

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

JP-28

**Journal
des débats
(Hansard)**

JP-28

**Standing Committee on
Justice Policy**

Subcommittee report

**Comité permanent
de la justice**

Rapport du sous-comité

2nd Session
41st Parliament

Thursday 14 December 2017

2^e session
41^e législature

Jeudi 14 décembre 2017

Chair: Shafiq Qadri
Clerk: Christopher Tyrell

Président : Shafiq Qadri
Greffier : Christopher Tyrell

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111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



ISSN 1710-9442

Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
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Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON JUSTICE POLICY

COMITÉ PERMANENT DE LA JUSTICE

Thursday 14 December 2017

Jeudi 14 décembre 2017

The committee met at 0903 in committee room 1.

SUBCOMMITTEE REPORT

The Clerk of the Committee (Mr. Christopher Tyrell): Good morning, honourable members.

Mr. Arthur Potts: Good morning, honourable Clerk.

The Clerk of the Committee (Mr. Christopher Tyrell): It is my duty to call upon you to elect an Acting Chair. Are there any nominations? Mr. Potts.

Mr. Arthur Potts: I would like to nominate my colleague here, Daiene Vernile, to be Acting Chair.

The Clerk of the Committee (Mr. Christopher Tyrell): Does the member accept the nomination?

Ms. Daiene Vernile: I would be so honoured.

The Clerk of the Committee (Mr. Christopher Tyrell): Are there any further nominations? There being no further nominations, I declare the nominations closed and Ms. Vernile elected Acting Chair of the committee.

The Acting Chair (Ms. Daiene Vernile): Good morning, committee members. You have before you a report from the subcommittee. Would someone like to move the subcommittee report? Yes, Mr. Natyshak?

Mr. Taras Natyshak: I move the subcommittee report, Chair.

The Acting Chair (Ms. Daiene Vernile): And can you please read it into the record?

Mr. Taras Natyshak: The entirety of the report?

The Acting Chair (Ms. Daiene Vernile): Yes, please.

Mr. Taras Natyshak: It would be my pleasure, Chair. Thank you.

The Acting Chair (Ms. Daiene Vernile): Take a deep breath.

Mr. Taras Natyshak: Standing Committee on Justice Policy subcommittee report—it is confidential.

Your subcommittee met on Wednesday, December 13, 2017, to consider the method of proceeding on Bill 175, An Act to implement measures with respect to policing, coroners and forensic laboratories and to enact, amend or repeal certain other statutes and revoke a regulation, and recommends the following:

(1) That the committee meet in Thunder Bay and Sudbury during the week of February 5, 2018, for the purpose of holding public hearings on Bill 175.

(2) That the Chair, on behalf of the committee, request the House leaders to authorize the committee to meet for up to two days during the winter adjournment for the purpose of holding public hearings.

(3) That interested parties who wish to be considered to make an oral presentation in Thunder Bay or Sudbury contact the Clerk of the Committee by 10 a.m. on Wednesday, January 31, 2018.

(4) That if not all requests can be scheduled in Thunder Bay or Sudbury, the Clerk of the Committee provide the members of the subcommittee and their designates with the list of requests to appear by 11 a.m. on Wednesday, January 31, 2018.

(5) That the members of the subcommittee and/or their designates prioritize and return the list to the Clerk of the Committee by 1 p.m. on Wednesday, January 31, 2018.

(6) That the Clerk of the Committee distribute a draft copy of the agenda to the committee members and their designates by 5 p.m., Thursday, February 1, 2018.

(7) That the Clerk of the Committee distribute a second, updated draft copy of the agenda to the committee members and their designates by 12 noon on Friday, February 2, 2018.

(8) That the committee meet in Toronto on Thursday, February 22, 2018, and Thursday, March 1, 2018, during its regular scheduled meeting times for the purpose of holding public hearings.

(9) That interested parties who wish to be considered to make an oral presentation in Toronto on February 22, 2018, or March 1, 2018, contact the Clerk of the Committee by 10 a.m. on Friday, February 16, 2018.

(10) That if not all requests can be scheduled, the Clerk of the Committee provide the members of the subcommittee and their designates with the list of requests to appear by 11 a.m. on Friday, February 16, 2018.

(11) That the members of the subcommittee and/or their designates prioritize and return the list to the Clerk of the Committee by 1 p.m. on Friday, February 16, 2018.

(12) That the Clerk of the Committee distribute a draft copy of the agenda to the committee members and their designates by 5 p.m., Friday, February 16, 2018.

(13) That the Clerk of the Committee distribute a second, updated draft copy of the agenda to the committee members and their designates by 12 noon on Tuesday, February 20, 2018.

(14) That the Clerk of the Committee, in consultation with the Chair, post information regarding public hearings on Bill 175 on the Ontario parliamentary channel, the Legislative Assembly website and Canada News-Wire.

(15) That the Clerk of the Committee identify various media outlets or other vehicles of communication that would inform indigenous communities of the hearings and give notice of public hearings to such media outlets.

(16) That witnesses be offered up to five minutes for their presentation followed by nine minutes for questions from committee members, divided equally among the three caucuses.

(17) That the deadline for written submissions be Thursday, March 1, 2018, at 6 p.m.

(18) That proposed amendments to Bill 175 be filed with the Clerk of the Committee by 12 noon on Monday, March 5, 2018.

(19) That the committee meet in Toronto for clause-by-clause consideration of the bill on Thursday, March 8, 2018, and Thursday, March 22, 2018, during its regular meeting times.

(20) That the Chair, on behalf of the committee, request the House leaders to authorize the committee to meet in Toronto from 9 a.m. to 10:15 a.m. and 3:45 p.m. to 6 p.m. on Tuesday, March 6, 2018; from 3:45 p.m. to 6 p.m. on Wednesday, March 7, 2018; from 9 a.m. to 10:15 a.m. and 3:45 p.m. to 6 p.m. on Tuesday, March 20, 2018; and from 3:45 p.m. to 6 p.m. on Wednesday, March 21, 2018, for the purpose of clause-by-clause consideration of the bill.

The Acting Chair (Ms. Daiene Vernile): Well done, Mr. Natyshak. Now, on point number (18), I believe you said “filled,” rather than “filed.”

Mr. Taras Natyshak: Pardon me.

The Acting Chair (Ms. Daiene Vernile): If I could just get you to correct that.

Mr. Taras Natyshak: That proposed amendments to Bill 175 be filed with the Clerk of the Committee by 12 noon on Monday, March 5, 2018.

The Acting Chair (Ms. Daiene Vernile): Thank you. And you need to move adoption of the report.

Mr. Taras Natyshak: I move adoption of the report.

The Acting Chair (Ms. Daiene Vernile): I just want to state for the record that this is in regard to Bill 175, An Act to implement measures with respect to policing, coroners and forensic laboratories and to enact, amend or repeal certain other statutes and revoke a regulation. Do we have any discussion on this? Yes, Ms. Scott.

Ms. Laurie Scott: I'd like to propose some amendments at the appropriate time.

The Acting Chair (Ms. Daiene Vernile): Yes, go ahead.

Ms. Laurie Scott: Is it good to bring this up now?

The Acting Chair (Ms. Daiene Vernile): This is the time to do it. Thank you very much.

0910

Ms. Laurie Scott: Because this is a detailed bill of over 400 pages, so quite a lengthy and substantial bill, we had wondered—number (16), when it says, “That witnesses be offered up to five minutes for their presentation,” I wanted to make an amendment to, “up to 10 minutes for their presentation.”

The Acting Chair (Ms. Daiene Vernile): Any discussion on that? Yes, Mr. Potts.

Mr. Arthur Potts: I would have concern about going to 10 minutes. I appreciate it's lengthy, but most people will be coming in and zeroing in on certain aspects of the bill, and if you go to 10 minutes plus 10 minutes, that's going to reduce the number of people that we'd be able to accommodate at the hearings. So I would suggest that we keep it at five.

The Acting Chair (Ms. Daiene Vernile): Mr. Miller.

Mr. Norm Miller: I would just say that in five minutes, you can hardly say who you are. For the complexity of this bill, especially given that people will be travelling long distances, in many cases, to make presentations—in five minutes, they can hardly introduce themselves. There's nothing worse than having to cut people off when they're halfway through their presentation because they don't have enough time to make their presentation. I think 10 minutes will be a challenge for a lot of people to be able to get into any detail on this bill whatsoever.

The Acting Chair (Ms. Daiene Vernile): Ms. Scott.

Ms. Laurie Scott: I hear what Mr. Potts says. I agree with Mr. Miller: We've all been through committees, many times—and especially in southern Ontario, we're only doing two days of committee hearings. I would even propose that if we did the 10 minutes, we add another day of committee hearings in Toronto to accommodate the 10 minutes. It is a very detailed bill, and five minutes for a presentation is just a very short time. So I am not opposed, actually, to adding another day in Toronto, if that could be accommodated. I know it would shift the dates down, but I think that's all doable.

The Acting Chair (Ms. Daiene Vernile): Any more discussion? Yes, Mr. Potts.

Mr. Arthur Potts: On the amendment?

The Acting Chair (Ms. Daiene Vernile): Yes.

Ms. Laurie Scott: Can I clarify the amendment? Or do you want me to—

Mr. Arthur Potts: Well, I'm not going to support it, so—

Ms. Laurie Scott: Any of it?

Mr. Arthur Potts: No.

Ms. Laurie Scott: The five to 10, or the extra day?

Mr. Arthur Potts: Either.

Ms. Laurie Scott: Okay.

The Acting Chair (Ms. Daiene Vernile): We're discussing the five minutes to 10 minutes. Are you ready to take a vote on that, committee members? Those in favour of extending the time for presentations from five minutes to 10 minutes—this is point number (16)—those in favour?

Mr. Taras Natyshak: Recorded vote.

Ayes

Norm Miller, Natyshak, Scott.

Nays

Anderson, Des Rosiers, Fraser, Potts.

The Acting Chair (Ms. Daiene Vernile): The motion is lost.

Are there any other amendments anyone would like to suggest? Ms. Scott.

Ms. Laurie Scott: I would like to propose an amendment, then, to extend the committee hearings by one more day in Toronto. That would be to extend it to—let me see—March 8. I propose another day for justice policy on March 8.

The Acting Chair (Ms. Daiene Vernile): To add a day on March 8.

Ms. Laurie Scott: Yes, for public consultation. Then we would, of course, have to shift the clause-by-clause etc.

The Acting Chair (Ms. Daiene Vernile): Any discussion on this?

Interjection.

The Acting Chair (Ms. Daiene Vernile): We're going to take a small recess in order to draft this and to distribute it to the committee members. Yes, Mr. Potts?

Mr. Arthur Potts: I'd just like to say that we're not going to be supporting it, so rather than go through that exercise of rewriting it with all the consequential date changes, maybe wave the white flag. We're going to vote against it, and in the interest of the committee's time, let's just go to the vote.

The Acting Chair (Ms. Daiene Vernile): Committee members?

Ms. Laurie Scott: As long as we have a vote that shows we voted for an extra day—without the details.

The Acting Chair (Ms. Daiene Vernile): Okay. Let's put that to a vote.

Interjection.

The Acting Chair (Ms. Daiene Vernile): Just before we do vote, Ms. Scott, I need you to be very clear on what it is we're voting on. If you can state, for the record, what you are suggesting in point number (20).

Ms. Laurie Scott: That we add an extra day of public hearings in Toronto. They're going to be February 22, as it stands, and Thursday, March 1. I would add, if we could, another day of public hearings on Thursday, March 8.

Mr. Arthur Potts: Those are all consequential date changes to the remaining of the report. All right.

Ms. Laurie Scott: Which would then—

The Acting Chair (Ms. Daiene Vernile): So we're voting on adding a day on March 8—

Ms. Laurie Scott: Yes.

The Acting Chair (Ms. Daiene Vernile): —and then consequential dates moving forward for clause-by-clause. Those who are in favour?

Mr. Taras Natyshak: Recorded vote.

The Acting Chair (Ms. Daiene Vernile): Okay. Recorded vote.

Ayes

Norm Miller, Natyshak, Scott.

Nays

Anderson, Des Rosiers, Fraser, Potts.

The Acting Chair (Ms. Daiene Vernile): The motion is lost.

Do we have any other suggestions for motions?

Mr. Arthur Potts: Chair?

The Acting Chair (Ms. Daiene Vernile): Yes, Mr. Potts?

Mr. Arthur Potts: We're prepared to support the subcommittee report. I want to be on record as saying it was not a unanimous subcommittee report. It was a majority report. We can support it, however, with a small amendment, which I'd like to move.

The Acting Chair (Ms. Daiene Vernile): Yes. Your amendment?

Mr. Arthur Potts: I move that paragraphs 1 to 7 be struck from the report and replaced with the following:

“(1) That the Clerk of the Committee ensure that presenters be able to appear before the committee in person, via teleconference or video conference where available.”

End of motion.

The Acting Chair (Ms. Daiene Vernile): Are we all clear on that?

Yes, Ms. Scott?

Ms. Laurie Scott: Just to clarify, then you have struck out any travel to northern Ontario and the two sites? You've struck out travel to Sudbury and Thunder Bay?

Mr. Arthur Potts: Correct.

Ms. Laurie Scott: All right. We're just going to have two days of public hearings in Toronto and everyone else across the province has to pipe in if they can't make it here and get fitted into only—yes.

The Acting Chair (Ms. Daiene Vernile): Mr. Potts?

Mr. Arthur Potts: Absolutely. That's exactly it. As we discussed in subcommittee—that I would take it back and see if there was an appetite to travel, and it just isn't there. We believe, with the technology available, that people will have a chance to be as if they were in person via teleconferences etc. We value the input from people across the province. We know we'll receive a number of submissions, so we're quite comfortable and think there's enough time in the days we propose to hear all we need to hear. Thank you.

The Acting Chair (Ms. Daiene Vernile): Any further discussion? Yes, Ms. Scott?

Ms. Laurie Scott: I'm just going to say, by the Liberals doing this, they've decreased the amount of public consultation in that it's only going to be 10 and a half hours on a 400-and-some-page bill that's a substantial reform on the Police Services Act across the province. I just want to put that on record. That's a very limited time for public consultation, and it denies northern Ontario and First Nations an opportunity to come forward face to face in a public consultation.

The Acting Chair (Ms. Daiene Vernile): Mr. Natyshak.

Mr. Taras Natyshak: I'd simply like to state that I think we're making a mistake here. I would argue that the committee process and public hearings is the most valuable process for us as legislators to hear the concerns of our communities in respect to any bill, but, in particular, this one which is massive in nature.

My thought is that we're going to be overloaded with deputies and the committee will have to extend, given the demand. So I think we're doing a disservice to our communities and a disservice to the process. I just want to put that on the record, and I'll be voting against that motion.

The Acting Chair (Ms. Daiene Vernile): Mr. Miller, did you have your hand up?

Mr. Norm Miller: Yes. I'm just very disappointed that the government once again doesn't seem to want to listen to northern Ontario. It is much better to have people face to face and make it easier for them to be able to voice their opinions. Certainly, I think the original subcommittee report of spending a day in Sudbury and a day in Thunder Bay was very reasonable.

Of course, I was disappointed that the amendment proposed to allow 10 minutes for a presenter was defeated by the government. It just seems to me that we're just going through the motions, that the government is not really interested in listening to people and trying to—all the police forces and communities will be affected, especially across northern Ontario, by the way they're amending this subcommittee report to so greatly limit the public's ability to be able to comment on this complex bill. I'm disappointed by that.

The Acting Chair (Ms. Daiene Vernile): Any further discussion? Shall we put this to a vote? Those who are in favour of Mr. Potts's motion—

Mr. Norm Miller: Recorded vote.

Ms. Laurie Scott: Recorded vote.

Ayes

Anderson, Des Rosiers, Fraser, Potts, Rinaldi.

Nays

Norm Miller, Natyshak, Scott.

The Acting Chair (Ms. Daiene Vernile): The motion passes.

Interjection.

The Acting Chair (Ms. Daiene Vernile): Ms. Scott, did you want to add a comment? No? Okay, sorry.

So, members, we are going to consider the motion now, as amended. Are we ready to vote? Those who are in favour?

Ms. Laurie Scott: Recorded vote.

Ayes

Anderson, Des Rosiers, Fraser, Potts, Rinaldi.

Nays

Norm Miller, Natyshak, Scott.

The Acting Chair (Ms. Daiene Vernile): The motion passes.

Members of the committee, seeing no further business, we stand adjourned. I hope you all have a very merry Christmas and a happy new year, and we will see you in 2018.

The committee adjourned at 0921.

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