Youth was consulted, when in fact the office was never consulted about Bill 103. This misrepresentation of the facts about consultation with the provincial watchdog agency raises very serious concerns. Why was the provincial advocate not consulted and why did the government misrepresent this in its official briefing? The government must be brought to account for this—

**The Deputy Speaker (Mr. Bruce Crozier):** I heard a word that is not normally used with reference—

**Mr. Paul Miller:** "Misrepresented"?

**The Deputy Speaker (Mr. Bruce Crozier):** Yes, that's right. I'd like you to withdraw that.

**Mr. Paul Miller:** Okay, I'll withdraw "misrepresented."

The only consultation any employee of the Office of the Provincial Advocate for Children and Youth recalled was participating in a committee back in 2003 or 2004 that focused on secure isolation, not the content of Bill 103. I quote Irwin Elman: "The Office of Child and Family Service Advocacy did not then nor does our office now support the ministry's approach to the use of secure isolation for people over the age of 16."

During the initial briefing on the bill, the advocate requested a copy of Bill 103, but the advocate never received one from the ministry. How can the government explain this unacceptable behaviour?

When the advocate did obtain a copy of the bill, the advocate was surprised to see that the bill proposed changes not only to the Child and Family Services Act, but more so, it proposed changes to the Provincial Advocate for Children and Youth Act. These changes to the act that governs the advocate's office were laid out without an iota of consultation nor consent from the Office of the Provincial Advocate for Children and Youth.

As the advocate put it in his own words—not mine, his own words—"When I was briefed—I want to make this clear because it's a very important point—I was not told that the legislation that governs my office was going to be amended. Not a word. It amounted, to me, to somebody coming into my house, rearranging the furniture, even if they thought it was for the best, and not telling me, not gaining my permission, not telling me even after the fact. I'm going to come home, see that my furniture was changed and say, 'Oh, there it goes. It was just minor housekeeping.'" It's not respectful, and it's not okay.

This whole process is even more concerning because during the course of the hearings it was discovered that the Provincial Advocate for Children and Youth has had difficulty accessing information from the ministry in general—information as simple as a list of the licensed group homes in the province. This is absolutely unacceptable and should be corrected immediately.

We are firm in our position that there be unobstructed ability for the advocate to do his job. To quote again: "I would say to the minister, because I know the minister and the ministry are afraid to let the bad things out, that

unless you let the bad things out, you can't allow the good things in. There will be—this is my experience—a balance between the good that comes out, the really good things that happen in child welfare, and the bad. But this game of trying to stonewall and obfuscate facts and prevent young people from speaking out and learning about the acts of violence that have happened against them has got to end, and I believe the committee has a chance to do that today.”

During the NDP's participation in the committee we had the opportunity to put on record that we are interested in transparency and accountability mechanisms in the best interests of the children, youth, public safety and justice. We all want to reduce youth crime, particularly violent crime and its serious impacts on community members.

I was raised in Stoney Creek. When I was growing up, you could leave your doors unlocked. Everybody's parent was your parent. Even your peers could control situations that could get bad. These times don't exist anymore. People are turning their backs when crimes are committed because they are afraid of reprisals. The street gangs try to intimidate people and actually follow through on their threats in some cases. Our society has become a dangerous one. Parents, policing organizations, social workers, politicians and youth have to work together to make our streets safe again.

When I was growing up, sports played a big part in my life. It taught me teamwork; it taught me discipline; it taught me respect for my fellow players. Our youth should be enrolled in more of these sports programs across this province, healthy environments where they can grow into law-abiding, well-rounded individuals with respect for our laws. When I was growing up there was also good access to recreation activities. Sadly, in the last 12 years, municipalities have had many provincial costs dumped on their citizens, and one of the ripple effects has been the closure of and limited access to those recreational facilities that our generation enjoyed.

In my riding of Hamilton East–Stoney Creek we have good library access, which includes computer access and training, but the most notable program in our area is operated by the Hamilton East Kiwanis Boys' and Girls' Club, financed through government grants. It only costs \$5 per year for a child to join, and it has extended hours, basketball courts, a swimming pool, Internet access, video games, ping pong tables, art workshops and many other activities available for youth. Parents are also encouraged to become involved in the club's activities. The club also provides, for shift-working parents, a place the children can call home where they feel welcomed, protected and free of intimidation. There should be more clubs like this all through our province.

We also have a CATCH program, funded by the federal government, and fundraising activities, an after-school program for youth up to their mid- and sometimes late teens. There are also recreational sport activities in the program, and one of our most noted members of the club became a Canadian Idol. Mr. Melo came from this

very club—quite an achievement for a boy who was challenged with some difficulties. All the kids in that neighbourhood had difficulties they were challenged with; exceptionally done on his part. Additionally, this past summer my constituency office staff, Shirley Alvarez and Todd White, coached a tee ball team for four- to seven-year-olds. The parents were very engaged in the team's activities, bringing a positive home environment to the field.

But there should be more of these programs funded by the province with a goal of redirecting youth away from criminal activity. Youth criminal justice should be based on prevention, rehabilitation and public safety, and informed by evidence, not on ill-founded assumptions about the merits of punishment and the possibilities of deterrence. To quote the John Howard Society paper where it outlines in detail: “Sentencing severity has no meaningful general deterrent value for young people, or anyone for that matter. People who commit crimes simply do not consider the length of sentence they might face when making this often split-second decision.”

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The John Howard Society WorkPath program in Hamilton helps youth to complete job applications, jobs training and workshops—and social and oral interview skills. The society also does an adult diversion program, bail verification and supervision programs, crime prevention programs and the Hamilton youth drug diversion program, just to name a few. It also has a youth justice committee involving trained community members who meet with victims and youth to find resolutions to their minor offences before they get worse. In particular, for youth who commit serious crimes, rates of reoffence are the same regardless of the severity of the sentencing.

We have to look at the root of the problem and we have to attack it at the source. The reality is that youth who commit crimes are people who have high impulsivity, low self-control and, often, mental health concerns and addictions. They are not in a position to make rational cost-benefit analyses before committing their crimes. We believe that the Provincial Advocate for Children and Youth has an active and critical role to play in youth justice.

As the reports on the roots of youth violence have stated, there are a number of foundational issues—poverty, racism and, again, mental health issues—which are at the core of the circumstances for youth criminals, which we must address as a Legislature. The investments have to be made to tackle these issues from the core.

But the issue on hand is what to do for some youth when the crime has already been committed. What do we do for those kids? The NDP supports a balanced approach to youth justice that ensures public safety and maximizes opportunities for the rehabilitation and community reintegration of youth, no matter how lost they may seem. These kids need our help. They need it now.

Our streets have become terrifying: the drive-by shootings, the younger kids committing the crimes.

They're being dragged into these gangs and told that this is how you get your self-esteem: "You're part of our family." You go out and commit a crime or do something to someone, and you're now accepted. What they don't understand is that they're now under the control of these gangs because they have committed a crime, and they'll threaten to go to the police and turn them in if they don't do what they're told.

Our kids have to be educated. They have to understand what they're getting into when they are approached by these gangs or approached by people who have ill thoughts. We can stop it at the source. These kids are very impressionable from age eight to, say, 15. That's where you've got to get these source programs now, and hit them before these other gangs get a hold of them, because we have to eliminate this.

You and I know that you were a lot safer when you used to walk down the streets of Toronto 20 or 25 years ago. You didn't feel worried or intimidated. The police were always in control of situations. But now, with the guns and the gangs and all these things that are going on, even the police are pushed to the limit on how they can control these situations. They do the best they can, but it seems to be getting worse and worse. We have to also tighten up the border and the influx of these firearms—handguns.

I'd like to end by just saying that there are a lot of good points to this bill. There were a couple of amendments and things we would have liked to have seen, but on the whole, we will be supporting this bill.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Lorenzo Berardinetti:** It's a pleasure to have an opportunity to have two minutes to comment on the remarks made by the member from the riding of Hamilton East. I was listening to him very carefully and I just wanted to comment on a few aspects of what he had to say.

With respect to the child advocate, I would, with respect, say that I think the child advocate's role continues to be strengthened through this government. We put through legislation last term which made the child advocate independent, not reporting to a minister but reporting directly here to the Legislature. That's a big difference because in the past, if you reported to a minister, if the minister didn't like what the report said, then the minister could withhold the report, or at least not have to bring it forward.

By doing what this government did, the child advocate's information becomes public to everybody, especially to this body or this chamber, this Legislature. He or she—right now it's he—reports here and gives us information as to what is happening. We had extensive hearings on that, and I think the people who were previous child advocates were happy with the new level of independence that was put in. As far as that goes, I think that stays in place with minor technical amendments that do not affect the advocate's powers.

The other issue is the broader one involving children and youth and getting them involved. This government has taken the step of creating an entire ministry of services for youth and a minister responsible for that area. It shows the importance we have given to that area. We know it's a problem—we know it's a challenge, rather than a problem—and we know that by putting a ministry and a minister in place, hopefully we can get some answers soon.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mrs. Christine Elliott:** I would like to make a few brief comments on the member's remarks this afternoon. I appreciate his comments with respect to examining not just what this bill is taking a look at directly, but also examining some of the causes of youth violence and youth getting involved in gangs—how impressionable they are.

Certainly this is something we in the PC caucus have taken very seriously for a number of years. Time for Action was published in 2005, and contained some very thoughtful comments and suggestions that we, as the official opposition, wanted to put forward as ways one can counter some of the roots of youth violence, which of course were never acted on by this government.

Now we have yet another report, the Curling-McMurtry report, which makes several significant amendments to the youth criminal justice laws and some suggestions for ways one can engage youth and keep youth from becoming involved in gangs. Not all of it do I agree with, but certainly there are some major parts of it that I think bear serious review. I hope the government is going to take further action on this, because I agree with the member that there are some very serious problems with youth. We need to engage them; we need to get them involved in communities. We need them to see that there is another path to be followed besides the way of guns and gangs—we can see it on our streets every day.

We need to take some serious action—the sooner the better—not just with bills such as this one, which is important because it does bring about the important administrative changes we need to see in the youth criminal justice system, but we also need to take some substantive action. I would certainly urge the government to take a look at that, in this respect, to give voice to the Curling-McMurtry report and the very significant recommendations it makes, and to move forward with that as quickly as possible.

I thank the member for bringing forward these important suggestions.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Rosario Marchese:** I agree with everything the member for Hamilton East—Stoney Creek said. There are a couple of remarks I wanted to respond to. One of them is the lack of consultation with the Provincial Advocate for Children and Youth. It is a serious slight on that office and the person who holds the office. If we believe that what he or she does—depending on who is in that

position—is important for children, then we need to involve that person on a regular basis. The fact that she was not involved—

**Interjection:** He.

**Mr. Rosario Marchese:** I beg your pardon. The fact that he was not involved speaks to the problem of what it means to have such a position. If and when we do a review, as we've done with Bill 103, trying to unify those individuals who are 16 and 17 with those aged 12 through 15 in a way that provides some programming, not to use the expertise of that individual doesn't make any sense to me, and why the government did that does not make any sense. We need to review that, and we need to talk about it. I'll be speaking in a couple of minutes, and I will have a few more things to say about that.

The other thing the member from Hamilton East spoke about was prevention. We spend a whole lot of time on punishment rather than what we can do to prevent a crime from happening. It makes us all feel good to punish those who commit misdeeds. I'm one of them too, because if something were to happen to me, my first instinct would be to punish back. It's the easiest instinct to arouse in human beings, but we spend little time at prevention. That is where the focus of politicians and governments should be, and I say to you, spend more time at that. I congratulate the member for speaking about those things.

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**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mrs. Maria Van Bommel:** I first of all want to thank the member from Hamilton East–Stoney Creek for his support of the bill. Certainly, when he said that youth are not adults, he was absolutely right, which is why the transformation is taking place in the youth justice system. We felt it was appropriate for youth to be housed with other youth rather than in youth units within the adult system.

Certainly when the member talks about some of the issues—and I heard further about the child advocate—I think it's very important that we continue to work with the child advocate. We need to have a working relationship that moves forward on behalf of children, and that's a very, very important part of our lives.

The member talked about what it was like at one time, when we didn't have to lock our doors and we didn't have to worry about our cars, and it's sometimes a little bit like that still in rural areas. We still manage to get away with that once in a while. But one of the things that was always very true in that nostalgic time of not worrying about locking the doors was the big deterrent of the ride home in a police car. Nobody wanted to arrive home in a police car if they had been bad and had done something that wasn't appropriate, so things have changed quite a bit.

We need to deal now with the realities of our lives as they are today, so we need to talk about things such as open detention and secure detention, when is it appropriate, and is it appropriate to—as much as we presume

that open detention should be the initial step taken, there are occasions where we may need to go into secure detention initially, and it should be the prerogative of the provincial director to make that decision in the event that the offender may be a danger to himself or herself or to society or to staff.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. The member for Hamilton East–Stoney Creek, you have two minutes to respond.

**Mr. Paul Miller:** Thank you. I'd like to thank my colleagues from all parties for their comments. They've been well taken.

Just in reference to the child advocate situation, the member from Scarborough Southwest mentioned that he was glad to see they had separated the child advocate from the ministry, that he was a separate entity and was able to access public records and make decisions for himself. That's fine. However, the child advocate should also be informed. If they're not sharing information or not inviting him to meetings that are critical in bill changes and he didn't know anything about it, maybe there still should be some kind of connection or mandatory rules that they have to notify the child advocate of any changes whatsoever. If he doesn't know what's going on, he can't report to the public.

I would maybe want to add a little amendment to that suggestion or to the discussion the member had made that we should have a mandatory situation where the child advocate will be notified of any changes affecting his line of work or affecting any other bill that may involve children. I think everybody should know what's going on and be rowing with the same oars. But I recognize that some of his comments were good.

I hope he would consider that suggestion in the future, when he's separating ministries or separating the responsibilities and moving it into a separate pocket, that separate pocket must be well informed at all times to be able to do his job properly, now that he has his own title, his own independence. But we wouldn't want to obstruct his ability to do his job because of the lack of information.

I'll end by once again thanking all the members for their comments.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Rosario Marchese:** It is a pleasure to speak to this bill—indeed, any bill—and I always want to take the opportunity to welcome the citizens of Ontario to this parliamentary channel. Yes, we are live; we're on live again. It's good to be back in the Legislature to give people the opportunity to see us, to hear us, to engage as you're eating your popcorn and wine in the evening, if that's what you're doing, because this is one of the best places to connect to as a way of staying alive, as a way of feeling alive.

*Interjections.*

**Mr. Rosario Marchese:** Popcorn is okay. Popcorn with wine, I'm not quite sure—you're right—but without the popcorn, the wine is good. Red wine is better. In my

view, red wine has better qualities for your health than white, as a rule. Now, there are those who like white. That's not a big deal, it's not a problem. Me, I stick to red. So welcome. It's 4:05, Wednesday afternoon, debating Bill 103, the youth justice bill.

I want to tell you that for many years we have had two distinctly different youth justice systems. The young people who were 12 to 15 at the time of the offence were administered by the Ministry of Community and Social Services, while those who were 16 to 17 at the time of the offence were under the supervision of the Ministry of Correctional Services. Finally, this particular bill brings these people, these young offenders aged 12 to 17, under one roof, and we believe, as New Democrats, that is a positive thing to do.

The 16- and 17-year-olds for many, many years were in limbo and had been a longstanding issue for quite some time. They were not privy to many of the programs that they should have been getting as a way of dealing, hopefully, with preventing future crime from happening. So this is a useful thing that the government has done.

I want to speak to the issues of crime in general because we all have a unique perspective on this particular issue. We all have a responsibility, of course, to public safety, to ensure that all people have the right to live without fear in their communities. I am convinced that we all feel the same way, that there's nobody in this Legislature—Conservative, New Democrat or Liberal—who doesn't feel the same way with issues of our responsibility to public safety. We all have a responsibility to make sure that we prevent the crime and to ensure that those who perpetuate crimes take responsibility for what they have done. I don't know whether I said "perpetuate" or "perpetrate."

**Mr. Paul Miller:** "Perpetrate" is the right one.

**Mr. Rosario Marchese:** "Perpetrate" is the word, and that should have been the word that I used in the event that I didn't.

We also want to reduce youth crime, particularly violent crime, and its serious impacts on our community members. We are all committed to that. My concern in general around these particular issues is that there is a fear-based approach to crime that I want to speak to. We are all subject to this fear response to crime. It assumes that the reason for increased youth crime is lax penalties and punishment, and there are a whole lot of people, particularly of the Conservative bent, who believe that to be the case and that to be the problem. Now, there are some Conservatives in this Legislature who don't say that, but there are some who do. I heard my friend from Whitby—Oshawa briefly, in two minutes, talking about making sure the government listens to the recommendations of Roy McMurtry, which speak to prevention—and that's a good thing. It's wonderful to hear members of the Conservative Party speak to these issues. But on the whole, when I hear Conservative politicians, what they talk about is the fact that we are not strong enough in our punishing of criminals. Be it petty or hard criminals or whatever the misdemeanour is, they want to

punish people. It doesn't matter how, they just want to punish them hard.

**1610**

I don't believe that. I really don't believe that's the right approach. It assumes that a shift from rehabilitation to denunciation and punishment will lead to reduced crime, and we don't believe that. It makes us feel good, I understand that, because when you see it, there are a whole lot of other people out there who are saying, "Right on; we've got to punish them." It's an easy reflex to get involved with. It's almost instinctual. Someone hurts you and you want to hurt back. You don't question why it happened and you don't ask why and what we could do; you simply want to punish the wrongdoer. I just think that that is the wrong approach to dealing with issues of crime.

I speak to it because these are the things that people talk about. I'll talk about one or two other issues contained in the bill, but most people don't want to talk about that. Most people don't want to talk about, I suspect, whether the provincial advocate for children is involved or not. It may be esoteric for many. The issue of crime is simple for most people: "Are you punishing adequately or not?" Because if you put them away, then that wrongdoer is going to be put away for a long, long time, and that deals with the problem—it's gone.

It's never the case. The problem isn't gone. It comes back. In the same way when we push kids out of our educational system and we expel them for two or three or four weeks, they come back. If you don't deal with the problem, the problem is back in your classroom and you, the teacher, the vice-principal and principal have to deal with it again. You can put them in jail for a year, and if you punish the wrongdoer in jail, he or she will come out and they'll do it again, and you have to put them back in jail. You have to pay anywhere from \$50,000 to \$100,000 to keep somebody in jail, whereas every dollar you spend on prevention is multiplied manyfold in terms of future costs—social, psychological, criminal and so on. Keep people out of jails and it saves people's time and money. It saves lives. It helps people to rebuild. It helps people to prevent. That's what it's about. That's what it should be.

There is not an epidemic of youth crime out there. There isn't. There is crime, no doubt, but it has diminished. For the victims, it doesn't matter whether it's diminished 50% or 70%, because if it happened to you, that's all that matters: the one time. All you're concerned about is, "What happened to me and how do I seek vengeance on those who punished me?"

The fact of the matter is, crimes have gone down, and that's a good thing. It doesn't mean that those crimes that are perpetrated are good, that we accept them. We don't. Punishment does not prevent or reduce crime. I admit, it makes us feel better, but it doesn't prevent or reduce crime.

The quote that my colleague from Stoney Creek read from the John Howard Society is a good one, and I want to repeat it: "Sentencing severity has no meaningful



general deterrent value for young people or anyone, for that matter. People who commit crimes simply do not consider the length of the sentence they might face when making this often split-second decision.”

I believe that, and everybody knows it. If somebody is going to commit a crime, he or she doesn't say, “Is it six months or is it a year? Is it a year and a half or two? Is it two and a half or three? Is it four?” They don't do that. They commit the crime. The question is, why do they do that and what can we do to prevent it, and who are the people who commit the crimes? Are they healthy people who have healthy lives?

There are a lot of crooks at the white-collar level working in investment places. I understand that. They come from good families. They generally don't get caught, and they generally make the big bucks. The ones who get caught are poor kids. Poor kids get caught often, and young people with mental illness get caught often. Young people who have been sexually abused by their relatives or someone very close to them and end up turning to crime get caught. Young people who come out of homes where there is alcohol abuse or any kind of substance abuse get caught. Generally, they come from a certain low social stratum. We know this, Liberals know it, Tories know it—we all know it—and yet we do very little to deal with issues of poverty.

If I am a poor young man and I live in a poor housing complex where there's a great deal of poverty in my community, where my mother works two or three jobs every night, where the housing situation is completely inadequate—living in squalor in some cases—I'm going to have a hell of a time. I'm not going to have a nice family background where I say, “Oh yes, I want to be the President of the United States; I want to be the Prime Minister of Canada.” When you're living in difficult economic circumstances, whether you are sexually abused or your parents are drinking or you're very poor for a long, long time and you're living in squalor, you're not going to come out of that situation saying, “I want to be a lawyer.” Some do, but they are few. The majority are trapped in socioeconomic circumstances from which they cannot escape.

People talk about families and responsibilities of families as if somehow it's easy for each and every parent to be a good parent. If I have the luxury of making \$100,000 or \$150,000 or \$200,000 or \$300,000, I'm going to have better access to services, better access to education, better ability to sit down with my child and say, “How are you doing today? What book are we going to read tonight? Don't worry about the food that's laid on the table for you by somebody who's serving it. Don't worry. Let's go read a book.” If you're earning the good bucks, you're not going to have a problem talking about what mom and dad can do.

For those who live in luxury to say that poor people have a responsibility and an obligation to raise their children well, as if they're not even trying, is a profound assault on poor people who are working hard to do the best for themselves and their families and to raise their

kids. How often and how easy it is to attack poor men, poor women, poor family members who do their best on low-income salaries. It is so easy to attack them and say they've got to do a better job. We, the rich, can give so much good advice to the poor on what they should be doing.

Let's deal with issues of housing. If people don't have adequate housing, they're not going to feel good. If you ghettoize entire communities in one area where there is poverty, racism—persistent racism—mental illness, sexual abuse, substance abuse and the whole deal of drug addiction that goes circulating in communities, we need to help them. That's where we need to deal with prevention. We're not doing much of that.

Oh yes, we do some token things from time to time. There are some programs that we do here and there. We now, by the way, provide policemen in schools, and we're all feeling good. There was a Star report the other day saying, “This is great,” and I'm sure a whole lot of Liberals are saying, “This is great. We're going to help them by putting policemen and policewomen in schools. All of a sudden, crime is down.” So everybody is feeling good. The policeman or policewoman is preventing crime from happening, so the focus doesn't become how we deal with this young man or woman who is troubled, how we provide services for the mentally ill or housing for those who are living in substandard conditions. The answer is a cop in the classroom, thus shedding the responsibility of dealing with the problems. We now have found the solution: Put a policeman in the school and you prevent more crime from happening.

Do you see what I'm getting at? We always find that easier answer, which is never the answer, but it makes us feel good. We now have policemen in schools, and it makes principals feel great—“Oh, this is great”—and everyone wants one. Everyone wants one now. Imagine having a policeman, well paid, sitting or walking or running—not running—around the school, just preventing crime—imagine, well-paid individuals—instead of doing that ounce of prevention that will save billions of dollars down the line.

1620

**Mr. Mike Colle:** It's better to have them in the schools rather than the courtroom.

**Mr. Rosario Marchese:** I know. But Michael, I'm talking. What I'm saying to you is that we must focus our energies on prevention. We must focus our energies on poverty, mental illness and inadequate housing. These programs, adequate programs, make sure that kids, poor kids in particular, in our school system are getting the support they need to be able to get them beyond the cycle that they have been in for a long, long time. Focus our energy there.

**Mr. Mike Colle:** There are different ways.

**Mr. Rosario Marchese:** Sure, there are different ways. Sure, but governments always look for easy solutions. Liberals particularly love that; God bless.

California counties that enforce the famous three strikes law did not show any decline in crime compared

to other states. California was going to get tough—it did get tough: “Three strikes and you’re out.” It didn’t work. Schwarzenegger and his muscles didn’t work on that kind of stuff. It doesn’t work.

**Mr. Khalil Ramal:** He tried; it didn’t work.

**Mr. Rosario Marchese:** He tried; they’re all trying. Oh, Republican conservative types try. They’ve got more jails in America than anywhere else in the world, and they spring up like rats, like the 60 billion rats that are in Britain. My God, prisons are growing by the day in America. That’s how they deal with the problems of crime, and they’re privatized—God bless—the majority of them. It’s an institutionalized way of dealing with poverty. Don’t deal with prevention; build jails—tough on the crime and you’re done, you’re solved. That’s the way it is. Don’t focus on “We might be able to prevent this.” Look, for me, we’ve got to deal with these kinds of issues. Unless we deal with that, we’re not going to be able to solve some of the questions that I have raised.

This particular bill, in terms of merging these age groups into one category, one justice system, for me is fine, but the fact that you have excluded the child advocate was, for me, a serious, serious mistake. I say this not because I want to say it, but because the child advocate has said this himself in the report that he has submitted: “The Office of the Provincial Advocate for Children and Youth was not consulted or kept apprised during the development of Bill 103, which proposes amendments not only to the Child and Family Services Act, but also to the act that legislates the mandate of this office.”

The concerns he has raised and that others have raised are the following:

The act appears to remove from the children’s advocate the power to advocate for young persons in custody. That is a mistake. Educating young persons in custody also appears to be removed from the children’s advocate’s scope of powers. That is a mistake. There is no justification to also remove young people in custody from the group of people who should be educated about their rights.

The act also seems to remove the children’s advocate’s right to communicate with young persons in custody regarding complaints, provide advocacy to young persons in custody regarding complaints, advocate before the courts and tribunals and advocate for young persons in custody who have made the allegations of excessive use of force, assault and so on. This needs to be dealt with.

The advocate needs to have the power to deal with the questions that he has raised. The fact that MPPs cannot go into these institutions is wrong. We should be able to have access to that. The Ombudsperson, the Ombudsman, should be able to have access to these places to seek out wrongdoing and promote good practices and good prevention. These are some of the mistakes, some of the problems, we identified that need to be dealt with. Thank you.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Mike Colle:** I want to respond to my friend from Trinity–Spadina and his very thought-provoking presentation. I agree with most of what he said. I don’t agree with his position on police officers in schools. It’s working very well because they are acting as prevention; they are interacting with children. Teachers like them. The parents like them. And I’d rather have a police officer in the school than have him arresting the children. So it’s working very well. I hope you give that a chance.

What I want to point to is something he talked about, and that is prevention, the sorts of role models and the things we punish and things we reward. I explained yesterday that in this park in my riding, there are young men and young girls who play soccer and play dominoes. Quite a congregation comes in the evenings and on Saturdays, especially in the summertime. What happens is, one of the gentlemen tries to sell some soup out of his truck to make a few dollars to help supplement his income, and off to the side, on the other side of the soccer pitch, there are drug dealers selling drugs.

So what happened to the poor guy selling soup, Clarence, who is trying to sell soup for \$2 to the people playing soccer and dominoes? Poor Clarence, he gets a \$150 fine for selling soup in the park, because in Toronto you can’t sell soup in the park without 10 licences. Yet the drug dealers, who are selling dope on the other side of the park, in the woods, are all laughing at Clarence and calling him a sucker because he’s selling soup and he got the \$150 fine. They are making their money selling dope in the park.

All the young people are looking at this, and what do you think they’re saying? Well, look, the police are there—and it’s not the police officer’s fault, but the police are there arresting Clarence and giving him a \$150 fine for selling soup, trying to make a decent living, and then the drug dealers are all laughing as they’re selling dope in the woods there in the park. What kind of sign is that—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments?

**Mr. John O’Toole:** I’d like to respond to the member from Trinity–Spadina. He always brings humour and often a good perspective on bills.

There’s not a lot of participation on this bill because if I look at the explanatory notes, really what it’s doing here is, “The bill amends the Child and Family Services Act and the Ministry of Correctional Services Act to reflect the fact that the Ministry of Children and Youth Services assumed responsibility for youth justice services in 2004. Prior to this, the Ministry of Community and Social Services funded and operated ministry services to youth aged 12 to 15 at that time of their offence and the Ministry of Community Safety and Correctional Services funded and operated youth justice services to youth aged 16 to 17....”

What this does is bring the two together, and in that respect I don’t think it’s much more than an administrative bill. But I think it’s interesting that they raise points about how those participants in the criminal

system, if you will, whatever their age—it's becoming more complicated.

I think there is a good reason to listen here, because if you look at the gang issue—I'm not sure, and I'm certainly not an expert, but I see the former minister here who would know this very well—this thing is a kind of compliance issue in the gangs. If you're in the gang, you've got to comply with the culture, and if it's engaged in violence or drugs or whatever it's involved in, this could precipitate into court; if they're convicted, they're in court.

Now, you're going to have 12- to 15-year-olds mixed in with 16- to 18-year-olds, and that might be the very group that might be inculcating or infiltrating, if you will, these younger children who should be protected. I think that needs to be addressed; I really do. I know this is second reading of the bill, and I would hope the minister is listening and says that there is an upside or a downside to this efficiency.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Paul Miller:** I'd first of all like to compliment my colleague from Trinity–Spadina for his, once again, passionate presentation. He made a lot of good points about dealing with the problem at the source. Yes, the police do a great job in the schools. They do need officers to attend to certain situations that become rather out of hand at times in the schools, and they should have a presence. However, he did make a strong point.

The other member from across made a point about the man selling soup in the park and getting a \$150 fine and the drug dealers don't get anything. Well, that's an easy answer: You have to have more police available for the drug squad to enforce the laws against selling drugs. I'm sure that the soup dealer could have pointed to the trees where those fellows were laughing at him, selling the drugs, and the police could have attended to it with the drug squad.

1630

I think the whole point of the member's presentation was to get to the source, and the source is when the kids are younger and they're impressionable. You can get to them through courses. You can get to them through community activity, through sports, through a little bit of tender care, a little bit of affection and a little bit of love. That goes a long way to changing a child, to moving them away from doing things that are wrong, because then they can weigh the difference between what's right and what's wrong, without peer pressure. They can talk to the counsellors in these community centres and learn the right way to do things. If they have a problem and they are getting pressure from someone out on the street, they can tell the counsellor and the counsellor can tell the police and the police can deal with it. The kids have to have an outlet; they have to have a place to go. I believe that this is just the start of many things we can do to help children.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Lorenzo Berardinetti:** I listened to the member for Trinity–Spadina, and I have to say, I do agree with a lot of what he has to say. The problem is not a Liberal problem, an NDP problem or a Conservative problem; it's a problem that exists in Canada, maybe in North America. One only needs to turn on the television and see what's on television these days.

Another colleague from the NDP, the member from Niagara, I think it was, Mr. Kormos, made a comment about the Sopranos the last time we debated this bill and how people look up to the Sopranos and see them as heroes instead of something negative.

In that same context, one of the Supreme Court judges of the United States, one of the nine Supreme Court judges, went to speak in New Jersey to a group of law students who were graduating. He said—and this is a true story—when he was appointed to the Supreme Court bench in the United States, he got a phone call from a colleague in California, a judge, and the judge said to him, “Congratulations on your appointment to the Supreme Court of the United States. I hear you're from New Jersey. How close to Tony Soprano do you live?” This is a true story. He had to respond, “No, I don't live close to Tony Soprano, because Tony Soprano doesn't exist.” This judge in California didn't believe him. He said, “Come on, do you live one street over or two streets over? Have you ever met the guy?” Reality and what's on television sometimes become blurred, and if it affects a judge in California, it certainly will affect a young person, and we see this a lot.

There is no easy solution. We are doing things, I think, that are appropriate. We have programs throughout Ontario, and I can think of some programs in Scarborough Southwest, that are working to make things better for youth.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Member for Trinity–Spadina, you have two minutes to respond.

**Mr. Rosario Marchese:** I welcome all of the remarks by the members. To my friend from Eglinton–Lawrence, I know that some parents and teachers and principals like the fact that there are policemen in their schools; I am not one of them. I do not like the idea of having a policeman in a school—never did, never will. I think it's the wrong focus, because then the focus becomes, “Can we make sure we can afford to have more policemen in all of the schools?” rather than, “How do we deal with why young people have the problems they do?”

*Interjection.*

**Mr. Rosario Marchese:** You're saying it's not one or the other, but it becomes one or the other because we never deal with issues of prevention. We never will, because that's the way politicians are: You look for the quick fix; everybody does.

The point I want to make, that I want to reinforce, is that we should be building the child rather than fixing the adult. It's not a quote of mine; it comes from another source. But that's what we should be doing: building the

child, not fixing the adult once the problem has happened.

The policeman in that school becomes the attention and the focus, and it's a distraction from the real problems we need to be dealing with. I really do believe that we need to deal with child poverty; poverty in general, with adults, and it's going to get worse. Providing quality child care and early learning opportunities, investing in strong public schools, and expanding community-based social and recreational programs for families will go much farther in reducing crime than will an increased reliance on punishment. Simple community support programs such as home visits from nurses to low-income, first-time teen mothers in the US have led to reductions in crime rates in children of up to 80%. We should be looking at those things.

Investments in such programs take time to pay off, but as politicians we have a responsibility to act for the future rather than look for the quick and often simplistic and misguided fix.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does another member wish to speak?

Ms. Matthews has moved third reading of Bill 103. Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Be it resolved that the bill do now pass and be named as in the motion.

EMPLOYMENT STANDARDS  
AMENDMENT ACT  
(TEMPORARY HELP AGENCIES), 2009

LOI DE 2009 MODIFIANT LA LOI  
SUR LES NORMES D'EMPLOI  
(AGENCES DE PLACEMENT  
TEMPORAIRE)

Mr. Fonseca moved second reading of the following bill:

Bill 139, An Act to amend the Employment Standards Act, 2000 in relation to temporary help agencies and certain other matters / Projet de loi 139, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne les agences de placement temporaire et certaines autres questions.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Fonseca has moved second reading of Bill 139. Mr. Fonseca?

**Hon. Peter Fonseca:** Mr. Speaker, I will be sharing my time with my parliamentary assistant, the member from Brampton West.

I'm proud to begin the second reading of Bill 139. This bill would amend the Employment Standards Act to enhance protection for employees working through temporary help agencies. I'm especially proud that this bill is before the House during one of the most chal-

lenging times in the economic downturn that we see right now in Ontario.

During such difficult times it's even more important to protect the most vulnerable members of our society. This legislation is an integral component of our poverty reduction strategy, led by my colleague the Minister of Children and Youth Services. Through the poverty reduction strategy, we're committed to reducing poverty and enhancing opportunities for all Ontarians.

Many Ontarians who work through temporary help agencies are vulnerable workers. They have little employment security and typically have low incomes compared to permanent workers. They look to the law to help protect them. It's important that when people are working they're treated with dignity and respect and have access to their employment standards rights.

The nature of work has changed. Today, temporary employees are an important part of Ontario's workforce. They actually make up about 11% of our workforce. More than 700,000 people in the province have temporary jobs, many through temporary help agencies. There are about 1,000 such agencies currently operating in Ontario. They provide their employees to client businesses that want staff on a non-permanent basis.

A few decades ago, temporary help agencies provided workers for short-term clerical jobs that lasted a few days or weeks. Agency workers were called in when regular staff members were away sick or on vacation. Today, agencies supply workers in a wide range of occupations: to industries such as manufacturing, construction, the service industry, and information technologies. An employee of an agency might be assigned to a single client business for several months or even years. They work side by side with permanent regular employees. However, their job security pales in comparison. They can be dismissed by the client at a moment's notice. In addition, they may have difficulty accessing their employment standards rights.

The nature of work may have changed, but our labour laws and regulations have sorely lagged behind. Our intent is to put in place legislation and make regulatory changes to reflect the real situations faced by temporary agency employees. We want to ensure that Ontario's employment legislation reflects the realities of today's labour market in a balanced way.

**1640**

I would like to point out that the vast majority of Ontario's temporary help agencies are decent employers. They treat their employees fairly. In fact, many of them have practices in place that recognize the needs of their employees. They do not take advantage of vulnerable workers. As a result, they have found themselves at a competitive disadvantage to those who break the law or mistreat their employees, those who engage in practices that do not serve the temporary employment market well.

Last May, we launched a comprehensive consultation on work through temporary help agencies. My parliamentary assistant, Vic Dhillon, and staff of the ministry met with 19 stakeholder organizations representing em-

ployee and employer interests. We also received an additional 130 written submissions from the public and other interested parties. Our consultation dealt with issues that had been brought to our attention by individuals and groups, as well as through employment standards inspections and investigations. We covered five main topics:

- the elect-to-work exemptions in the Employment Standards Act;
- barriers to permanent employment faced by temp agency employees;
- fees charged to workers by temp agencies;
- liability for Employment Standards Act violations; and
- information given to temp agency employees about their assignments.

Now I'd like to turn to the main elements in Bill 139 and the rationale behind those.

During our consultations, one of the main concerns raised was the barriers faced by temp agency employees in obtaining permanent employment. These barriers include restrictions on the permanent hiring of agency workers by client companies—so, a worker would be at that client company working for months or even years without the opportunity to be able to find permanent employment, even though they may be doing an exemplary job with that client company. They also include significant temporary-to-permanent fees charged to client businesses of agencies or the employees of agencies. As well, many pointed out that some agencies prohibited their client businesses from providing reference letters for agency employees, something that anybody would need to be able to find employment with a company—where they would want to check where they had worked and to get some references in terms of their skill set and what others have to say about them.

We know that many people working for these agencies want permanent work, and we want to help them get that permanent work. One of the main elements in our poverty reduction strategy is enhancing opportunities for all Ontarians. Enabling people to obtain permanent employment is one of the ways of achieving this goal. Obtaining sustainable permanent employment benefits not only those who are striving to better their lives, it benefits all of society. Our approach would remove some of the barriers that temp agency employees may face. It would allow them to seize opportunities if they should arise.

If Bill 139 passes, temporary help agencies would be prohibited from preventing a client from hiring an agency's assignment employee. They would also be prohibited from charging the client a temporary-to-permanent fee after six months or more have passed since the employee was first assigned to that client. So, once a temporary agency employee is assigned to a client, they could be assigned for one day and the clock starts ticking. After six months—they may have only worked there one day, or may have worked there through the whole six months—that client business would be able to hire them

permanently without a fee. As well, clients would no longer be restricted from providing references, as we just mentioned, to an assignment employee. So they'd be able to tell a future employer, where that temp agency employee may be looking for permanent employment, the skill set and knowledge an employee has and the type of attitude that employee has, and help them obtain that permanent employment.

Agencies would also be prohibited from restricting an assignment employee from taking permanent employment with a client of the agency, and they would be prohibited from charging the employee a fee if the employee should find permanent employment with a client. Temporary agencies will no longer be able to prevent their employees from obtaining permanent work. This is only fair.

Our legislation would also prevent agencies from charging other fees to employees. In some cases, these fees are mandatory if a person wants to be placed on assignments. We had heard that some agencies may be charging somebody, with just the hope of finding a job for that temporary agency employee. We didn't feel this was fair. Even when that employee did get an assignment, we heard that the fees they paid to that temporary agency employer may not have been made up by the type of employment they got through that temporary help agency.

Under our proposed legislation, agencies would be prohibited from charging a fee to a person for becoming an assignment employee. They would also be prohibited from charging their employee a fee for assistance in finding or attempting to find work with a client. Temporary agencies would also be prohibited from charging assignment employees or prospective employees a fee for assistance in preparing a resumé or preparing for job interviews.

Temp agency workers are some of the more vulnerable workers in Ontario. For an unemployed person, these fees can represent a lot of money. Many simply cannot afford to pay to get a job, yet in many cases they are forced to do so. How can we deny them an opportunity to improve themselves or even feed their families if we allow unscrupulous agencies to demand money for the promise of a job?

Agencies receive fees from clients, so there is no good reason for them to receive them from employees. Indeed, it can in some cases be seen as immoral for them to double-dip and also demand a fee from an employee. It's not right, and it's not fair. We want to put an end to this practice.

In our consultations, we heard that quite often employees do not even know the legal name of the temporary help agency where they are working. Our proposed legislation, if passed, would require agencies to provide employees, in writing, with the agency's name and contact information. Agencies would also be required to provide an information sheet on the employee's employment standards rights. The information sheet would be developed by my ministry.

Quite often, temporary agency employees are sent to assignments without knowing whom they will be working for and even where they will be working. This can leave them open to abuse and exploitation. Under Bill 139, temp agencies would be required to provide the employee, in writing, with the client's name and contact information when offering a work assignment. The information would also outline the wages, benefits, hours of work and pay schedule associated with the assignment. It would also provide a general description of the work to be performed for the client.

We heard from some temp agency employees who came in and shared their stories with us that they were hired to do one thing, but when they found themselves at a client's business, they were told to do something else. We felt this was unfair. People should know what work they will be doing and where. They should also have enough information to know if the job they're being sent to is something they want to do. Our proposed legislation would also strengthen the protection of employment standards rights for temporary agency employees.

A temporary help agency is generally considered to be the employer of a person it sends to work for a client business. The client business is not the employer. As the employer, the agency is responsible for making sure that a worker's employment standards rights are met. The law does not permit the agency to hide behind the curtain of "I didn't know."

#### 1650

Our legislation would strengthen the protection provided by the Employment Standards Act. Bill 139 would prohibit the clients of agencies from engaging in reprisals against assignment employees for asserting their rights. The agency, as the employer, would continue to be prohibited from reprisals against its employees under the current provisions of the act.

In addition, we would be making it easier for temporary help agency employees to get wages owing to them if the agency fails to pay. If an agency owes an assignment employee wages and if a client owes the agency money, now the director of employment standards would be able to make a demand on the client. The demand would require the client to pay those monies to the director in trust, instead of paying the agency, for disbursement later to the employee. In the past, we have found it difficult to obtain monies owed, especially by fly-by-night agencies. This added enforcement power should make it easier for employees to receive wages owed.

Those are the main elements of our proposed legislation, legislation that would enhance employment standards protections for temporary help agency employees. We believe that our legislation would improve the overall well-being of the temporary help agency industry. It would benefit those agencies that have played by the rules and have treated their employees fairly, and we believe it would put an end to unscrupulous agencies that take advantage of and exploit vulnerable workers.

It is also important that when people are working, they are doing so in environments where employees are

treated with dignity and respect. By removing some barriers to permanent employment, we are opening doors to opportunity for many. Our strategy is about helping people achieve their potential. I'm proud of this legislation. I believe we have a fair and balanced proposal before the House, and I urge all members to support it.

In closing, I would like to thank all of the people who participated in our consultations and whose proposals formed the basis of this legislation. Thank you.

**Mr. Vic Dhillon:** I rise in support of Bill 139, a bill that would enhance the Employment Standards Act protections for temporary help agency employees. I hope our government can count on member support, as it affects some of the most vulnerable in our society: women, immigrants and visible minorities.

Two years ago, I introduced a private member's bill on this issue. I am proud that our government has taken up the cause of these vulnerable workers. They are excessively represented in the lowest-paying and most insecure forms of work. I believe Bill 139 would help provide much-needed oversight in this industry.

Most often, vulnerable workers are not aware of where they can turn to make a complaint because they are so fearful of the repercussions if they do so. Over the past several years, I have received many complaints of fraudulent, fly-by-night employment agencies. I have heard of situations where employees are not paid for work, wages are below the legal minimum wage, there's no public holiday pay, no overtime pay and their health and safety are jeopardized. I heard endless horror stories that people had to tell as a result of questionable practices of these fly-by-night, fraudulent employment agencies.

As well, I heard many other comments on the need for changes in the industry when I chaired the Ministry of Labour's consultations last summer. There is no room in our society for abuse of people who simply are not able to exercise their rights. Bill 139 would go a long way to helping ensure that temp agency workers enjoy the same protections that other regular workers have. Bill 139 would put an end to the exorbitant fees charged to assignment employees, fees for spurious items such as resumé preparation, job interview skills and others. Bill 139 would put an end to prospective employees being charged a fee just to be able to work for the agency, or a fee for a job or assignment. Most of these individuals working for temp agencies are not rich. Many are struggling just to pay for their rent and put food on their families' tables. They can't afford to make the choice between food for a child or a job. This type of abuse must stop.

Bill 139 would also put an end to the sometimes impossible-to-overcome barriers placed in front of temp agency workers, barriers that prevent them from accessing permanent work with a client. Agencies would not be able to prevent a temp from taking a permanent job with a client. Agencies would not be able to charge temporary-to-permanent fees to a client after six months or more have passed since the employee was first assigned to the client. They would not be able to charge

the employee with a temporary-to-permanent fee, ever. Temp agency workers would now be given in writing the agency's name and contact information. They would also receive in writing full details of their assignment, including: the client's name and contact information; the wages, benefits, hours of pay and the pay schedule associated with the assignment; and a general description of the work to be performed for the client.

These are important changes to the Employment Standards Act. These change are one of the first steps in our government's poverty reduction strategy. These are changes that would help some of the most vulnerable workers in our province, workers with little employment security and low incomes. They, like everyone else in our province, deserve dignity and respect. I urge all members to support this important legislation and bring some order to this important sector.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? There being none, further debate?

**Mr. Khalil Ramal:** First I want to take the opportunity to congratulate the minister for bringing such important legislation to this place to be discussed and debated in order to protect the vulnerable people in our society. I know this issue has been around for many years. I know that the parliamentary assistant for the Minister of Labour was a great advocate on behalf of many workers in the province of Ontario, especially the people who worked through temp agencies. I know he brought it in a different format, as a private member's bill, many times to this House, and I'm glad to see our government, our Minister of Labour, adopting this issue and making it go the further steps to make it a law in the province of Ontario in order to protect thousands and thousands of people who want to work.

I was listening to the Minister of Labour speaking at the beginning, when he said that almost 700,000 across the province of Ontario are working through temp agencies. I think that's a huge number. I know the majority of those temp agencies are legitimate agencies. They want to work, they want to do good things for our economy, for the people around them, they want to help many workers to find jobs, and they also want to assist many different companies, factories and offices and many people looking for good, skilled workers, and to do the matching with different agencies. I think they do an excellent job.

I believe strongly that it's our obligation as a government to protect those people, to put the regulations and rules in place, to make sure everyone in the province of Ontario is treated fairly and is protected, because it's important for all of us to make sure that every person who wants to work has a right to work under certain conditions according to the laws and regulations of the province of Ontario. As we mentioned many times, especially the Minister of Labour, there was no rule to regulate those temp agencies in the province of Ontario. We know a lot of them open with goodwill and want to do good. But so many of them across the province of Ontario are what we call fly-by-night operations. They

open one week or two weeks, a month or a year and all of a sudden they close and they don't pay the people who work for them, and therefore, so many workers become victims of those organizations. I'm glad to see this being addressed, being looked after, by Bill 139, if this bill passes.

**1700**

It's important to have rules and regulations to protect the vulnerable people among us, especially in these days when jobs are so rare and so many people are losing their jobs; especially when our government, under the leadership of our Minister of Children and Youth Services, the Honourable Deb Matthews, is launching a poverty reduction strategy across Ontario.

I believe that when you have a permanent job, you assist the community, society and the families, and also help to reduce poverty in the province of Ontario.

In order to protect vulnerable people, we have to create the rules, and I believe now, if this bill passes, we'll have the rules to protect the workers.

I was shocked when I learned that many people, when they work for a temp agency, have no right to know their job descriptions; they are not allowed to know if they are getting a permanent job or not; and they are prohibited from finding a permanent job if they want to. I was shocked even more when I learned that some of the temp agencies used to charge the employees in order to find them a job and the clients in order to find them employees. If this bill is passed, it will put an end to these circumstances. It will have a fair strategy, a fair way to treat the workers in the province of Ontario.

I was also shocked when I learned that sometimes a person who is looking for a job because they need it badly—they want to put food on the table for themselves and for their families—has no chance to say no. They go for whatever job the agency finds them. Sometimes they don't even ask about the circumstances or what kind of a job it is; they don't ask about how long they will have the job and who they are going to work for. It's sad, especially in the province of Ontario, where we believe strongly in people's right to know the conditions of their work and the conditions of their employer.

If this bill passes, it will create the conditions which will obligate the temp agency to send all the information to the workers and give them all the descriptions about the nature of the job they are going to do. It will also prohibit the agency from charging the workers a fee. Also, more interestingly, if this bill is passed, the workers will have a right to obtain a full-time job if the client finds them well-skilled and able to do the job for them. So I think it's right.

Also, if this bill passes, it will protect the workers from working in an environment that does not suit them and doesn't give them the chance to express their opinions. I think it's very important for all the people who want to work, to find a place to work and provide support for themselves and their families.

Many people, especially newcomers to this land, have no ability to know or navigate the system and they don't

know the nature of their rights. They also have no idea about the different jobs and different kinds of jobs around them, so they fall in this trap with no way to express themselves or to defend themselves because, as I mentioned, they don't know the rights that exist in the province of Ontario. So, if this bill passes, it will give them the rights, the tools and the mechanisms to give them the protection they're looking for.

I want to congratulate, again, the minister for working hard for the people of Ontario, and also the parliamentary assistant who, as I mentioned at the beginning, brought this issue to our attention many different times. He wanted to pass a private member's bill because he was shocked when he learned that, in the province of Ontario, for so many people, they have no conditions; they just want to work. Some of those temp agencies take advantage of these people. Also, those fly-by-night organizations with temp agencies, sometimes the contract, at the present time, is made between the temp agencies and the workers and they have no idea who they are working for. So therefore, the people are working for the temp agency and the temp agency is the employer. Sometimes those temp agencies close and they don't pay the workers. Therefore, they lose the work and also their ability to provide support for their families.

In this bill, the government is obligated to make sure that the temp agency is paying the workers the money they owe them. Also, if they don't pay them, they go back to the clients who hired those temp agencies to make sure they pay the workers who worked at their companies. Overall, I think this bill, if passed, will create a safety mechanism for the people of Ontario, especially the vulnerable people who want to work.

As I mentioned, especially in these days, those temp agencies have become so big and so huge everywhere in the province of Ontario, and sometimes they employ people for a month or two, sometimes for years. I think our obligation as a government is to put the tools and mechanisms in place in order to create protection for the vulnerable people who want to work.

I think if this bill passes it will make sure that people who want to work for a temp agency will be protected and there will be rules applied. They have a right to know where they work and how many hours and the condition of the work, and if they have any complaints, if they feel or they think that the workplace is not fit or not safe, they can complain at the job and they will be protected, not abused.

All these elements will be enshrined in the bill. I think this is a good step forward in order to protect the vulnerable people in the province of Ontario, to protect the workers, because I think we owe them respect. We want to create good conditions for them to work with respect and dignity, because they come with the full intention to work. I think our obligation as a government, as the people who are in charge, is to make sure all the people get the right not to be abused. If this bill passes, it will create a great step toward a brighter future for many people who work in the province of Ontario and also give

the legitimate temp agencies that work according to rules and laws an advantage and give them the ability to continue to do good things for all the people, especially for the workers. Also, as I mentioned, temp agencies that are fly-by-night organizations will have no room and no time in the province of Ontario.

Again, Mr. Speaker, I want to thank you very much for allowing me to speak and I want to congratulate the minister and his parliamentary assistant for bringing such important legislation to this place in order to regulate temp agencies and create a good environment for workers in the province of Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Kevin Daniel Flynn:** It's a pleasure to rise and speak to Bill 139. I think it's certainly an example of fairness, something that we really wanted to see move ahead in this province. My congratulations go out to the minister and to the member for Brampton West for bringing this initiative forward. I think it's been very clearly stated in the minister's remarks and in the remarks that came forward from the parliamentary assistant and the previous speaker that this bill is intended to help those who are often noted as the most vulnerable in our society and those people who often are taken advantage of. Sometimes they don't understand what the rules are in a new country, perhaps; sometimes they don't understand what rights they have; sometimes things are being done to them that are illegal and they don't realize that they are illegal.

Bill 139, if passed, will make it clear to all Ontarians what the rules are surrounding the issue of temporary help. If you put yourself in a position where you become an employee in a temporary situation or you're in a position where you're actually the agency or the company that is using temporary help, the rules will be very clear. I think we would all agree in this House that they're rules that are very reasonable and rules that we ourselves would like to know we could avail ourselves of if we were to find ourselves in that situation, working temporary.

Some people work temporary as a choice; other people work because they have to. But certainly I think it's something we've seen in our society in the employment sector, that people are exercising a number of choices in their employment options. If this is something that is going to continue off into the future, I think any responsible level of government needs to implement policies that are going to allow those in our society who, as I said, are the most vulnerable, to be protected.

1710

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John O'Toole:** I listened attentively to the minister's remarks and the parliamentary assistant's remarks on Bill 139, and I'm confident that this bill will go to committee.

What I really think is important here is not to lose sight that everyone in this Legislature, I would think—



certainly on this side—would like everyone to have a job and the security of a job and the security of income. So I don't want to be portrayed as someone who is against the provision of job security. What I am saying, though, is that the status of the economy of Ontario today is such that there are no jobs. Two hundred and seventy-five thousand individuals and their families are without work. The economy is heading south at astronomical speed, and we're talking here about a bill protecting employment. We should have more employment agencies, not fewer. McGuinty is not trying to find jobs for people; he's closing them down. He's got more inspectors and things that are actually red tape in the economy. So Bill 139—

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Eglinton–Lawrence on a point of order.

**Mr. Mike Colle:** The rules of this House are quite clear: You're supposed to speak to the bill before us, which he is not. Secondly, the veteran member knows full well that if you refer to another member, you're to refer to him or her by riding or by ministry—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. I'll address each of those.

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Order. One is that in questions and comments you're not necessarily to speak to the bill, but you are to speak to the comments of the person whose address you're questioning and commenting on. Secondly, it's not uncommon in our Legislature for the government or the Premier to be referred to by his last name; many members refer to the McGuinty government and such. Thank you for your point of order.

Questions and comments?

**Mr. Mike Colle:** The member from London–Fanshawe made some very relevant points about the fact that we need to protect vulnerable workers who have been in a position where they can't find full-time work and go to these temporary agencies. Until this bill, there wasn't the protection to ensure there would be fair working conditions and fair treatment of these workers.

In the long run, if you treat workers fairly, the operators of these temporary agencies would also prosper in their attempts to provide employment. That's what has been missing, and many vulnerable workers in communities across Ontario have been asking for this type of protection from unscrupulous temporary agencies—we all know of them. That's what this bill tries to address in a meaningful way. The Minister of Labour and his able assistant, Mr. Dhillon, the member from Brampton West, should be congratulated for having the interest in putting this forward. They have brought this forward for that reason, and I applaud them for doing that.

We all know that the economy is fragile in these times. Like someone said, this is not an economic storm; this is economic climate change we're seeing. We're trying to do the best we can to deal with it with measures like this. Like someone said, this recession really is international—global—and we are trying to deal with it in a meaningful way. It doesn't do any good for the

member from Durham to sit here and talk down the Ontario worker—

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Eglinton–Lawrence, I just finished reminding members that you're to speak to the remarks, in this case, by the minister and the member for Brampton West. I'd appreciate it if you would do that.

Questions and comments?

If there are no further questions and comments—the minister isn't here. Oh, no, I'm sorry. I was a little behind. Even I lost track a little bit here.

The member for London–Fanshawe, you have two minutes to respond.

**Mr. Khalil Ramal:** Thank you, Mr. Speaker. I know so many people from both sides of the House are trying to confuse you. Anyway, you do an excellent job.

I want to thank the members from Oakville, Durham and Eglinton–Lawrence for commenting on my speech.

I want to tell the member from Durham that the intent of this bill is not to penalize the temp agencies; as a matter of fact, it's to regulate this industry. So many temp agencies in the province of Ontario do an excellent job.

The minister mentioned in his speech that temp agencies do an excellent job for our economy. They try to find a match between the workers and the companies that are looking for special kinds of skills. I think they do a good job. He mentioned, too, that some temp agencies are good and that they want to expand their business and do an excellent job. We have to protect them too, because so many fly-by-night temp agencies open and then ruin the reputation of the good temp agencies.

If this bill is passed, it will protect everyone. It will protect the workers and make sure they are working in a good environment. It will also create good conditions for the good agencies to maintain their image and give them a chance to support many workers across the province of Ontario in finding good jobs.

It's very important, because at the present time almost 700,000 workers in the province of Ontario get their jobs through temp agencies. It's a huge number. It's our obligation and duty, as elected officials, to create rules to make sure that everyone working through those temp agencies is protected in such a way as to respect their dignity, time, effort and skills, and also to make sure they get paid. As I mentioned, so many people work through illegitimate temp agencies and lose their payments.

Therefore this bill, if passed, will protect everyone.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate once again on Bill 139. Once again, it gives me the opportunity to extend my congratulations to the people who have worked hard to bring this bill to this stage.

I'm hoping, from what appears to be the compliance from the other side of the House, that this proposed bill would move forward to hearings at committee shortly and we can hear from the people of Ontario again.

From what I've heard from my constituents and from those who have visited my office and those who have brought this issue up over the years, there is a section of the population out there that is not receiving the protection it should under the current legislation. That's legislation that I think all parties in this House have had their hands on at some point in time. A hallmark of a good government is that you're able to improve legislation, you're able to move existing legislation, or amend existing legislation, to make the working conditions of people in Ontario a little bit better than those of the generation before. We're able to do that, because what this bill essentially does is strengthen the protections that Ontario workers currently have under the Employment Standards Act. As I said, all three parties in the House today have had their shot at the Employment Standards Act over the years and have made changes that they thought would be in the best interests of workers. This bill, I think, follows that concept.

This proposed bill, if passed, would allow the people who are currently bringing forward their concerns about the working conditions they find themselves in—they find themselves in situations that, simply, all Ontarians should find untenable. Sometimes they find themselves in situations that we wouldn't like to see our own sons or daughters in, that we wouldn't like to be in ourselves. As legislators, I don't think that we can sit back and allow that situation to continue.

By bringing Bill 139 forward, the minister and the parliamentary assistant speak very highly to the impact of the bill and make us understand that if this bill is passed, some people in Ontario are going to have a much better life than they currently have. That's something we should all aspire to in this House, and I think we should look at the bill in that vein.

**1720**

Often, a person who works for a temporary employment agency doesn't really understand who their actual employer is. Some people think it's the client business they work for; other people think it's the temporary agency. What should be made clear today, I think, and is made clear by this bill, is that the client business is not the employer of the temporary person who is working there. The temporary employee actually works for the temporary agency. Therefore, all the protections under the legislation that are being proposed today will flow through that agency, and that agency will be required to provide the protections that are being proposed today.

If you look at the work experience, if you look at the history of Canada, if you look at the immigrant experience of this country, it's not unusual for people to come to this country to get a new start. It's not unusual for people to choose Canada out of many other countries in the world they could have chosen as a place where they think they're going to get more opportunities than they had in their previous country. Often, they've got a job when they land here. But quite often, part of that immigration experience is finding a job once you get here. Quite often, people come over, they've been sponsored

by friends or by family, and their first priority is to make sure that they can support themselves and their family. The first thing that they want to do is to start earning their own income. I think there's a sense that they want to prove to their new countrypeople that they're capable of providing for themselves and that they're the sort of person whom we would like to see in our country and who is going to contribute to our country.

Quite often, that employment experience doesn't start with a permanent job. Quite often, it might start with a part-time job. Quite often, it may start with volunteer work. Quite often, it may start with learning English as a second language, or maybe skills training. All sorts of ingredients, I think, are part of that mix that allows people to become new Canadians. But often enough, I think, to be significant, it's important to note that that experience also involves a temporary job. People who move to this country from other countries should expect that what they're going to find in this new land of opportunity is a country where we value each other. The employment relationships that we enter into with each other are ones that I think will typify what is the hallmark of our country, and that is that we treat each other fairly and with respect. That's exactly what this bill does today. I think it says that we understand that there is a significant portion now of the population that, either by choice or out of necessity, has decided that it wants to perform its work on a temporary or a part-time basis, and often they will go through an agency to do that.

The rules in some cases in the past, I think, were unclear. People didn't understand the rights that they already had. That gave rise to people bringing their concerns forward to the Minister of Labour and to individual MPPs' offices, asking that something be done. Often, that was a matter of enforcing existing rules. There were people out there—a few bad apples—who were simply breaking the existing rules. But it also gave this government the opportunity to take a look at the existing rules and see if perhaps it wasn't time for us to move forward as a society here in Ontario, if it wasn't time to strengthen the employment protections that we should all enjoy in this province, and it was decided that it was.

The first initiative brought forward by the member from Brampton West really laid the issue on the table and got us all thinking about it. To their credit, the Ministry of Labour, the Premier, the government and the cabinet decided that this was an initiative that was worth taking forward, that the work that had been done by the member from Brampton West had set the stage for a much larger piece of legislation that was going to provide even more protections.

That's what we have before us today in Bill 139. We have an opportunity, I think, before us that's going to allow us to make Ontario the place that people really, truly want to call home, where we know that we have the protections that we would want for ourselves and for our families as well and that we extend to all people in Ontario by passing a bill like Bill 139.

I'm going to ask that all members of the House support this bill and allow it to move forward. If there are

any concerns, if there are any amendments to be made, if there's anything that needs to be strengthened, anything that needs to be changed, I think, in the past, this government has demonstrated that it's open to those sorts of changes if they're presented in a reasonable manner and a logical case is made for them. So I'm asking for all members of the House to support this. By doing this, you're going to make the lives of some people who work currently for temporary agencies a whole lot better.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John O'Toole:** I listened carefully to the member for Oakville and I pretty much agree with most things he said on the bill. Our position on this would likely include protection for workers.

I tried to make the point earlier, before I was interrupted, in the context of the economy today and this bill. The member for Eglinton–Lawrence was probably right to take a point of order, but I think it's fair that I'm allowed to make a point on the economy.

In this time of the economy, they should be working with employee groups as well as employer groups. The Employment Standards Act, the long-standing piece of legislation which this amends, is a bill that we could all take a share in because it was amended in almost every Legislature.

I heard in recent times that one of the provisions in this is the issue of severance pay and the qualification period. In here, I think three months is the number I heard. Those things need to be discussed because right now, in these troubled economic times, I'm looking at and hearing from companies where there's no severance pay. These are full-time jobs; 275,000 jobs have been lost in the economy. We're amending the wrong act here. We should be looking at protecting pension provisions for employees whose pensions could be dissolved because of lack of funding in these tough economic times.

I know there are portions of the bill—having spent about 10 years in personnel myself, I'm very familiar with many provisions under the Employment Standards Act. The temporary agency thing is often—one case you might be interested in is nursing, for instance. Often, nurses have employment agencies because they work in an environment where there often could be sickness. I want to understand: Are these agencies exempt from these provisions? It's my understanding that to some extent they are.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you.

**Mr. John O'Toole:** There's much more to be said on this bill.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments?

**Mr. Bob Delaney:** I have the pleasure and privilege of sitting beside the member for Brampton West. He's been my seatmate now for the past two Parliaments; indeed, he is my neighbour just to the north of the great riding of Mississauga–Streetsville.

I know how hard the member worked on this particular bill. In particular, the member had a lot of rep-

resentation from within the South Asian communities, among people who found that, lacking language skills, lacking some experience in Canada, they were the ones being taken advantage of—dare I say the words “ripped off”—by some of the more unscrupulous operators.

This particular member brought this concern to this Legislature, talked about it in caucus, brought it up as a private member's bill, and now it's going to be the law of the land for such simple things as preventing reprisals when an employee complains about something that's not right, so that the employee can't be blacklisted. The member for Brampton West deserves a lot of credit for this and he should feel very, very proud of it. A lot of the people whose lives are going to be made a great deal easier, who will be treated more fairly, more humanely, will owe a lot of that treatment to the member for Brampton West.

Among the other things this member can take some credit for is outlawing the practice of charging a fee to a person who becomes an assignment employee. That's wrong; that's double-dipping. That's gone now.

Another thing he cleaned up was the charging of fees for finding assistance—that's wrong; that's double-dipping and that's been cleaned up now; or charging employees or prospective employees a fee to help them prepare a resumé or prepare for a job. That's wrong, and that's been cleaned up now.

The member for Brampton West has done an outstanding job in his contributions to this bill, and I think he deserves credit for it.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Mike Colle:** In response to the points made by the member for Oakville: As he said, this is about ensuring that vulnerable workers are not taken advantage of.

One of the things temporary employers have sometimes been doing is charging these vulnerable workers a fee to work. If you paid the fee, you would get the job; if you didn't pay the fee—these were sort of like kickbacks in many ways. It was an unfortunate practice that this legislation will prohibit, so that the temporary worker who is desperate to make those dollars will not be subject to these under-the-table arrangements. Also, there was no protection against reprisals or forcing people to work when they weren't well or to work extra hours. I think it's sometimes the hidden workforce in Ontario. If you were to take a bus tour to Brampton, you would see the new face of Canada, the new face of Ontario. You'll see that people from 120 countries of the world live in Brampton. They work very hard. They raise their families. They've come to Canada with very little and they've made Brampton—I remember when Bill Davis was Premier, I think it was about 70,000 people. I think the member from Brampton West will tell us there are—what?—over 300,000?

**Interjection:** Five hundred.

**Mr. Mike Colle:** Up to 500,000 people. The member from Durham, being in the far east of the GTA, probably

never travels to Brampton. But if he were to go to Brampton—it's one of Canada's largest cities, and it's been built by many of these hard-working newcomers who get their start with these temporary jobs and then work their way up, through their blood, sweat and tears. What this bill is doing is ensuring that their voices are heard. The member from Brampton West, the honourable Victor Dhillon, has heard them and has put this forward and it's now hopefully going to pass.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? The member for Oakville, you have two minutes to respond.

**Mr. Kevin Daniel Flynn:** I'd like to take those two minutes to start by thanking the member from Durham for his illuminating comments, the member from Mississauga—Streetsville and the member from Eglinton—Lawrence, who all spoke eloquently about the bill and I think really hit the nail on the head as to why we should pass it and why we should move it ahead. It's simply a bill whose time has come.

I'd also like to take this opportunity to thank the temporary agency business, to thank those people who are in the business, and actually—

*Interjection.*

**Mr. Kevin Daniel Flynn:** Yes, there are some great businesses out there. As is often the case, the initiative behind this is to solve the problems of a few of the bad apples out there. I don't want anybody thinking that anyone in this chamber has it in for the temporary agency profession. I think it's an honourable profession that often provides us with professionals—nurses, office staff, anybody from engineers to surveyors—a variety of things. The list goes on and on. As I said earlier in my comments, many people in a lot of professions now are deciding that full-time permanent work isn't the way for them and that they would much prefer temporary work or

a less permanent set-up, and they should be entitled to the same employment rights as anybody else around here, anybody else in this room. I think we all enjoy employment rights ourselves, and we would want to see them extended to everybody in the province of Ontario.

During consultations, one of the main concerns that were raised was the barriers that are faced by temporary agency employees in obtaining permanent employment. I think that in economic times such as we're in, in the situation that we find ourselves in as part of the global recession, and also dealing with a poverty reduction strategy, we want to bring them together, and we need to enhance every single opportunity we can find for Ontarians. Often, that enhancement means finding a full-time job. This knocks down a lot of barriers and will allow that to happen for Canadians who are seeking full-time work.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak? The Minister of Aboriginal Affairs and deputy government House leader.

**Hon. Brad Duguid:** I move adjournment of the debate.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading debate adjourned.*

**The Deputy Speaker (Mr. Bruce Crozier):** Orders of the day?

**Hon. Brad Duguid:** I move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

This House is adjourned until Thursday, February 19, at 9 of the clock.

*The House adjourned at 1734.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
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Craitor, Kim (LIB)	Niagara Falls	
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Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
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DiNovo, Cheri (NDP)	Parkdale–High Park	
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Elliott, Christine (PC)	Whitby–Oshawa	

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Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
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Kwinter, Monte (LIB)	York Centre / York-Centre	
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Levac, Dave (LIB)	Brant	
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Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
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McNeely, Phil (LIB)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
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Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
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Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (IND)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	

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Ouellette, Jerry J. (PC)	Oshawa	
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Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader, Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
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Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Small Business and Consumer Services / Ministre des Petites Entreprises et des Services aux consommateurs
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth–Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
<b>Wilson, Jim (PC)</b>	Simcoe–Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener–Waterloo	Opposition House Leader / Leader parlementaire de l'opposition officielle
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Minister of Education / Ministre de l'Éducation
Zimmer, David (LIB)	Willowdale	

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Vice-Chair / Vice-président: Garfield Dunlop  
Gilles Bisson, Kim Craitor  
Bob Delaney, Garfield Dunlop  
Tim Hudak, Amrit Mangat  
Phil McNeely, John O'Toole  
Lou Rinaldi  
Committee Clerk / Greffière: Sylwia Przewdziecki

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Comité permanent des finances et des affaires économiques**

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Sophia Ageloni, Ted Arnott  
Wayne Arthurs, Toby Barrett  
Pat Hoy, Jean-Marc Lalonde  
Leeanna Pendergast, Michael Prue  
Charles Sousa  
Committee Clerk / Greffier: William Short

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Linda Jeffrey, Kuldip Kular  
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Carol Mitchell, David Oraziotti  
Joyce Savoline  
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Michael A. Brown, Kevin Daniel Flynn  
France Gélinas, Randy Hillier  
Lisa MacLeod, Julia Munro  
David Ramsay, Liz Sandals  
Maria Van Bommel  
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Vice-Chair / Vice-président: Jeff Leal  
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Peter Kormos, Jeff Leal  
Reza Moridi, Yasir Naqvi  
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Vice-Chair / Vice-président: Kevin Daniel Flynn  
Laura Albanese, Bas Balkissoon  
Bob Delaney, Joe Dickson  
Kevin Daniel Flynn, Sylvia Jones  
Norm Miller, Mario Sergio  
Peter Tabuns  
Committee Clerk / Greffière: Tonia Grannum

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des comptes publics**

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Vice-Chair / Vice-président: Jerry J. Ouellette  
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Andrea Horwath, Phil McNeely  
Jerry J. Ouellette, Liz Sandals  
Norman W. Sterling, Maria Van Bommel  
David Zimmer  
Committee Clerk / Greffier: Katch Koch

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permanent des règlements et des projets de loi d'intérêt privé**

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Kim Craitor, Gerry Martiniuk  
Paul Miller, Bill Murdoch  
Michael Prue, Tony Ruprecht  
Mario Sergio  
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Social Policy / Comité permanent de  
la politique sociale**

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Vice-Chair / Vice-président: Vic Dhillon  
Laurel C. Broten, Vic Dhillon  
Cheri DiNovo, Helena Jaczek  
Dave Levac, Shafiq Qaadri  
Khalil Ramal, Peter Shurman  
Committee Clerk / Greffier: Katch Koch

**Select Committee on Elections / Comité spécial des élections**

Chair / Président: Greg Sorbara  
Howard Hampton, Greg Sorbara  
Norman W. Sterling, David Zimmer  
Committee Clerk / Greffier: Trevor Day





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