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**Standing Committee on
Justice Policy**

Comprehensive Ontario Police
Services Act, 2019

1st Session
42nd Parliament

Tuesday 19 March 2019

**Comité permanent
de la justice**

Loi de 2019 sur la refonte
complète des services
de police de l'Ontario

1^{re} session
42^e législature

Mardi 19 mars 2019

Chair: Parm Gill
Clerk: Jocelyn McCauley

Président : Parm Gill
Greffière : Jocelyn McCauley

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

**COMITÉ PERMANENT
DE LA JUSTICE**

Tuesday 19 March 2019

Mardi 19 mars 2019

The committee met at 0900 in room 151.

**COMPREHENSIVE ONTARIO POLICE
SERVICES ACT, 2019**

**LOI DE 2019 SUR LA REFONTE COMPLÈTE
DES SERVICES DE POLICE DE L'ONTARIO**

Consideration of the following bill:

Bill 68, An Act with respect to community safety and policing / Projet de loi 68, Loi portant sur la sécurité communautaire et les services policiers.

The Chair (Mr. Parm Gill): Good morning, everyone. The Standing Committee on Justice Policy will come to order.

Pursuant to the order of the House dated March 5, 2019, we will now begin clause-by-clause consideration of Bill 68, An Act with respect to community safety and policing.

Eric Chamney from legislative counsel is here to assist us with our work. Copies of the numbered amendments received on Tuesday, March 12, 2019, are on your desks. The amendments have been numbered in the order in which they appear in the bill. You will also find additional written submissions, which have been distributed electronically to the members of the committee in advance of this meeting.

Are there any questions from the committee members before we begin? We're good?

As you have probably noticed, Bill 68 is comprised of three sections which enact seven schedules. In order to deal with the bill in an orderly fashion, I suggest we postpone the first three sections in order to dispose of the seven schedules first. Is there agreement for that? We're good? Perfect, and thank you very much.

We're now going to move to schedule 1, section 1. Is there any debate? Seeing none, are the members prepared to vote on that? Perfect. Shall schedule 1, section 1, carry? Carried.

We're now going to move to schedule 1, section 2. We have NDP motion 1, on subsection 2(1) of schedule 1 to the bill. Mr. Yarde.

Mr. Kevin Yarde: Thank you to everyone for being here today.

We move that the definition of "prescribed policing provider" in subsection 2(1) of schedule 1 to the bill be struck out and the following substituted—

The Chair (Mr. Parm Gill): MPP Yarde, can I request if you can please read the motion exactly as stated, for the record?

Mr. Kevin Yarde: All right.

I move that subsection 2(1) of schedule 1 to the bill be amended by adding the following definition to the Community Safety and Policing Act, 2019:

“for-profit entity” means a corporation incorporated under the Business Corporations Act or the Canada Business Corporations Act or any other entity that is prescribed; (‘entité a but lucrative’)

We need a recorded vote.

The Chair (Mr. Parm Gill): Is there any debate on that? Seeing none, are the members prepared to vote?

There has been a request for a recorded vote. We will now start.

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. We're now moving to NDP motion 2, on subsection 2(1) of schedule 1 to the bill. MPP Yarde.

Mr. Kevin Yarde: Since I started reading it last time, I'll read it again.

I move that the definition of “prescribed policing provider” in subsection 2(1) of schedule 1 to the bill be struck out and the following substituted:

“prescribed policing provider” means a public sector body that is not a for-profit entity and that is an institution within the meaning of the Freedom of Information and Protection of Privacy Act or the Municipal Freedom of Information and Protection of Privacy Act and that is prescribed to provide a policing function in an area in accordance with section 12; (‘prestataire de services policiers prescrit’)

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are the members prepared to vote?

Mr. Kevin Yarde: Recorded vote.

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost.

Shall schedule 1, section 2, carry? Carried.

Now we're moving to schedule 1, section 3. We're going to start with NDP motion 3 on that, subsection 3(1) of schedule 1 to the bill. MPP Yarde.

Mr. Kevin Yarde: I move that subsection 3(1) of schedule 1 to the bill be amended by adding the following clause:

“(g.1) within one year after this section comes into force, develop and implement a plan to terminate the practice of arbitrarily collecting identifying information on the basis of the perception that an individual is within a particular racialized group;”

The Chair (Mr. Parm Gill): Any debate on that motion? MPP Yarde.

Mr. Kevin Yarde: We do request that we have constructive debate on this issue here. Police oversight is tantamount in this amendment, and accountability is definitely important. This is something that we believe wholeheartedly in, that it should be amended in this clause.

The Chair (Mr. Parm Gill): Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: I will be supporting this amendment—because that's the second Tulloch report, which is asking to end the practice of carding. I think that's appropriate, that we institute it and commit to having the minister follow up on what Tulloch has recommended within a year.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: If I can just add to the conversation—I appreciate the support. I think that this is a very important amendment. We've heard time and time again, from the community but also through Justice Tulloch's report, about the importance of putting forward tangible measures to ban carding in this province. I think that this is a reasonable amendment with a timeline in place that would allow the minister to put a plan together and allow this province to understand how we're going to move towards banning this practice.

The Chair (Mr. Parm Gill): We'll move to MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I just wanted to state for the record that Premier Ford has been very clear: Police stops based on race have no place in Ontario or anywhere else. We continue to review Justice Tulloch's excellent recommendations, most of which can be implemented through regulation or policy. Strengthening the relationship between the police and the communities they serve is our goal. This is too important to rush. We will take the time to properly review Justice Tulloch's recommendation. An arbitrary deadline serves no one.

The Chair (Mr. Parm Gill): We're going to go to MPP Lindo.

Ms. Laura Mae Lindo: I also wanted to add my voice to this debate. I don't believe that we're rushing a ban on carding. I think that the only way for us to actually ban carding is to put in writing, in legislation, that carding will be banned. I believe that we have more than enough evidence in various reports, including Justice Tulloch's, that explain that we need to put a ban in place. I don't think we need to have more time to debate it. I think if the

Premier and the government are in support of banning carding, then this is the moment to tell the public that you are in support of banning carding. I look forward to them voting alongside us.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: If I can just add—with all due respect, I think we understand that the Premier may be in support of this; however, having this written into the legislation is an important commitment. It also does outline a time frame for a plan to be developed, so there is no rushing through this and just putting something in place that isn't going to be beneficial for communities. We have set out a time frame in which this plan can be developed. Again, we would urge you to consider supporting this amendment in this piece of legislation.

The Chair (Mr. Parm Gill): We're going to go to MPP Romano first and then MPP Sarkaria.

Mr. Ross Romano: I think having an arbitrary deadline really doesn't serve anybody's purposes. Ultimately, the regulations already cover this under the Police Services Act. The amendment that's being proposed at this time is really unnecessary. Through the regulation-making powers—those very easily could be utilized with the process of the new legislation. I don't think there's any need to rush anything at this point in time, given that the existing regulations do cover it.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I would just like to echo my colleague's remarks there. The existing regulation under the Police Services Act prohibits the practice described in the amendment.

0910

The Chair (Mr. Parm Gill): Thank you. We'll go to MPP Yarde again and then MPP Singh.

Mr. Kevin Yarde: Thank you, Chair. One year, I don't think, is rushing this amendment. We've been talking about it forever, it seems. We need it in writing. We need it in legislation, with this amendment. If we here in the committee—the Conservatives, the Liberals, the NDP—all vote to ban carding, I think the people of Ontario will appreciate that.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: It's summarized already, I want to say.

The Chair (Mr. Parm Gill): Thank you. Any further debate on this motion?

Mr. Kevin Yarde: Recorded vote.

The Chair (Mr. Parm Gill): Perfect. So, we're going to move to the voting on this.

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

We're now moving to NDP motion 4, section 3 of schedule 1 to the bill. MPP Lindo?

Ms. Laura Mae Lindo: I move that section 3 of schedule 1 to the bill be amended by adding the following subsection:

“Training

“(4) With respect to the training referred to in paragraph 3 of subsection 35(2), clause 72(7)(b), subclauses 83(1)(e)(iii) and 92(1)(f)(iii) and clauses 102(4)(b), 111(3)(b), 132(2)(b) and 136(5)(b), the minister shall,

“(a) ensure that the training is developed in consultation with the communities to which the training relates and the Anti-Racism Directorate;

“(b) ensure that the training is implemented jointly by the ministry and the Anti-Racism Directorate;

“(c) ensure that the training includes outcome measurements; and

“(d) publish an annual report on the Internet on the steps taken to ensure that the training is developed and implemented in accordance with the act.”

The Chair (Mr. Parm Gill): Any debate? MPP Lindo first.

Ms. Laura Mae Lindo: I do think that it's really important for us to put in writing how the training is developed, especially because we've all heard that, both on the government side and on the opposition side, we are all interested in implementing Justice Tulloch's recommendation so that we get this right.

Given the fact that this bill has actually been rushed, I think it's important for us to do what we can to make sure that the training piece is particularly sound.

The Chair (Mr. Parm Gill): MPP Sarkaria?

Mr. Prabmeet Singh Sarkaria: Just in regard to the Anti-Racism Directorate portion of that, the Anti-Racism Directorate is part of the ministry. The ministry will work with all appropriate divisions within it to develop the required training. Along with that, we are going to be consulting with the communities and the general public on the development of the training, so we don't deem it necessary to put the requirement in statute.

The Chair (Mr. Parm Gill): We'll go to MPP Lindo.

Ms. Laura Mae Lindo: To my knowledge, it isn't actually written into the legislation that the Anti-Racism Directorate, nor communities that are most impacted by delivering really good training for our police services, will be consulted.

I do think, again, we're in a situation where in order to build trust between the police and marginalized communities, we have to make sure that we put in writing the steps that we're going to take to rebuild that trust. Training is one of those big pieces. Justice Tulloch has recommended it, the communities require it, and the police services have also recommended that adequate training be done.

The Anti-Racism Directorate is the perfect opportunity to emphasize that this government is doing the work to address racism in police services—and working alongside marginalized communities who know what these experiences are and the impact of those experiences is yet another way of rebuilding that trust, which is what I believe we're all here to do.

The Chair (Mr. Parm Gill): MPP Yarde.

Mr. Kevin Yarde: Just to add to that, Mr. Chair, the government has said that they are completely in agreement with the Tulloch recommendations. This is part of the Tulloch recommendations, so it's common sense that they would agree to this amendment.

The Chair (Mr. Parm Gill): Any further debate on the motion? Seeing none, are the members prepared to vote?

Ms. Laura Mae Lindo: Yes. I said recorded vote.

The Chair (Mr. Parm Gill): Absolutely.

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Shall schedule 1, section 3, carry? Carried.

There are no amendments to sections 4 to 10 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement to bundle these sections together?

Mr. Prabmeet Singh Sarkaria: Sorry, Mr. Chair. I know that after we read out the motion to amend schedule 1, section 3, it wasn't declared lost. I'm not sure if that's procedurally necessary. I didn't hear that, at least. My apologies.

The Chair (Mr. Parm Gill): To repeat: NDP motion 4, I believe it was, that was lost.

Mr. Prabmeet Singh Sarkaria: That was lost. Okay, perfect. Thank you. Just for the record—

The Chair (Mr. Parm Gill): And then we carried schedule 1, section 3.

Mr. Prabmeet Singh Sarkaria: Perfect. Sorry.

The Chair (Mr. Parm Gill): So, just to go back to my previous comments to bundle sections 4 to 10 of schedule 1, is there an agreement to do that?

Mr. Prabmeet Singh Sarkaria: Agreement.

The Chair (Mr. Parm Gill): Perfect. Are the members prepared to vote on that?

Mr. Prabmeet Singh Sarkaria: Agreed.

The Chair (Mr. Parm Gill): Perfect. Shall schedule 1, sections 4 to 10, inclusive, carry? Thank you. Carried.

We're now moving to schedule 1, section 11. We're going to first deal with government motion 5, subsection 11(4) of schedule 1 to the bill.

MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 11(4) of schedule 1 to the bill be struck out and the following substituted:

“Provision by First Nation officers

“(4) If First Nation officers provide a policing function under an agreement between the minister and a First Nation in an area for which a police service board or the commissioner has policing responsibility, the police service board or the commissioner is not responsible for

providing that function to the extent that it is being provided, in accordance with the standards for adequate and effective policing, by the First Nation officers.”

The Chair (Mr. Parm Gill): Thank you very much. Any debate on the motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): All those in favour of government motion 5, please raise your hand. Perfect. Carried.

Shall schedule 1, section 11, as amended, carry?

Mr. Prabmeet Singh Sarkaria: Carry as amended.

The Chair (Mr. Parm Gill): Perfect.

Moving to schedule 1, section 12. The official opposition has filed a notice with respect to section 12 of schedule 1. Is there any debate on this? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Shall schedule 1, section 12, carry? Carried. Thank you.

Moving to schedule 1, section 13, is there any debate on that? Are members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Shall schedule 1, section 13, carry? Carried.

Moving to schedule 1, section 14, we’re going to government motion 6, clause 14(3)(a) of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that clause 14(3)(a) of schedule 1 to the bill be amended by striking out “law enforcement” and substituting “crime prevention, law enforcement”.

0920

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Thank you. All those in favour of government motion 6, please raise your hands. All those opposed, please raise your hands. Carried.

Moving to government motion 7, subsection 14(4) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 14(4) of schedule 1 to the bill be struck out.

The Chair (Mr. Parm Gill): Any debate? Seeing none—oh, MPP Yarde.

Mr. Kevin Yarde: Thank you, Mr. Chair. Sorry for the delay there. I’m just looking at the amendment here. We’re interested in hearing a little bit further from the government their rationale for why this change is being proposed.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I’d be happy to clarify. It would ensure that the police service boards use their own police services to deliver a police function unless the regulations specifically allow them to outsource the particular function.

The Chair (Mr. Parm Gill): Thank you, MPP Sarkaria. Madame Des Rosiers?

M^{me} Nathalie Des Rosiers: Actually, subsection 4 talks about First Nations officers, so I don’t know whether

you—in the bill, it talks about an agreement under subsection 2 to have First Nations officers provide the police functions in any area, maybe even if the regulations do not specifically permit it. Could you just clarify exactly—

Mr. Prabmeet Singh Sarkaria: I think I did clarify that, in respect to the police boards, it would ensure that police service boards use their own police services to deliver police functions, which is in relation to that part of the—

M^{me} Nathalie Des Rosiers: In relation to First Nations?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Any further debate on this motion? Are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Perfect. All those in favour of government motion 7, please raise your hands. All those opposed to government motion 7, please raise your hands. Carried.

We’re now moving to NDP motion 8, section 14 of schedule 1 to the bill. MPP Yarde?

Mr. Kevin Yarde: I move that section 14 of schedule 1 to the bill be amended by adding the following subsection:

“Prescribed entity not for a profit entity

“(14) For the purposes of this section, a prescribed entity must not be a for-profit entity.”

The Chair (Mr. Parm Gill): MPP Yarde, can you please reread the part where it says “prescribed entity not a for-profit”?

Mr. Kevin Yarde: “Prescribed entity not a for profit entity

“(14) For the purposes of this section, a prescribed entity must not be a for-profit entity.”

The Chair (Mr. Parm Gill): Thank you. Any debate on the motion? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: The government will develop regulations to stipulate which organizations may be prescribed entities and which functions they may deliver outside of the core policing functions that the act states cannot be delivered by anyone other than a member of a police service or someone assisting them under their direction. This would support cost-effective delivery of policing functions.

The Chair (Mr. Parm Gill): Any further debate? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Perfect. All those in favour of NDP motion 8, please raise your hands.

Mr. Kevin Yarde: Sorry. I didn’t hear you.

The Chair (Mr. Parm Gill): All those in favour of NDP motion 8, please raise your hands. All those opposed to NDP motion 8, please raise your hands. The motion is lost.

The official opposition have filed a notice with respect to section 14 of schedule 1. Is there any debate? Seeing none, are the members prepared to vote? Shall schedule 1, section 14, as amended, carry? Carried.

There are no amendments to sections 15 to 32 of schedule 1. I therefore propose that we bundle these sections together. Is there agreement to do that?

Mr. Prabmeet Singh Sarkaria: Agreement.

The Chair (Mr. Parm Gill): Thank you very much. Are members prepared to vote? Shall schedule 1, sections 15 to 32, inclusive, carry? Carried.

Moving to schedule 1, section 33, we're first going to deal with government motion number 9, on clause 33(1)(b) of schedule 1 to the bill.

MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that clause 33(1)(b) of schedule 1 to the bill be amended by striking out "competencies prescribed by the minister" and substituting "prescribed competencies".

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): All those in favour of government motion 9, please raise your hands.

Mr. Prabmeet Singh Sarkaria: Recorded vote.

The Chair (Mr. Parm Gill): You have to ask for a recorded vote before the vote actually starts.

All those opposed to the motion, please raise your hands. Seeing none, carried.

We're now going to move to government motion 10, on subsection 33(4) of schedule 1 to the bill.

MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 33(4) of schedule 1 to the bill be amended by adding the following paragraph:

"5. Any other prescribed persons."

The Chair (Mr. Parm Gill): Is there any debate? Madame Des Rosiers?

M^{me} Nathalie Des Rosiers: Yes. I'd like to have some clarification as to what other people you would not want to have sitting on a police services board.

Mr. Prabmeet Singh Sarkaria: Sorry, I couldn't hear you. My apologies.

M^{me} Nathalie Des Rosiers: I'm asking for clarification. I'd like to know which other type of person you would not want to have sitting on a police services board. It's a clarification question.

Mr. Prabmeet Singh Sarkaria: I'll go into that. Basically, this will allow flexibility to prescribe additional persons who are not eligible to sit on a police services board due to potential conflict of interest.

M^{me} Nathalie Des Rosiers: Can you give us examples?

Mr. Prabmeet Singh Sarkaria: I'll leave it to anyone—it will allow flexibility to prescribe additional persons who are not eligible to sit on a police board due to potential conflicts of interest.

The Chair (Mr. Parm Gill): I just want to remind the members that if you are going to speak, if you could just raise your hand to be recognized for the record. This way, we can make sure that everything gets recorded on Hansard.

Any further debate on the motion? MPP Yarde.

Mr. Kevin Yarde: There's still some ambiguity over his answer, to be quite honest with you. We need to know what other prescribed persons he's talking about in this amendment.

The Chair (Mr. Parm Gill): MPP Park.

Ms. Lindsey Park: I think it was very clear. I think we're ready to vote.

The Chair (Mr. Parm Gill): Any further debate? MPP Lindo.

Ms. Laura Mae Lindo: I would argue that it's not very clear because you've had three different members ask for clarification. I'm just wondering if we could find out—

Ms. Lindsey Park: I'm happy to read it again, if you'd like it.

Ms. Laura Mae Lindo: Yes. I know you would read it verbatim, and that's wonderful. I'm just asking if—

Ms. Lindsey Park: Well, it's very clear.

The Chair (Mr. Parm Gill): Sorry to cut you off, MPP Lindo. I just want to remind members: Please just raise your hand and wait to be recognized before you start speaking.

Sorry about that. Please go ahead.

0930

Ms. Laura Mae Lindo: No worries. Thank you, Chair. I'm just wanting to find out who it is that we're worried might serve on the police services board. We're just asking for clarification, and I do think it's important for us to be respectful around this table so that we can do the job that's ahead of us. So could you please provide us with an example of who it is that you're referring to when you're making this amendment?

The Chair (Mr. Parm Gill): Any further debate? Are the members prepared to vote?

Ms. Lindsey Park: We'd like a recorded vote, Chair.

Ayes

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

Nays

Des Rosiers, Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): Carried.

Moving to government motion number 11, on clause 33(5)(b) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that clause 33(5)(b) of schedule 1 to the bill be amended by striking out "at least two years have passed" at the beginning and substituting "at least one year has passed".

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are the members prepared to vote?

All those in favour of government motion number 11, please raise your hands.

Interjections.

The Chair (Mr. Parm Gill): I'm just going to ask MPP Singh to repeat that for the record.

Ms. Sara Singh: Great. I'd like to seek unanimous consent from the committee to have recorded votes on all votes that will be done today.

The Chair (Mr. Parm Gill): Is there agreement to that? Awesome. Perfect.

Ayes

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

Nays

Des Rosiers, Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): Carried.

Shall schedule 1, section 33, as amended, carry? We've got to do a recorded vote on all of these now, since there's an agreement to that.

Ayes

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): Carried.

We're now headed to schedule 1, section 34. Shall schedule 1, section 34, carry?

Ayes

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Schedule 1, section 35: We're moving to NDP motion number 12, on paragraph 3 of subsection 35(2) of schedule 1 to the bill. MPP Singh.

Ms. Sara Singh: I move that paragraph 3 of subsection 35(2) of schedule 1 to the bill be amended by striking out "and" at the end of subparagraph 3 i and by adding the following subparagraphs:

"iii. lesbian, gay, bisexual, trans, queer, questioning and two-spirit people, and

"iv. people with mental health issues and developmental or other disabilities."

The Chair (Mr. Parm Gill): Any debate? MPP Singh.

Ms. Sara Singh: We feel that these are important amendments to ensure that we are reflecting the diversity of our province, but to ensure, again, that police are receiving the adequate training they need in dealing with all vulnerable populations and across different intersections of people's identities. We hope that you will support this reasonable amendment.

The Chair (Mr. Parm Gill): Further debate? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I just want to thank the members for bringing this forward. We support this in

principle. However, the training regarding respect for the groups specified in the proposed amendment would already be included in the requirements for training with respect to human rights, and training that promotes recognition and respect for the diverse, multiracial and multicultural character of Ontario's society.

Bill 68 requires training regarding concepts—the nature of Ontario's society, human rights and systemic racism—rather than training regarding particular people, which is inconsistent with the framework of the act. In regulation, we can ensure that specific communities and groups are identified and that their specific concerns are addressed.

The training that is already required by the act directly aligns with a principle found in the declaration of principles in section 1 of the act; namely, the need to be sensitive to the pluralistic, multiracial character of Ontario's society.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: I appreciate that response. I can appreciate that most of these are codified within our Human Rights Code. However, the further clarification in this legislation is for particular subsets of groups. We're not actually talking about racialized groups in particular here. These are folks who are often discriminated against, based on their sexuality or their abilities. We believe that codifying them into this piece of legislation ensures that their rights are being protected, and that the police forces and services are receiving adequate training in addition to the ones that they are already receiving.

The Chair (Mr. Parm Gill): Further debate? MPP Yarde.

Mr. Kevin Yarde: I just wanted to add to that, Mr. Chair, that the intent is far less important than the language in the bill. We need that in the bill.

The Chair (Mr. Parm Gill): MPP Park.

Ms. Lindsey Park: I think it might be helpful just to read what the act, as proposed, already includes. It says:

"(2) A member of a police service board"—and I'm looking at subsection (2), if you guys want to follow along—"or of a committee of the board shall successfully complete the following training:...

"2. The training approved by the minister with respect to human rights...."

"Human rights" already includes all these groups, unless anyone here is trying to say that human rights doesn't include these groups.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: I just wanted to thank MPP Park for reading that into the record. It really is important. I don't think anybody would be arguing that these groups aren't included in that, but what we are arguing for is that the language of the government, when it comes to legislation, is explicit, because that's the way we ensure that we gain trust between these marginalized groups, who have had difficult experiences with the police force, as well as with the officers. Many, many officers who also identify as part of these groups want to see themselves

reflected in the legislation, and we do that by being explicit.

I think that this is, again, an opportunity for us to all join together and work together collectively, to ensure that we are clear and transparent about what it is we're trying to do with the legislation, and supportive of the communities that we want to serve.

The Chair (Mr. Parm Gill): MPP Park.

Ms. Lindsey Park: I really appreciate the members opposite's concern about upholding human rights laws. We share that concern. There are also many other identifiable groups that are not included in the proposed amendment. I think that if you went ahead and started identifying groups, then you'd have to make sure you listed them all. That's why I think the broader language of saying "human rights" in general as described—we have a Human Rights Code and we have a Charter of Rights and Freedoms that set out what those groups include. I think it's very clear what the intent of this section is.

The Chair (Mr. Parm Gill): Thank you. MPP Lindo.

Ms. Laura Mae Lindo: I would also, then, just like to clarify that not every single group has had the kinds of experiences with police as the groups that are being mentioned.

Again, my understanding is that what we're doing is trying to create legislation that rebuilds the trust between these groups. It's something that police officers have asked for. It's something that the marginalized communities who have been overrepresented when it comes to negative interactions with police forces have also asked for.

So, this becomes an opportunity, not for us to say we need generic human rights training, but we need specific training about the relationships that have been broken and that need to be rebuilt. That's something that would help both the marginalized communities as well as officers who are there to serve and are doing an amazing job at that.

The Chair (Mr. Parm Gill): MPP Singh.

0940

Ms. Sara Singh: If I could just add that I can understand MPP Park's comments about having to include all groups. I think the groups that we've included are specific because they require specific training in terms of how we're going to interact with them. Ensuring that those police service boards and, again, front-line officers have that additional training, especially when dealing with someone with an intellectual disability, for example, or in terms of dealing with someone who is questioning their sexuality and what that's going to look like—that's why we've outlined these specific groups. We understand that there are human rights laws that do protect the broader population. These are specific groups that need those additional protections and for whom police officers would require additional training, in addition to that basic human rights training that they would receive.

The Chair (Mr. Parm Gill): MPP Park?

Ms. Lindsey Park: I'll just make one last comment and then I think we can put it to a vote. I think it's important that we have this fulsome debate, because I notice there

are lots of amendments put forward of this nature, so I think it's helpful to have this debate now so that we don't have to have it on every single section. I would just say, to be clear, the sections in the legislation don't propose to prescribe all the details of the training, nor should a statute prescribe all those details. Those are to be set later by regulation or, in the case of this section, it's training approved by the minister himself.

The Chair (Mr. Parm Gill): Thank you very much. Any further discussion on this motion? Are the members prepared to vote? MPP Singh?

Ms. Sara Singh: I just wanted to respond to MPP Park's comments. I think that, yes, this will be dealt with in regulation, but there are specific elements of training that are outlined in this piece of legislation. That's why we have proposed these amendments here. We will look forward to what those regulations around training will look like but, again, we've asked for the clarity in this piece of legislation because there are provisions for training set out in the legislation currently.

The Chair (Mr. Parm Gill): Any further debate? Are the members prepared to vote on the motion?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Lindo, Sara Singh, Yarde.

Nays

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Lost.

All those in favour of schedule 1, section 35, please raise your hands.

Ayes

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): Carried.

There are no amendments to sections 36 to 39 of schedule 1. I therefore propose that we bundle these sections. Is there agreement to do that?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Moving to schedule 1, section 40, we're first going to deal with government motion 13, subsection 40(4) of schedule 1 to the bill. MPP Park?

Ms. Lindsey Park: I move that subsection 40(4) of schedule 1 to the bill be amended by striking out “routine administration” and substituting “day-to-day administration”.

The Chair (Mr. Parm Gill): Thank you. Any debate? Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: Do I understand that this is just for language? You prefer “day-to-day” to “routine”? There’s no other purpose to this amendment?

The Chair (Mr. Parm Gill): Yes, MPP Park?

Ms. Lindsey Park: Perhaps I’ll just elaborate on the intention of this amendment. The amendment would replace “routine administration” with “day-to-day administration” to describe matters that a police service board is not able to direct the chief of police on. “Day-to-day administration” is more similar to the language in the current Police Services Act, and this term can be defined or clarified in regulations, if need be.

The Chair (Mr. Parm Gill): Thank you, MPP Park. Any further discussion on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Thank you.

Ayes

Babikian, Des Rosiers, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

All those in favour of schedule 1, section 40, as amended, please raise your hands.

Ayes

Babikian, Des Rosiers, Dunlop, Rasheed, Romano, Park, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

There are no amendments to sections 41 to 49 of schedule 1. I therefore propose that we bundle these sections. Is there agreement to do that?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Perfect. Thank you.

All those in favour of schedule 1, sections 41 to 49, inclusive, please raise your hands.

Ayes

Babikian, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

We’re moving to schedule 1, section 50. We’re going to first deal with government motion number 14, subsection 50(6) of schedule 1 to the bill. Mr. Romano.

Mr. Ross Romano: I move that subsection 50(6) of schedule 1 to the bill be struck out and the following substituted:

“Dispute

“(6) If the municipal board is not satisfied that the budget established for it by the municipality is sufficient for the purposes described in clauses (1)(a) and (b),

“(a) the municipal board and the municipality may jointly apply to the commission chair to appoint a conciliation officer to attempt to resolve the matter; or

“(b) the municipal board may give the municipality written notice referring the matter to arbitration.

“Conciliation procedure

“(6.1) If the parties jointly apply to appoint a conciliation officer, subsections 226(2), (3), (4) and (6) apply to the conciliation, with necessary modifications.

“No arbitration while conciliation underway

“(6.2) After making a joint application under clause (6)(a), the municipal board shall not give the municipality written notice referring the matter to arbitration until a conciliation officer has been appointed, endeavoured to effect an agreement and reported to the commission chair and the commission chair has informed the parties of the conciliation officer’s report.”

The Chair (Mr. Parm Gill): Thank you, MPP Romano. Any debate on the motion? Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: I understand that this amendment seeks to make it mandatory to have a conciliation procedure prior to arbitration. My question is, is it appropriate to insist that it be mandatory as opposed to optional? That is, I understand why conciliation may be appropriate sometimes, but at times it may not be appropriate. My question is, have you considered that this may actually bring, I would say, delay to the arbitration process? Because you would insist on having a conciliation first and if the conciliation doesn’t work, then you’ll end up in arbitration in any event.

The Chair (Mr. Parm Gill): Further discussion? MPP Romano.

Mr. Ross Romano: Firstly, this enables the parties to request the appointment of a conciliator, should they agree to do so, or an arbitrator, for municipal police budget disputes. But the amendment also provides for a conciliation procedure, and it does not allow for arbitration while conciliation is under way.

The Chair (Mr. Parm Gill): Any further discussion? Are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Perfect.

0950

Ayes

Babikian, Des Rosiers, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Moving to government motion number 15, subsection 50(7) of schedule 1 to the bill: Ms. Dunlop.

Ms. Jill Dunlop: I move that subsection 50(7) of schedule 1 to the bill be amended by striking out “the notice” and substituting “the notice described in clause (6)(b)”.

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Babikian, Des Rosiers, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

We're moving to government motion number 16, subsection 50(8) of schedule 1 to the bill. MPP Babikian.

Mr. Aris Babikian: I move that subsection 50(8) of schedule 1 to the bill be struck out and the following substituted:

"Appointment by commission chair

"(8) The commission chair shall appoint an arbitrator if,

"(a) the municipal board and the municipality do not jointly appoint an arbitrator within the time period set out in subsection (7); or

"(b) the municipal board and the municipality jointly apply to the commission chair requesting the appointment of an arbitrator."

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are members prepared to vote? Perfect.

Ayes

Babikian, Des Rosiers, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Moving to government motion number 17, section 50 of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that section 50 of schedule 1 to the bill be amended by adding the following subsection:

"Fees and expenses

"(11) The Arbitration and Adjudication Commission shall pay the fees and any prescribed types of expenses of the arbitrator."

The Chair (Mr. Parm Gill): Any debate?

Mr. Kevin Yarde: With this amendment, it's not really clear to us where or how these arbitration and adjudication boards will pay for the fees relating to arbitration. If we could get some clarity on that?

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: This amendment will clarify who pays for fees and expenses of the arbitrator; namely, the Arbitration and Adjudication Commission. It will actually help ensure that competent and qualified individuals can be attracted and retained for the roster or register of arbitrators and adjudicators, and will clarify who will pay for them.

The Chair (Mr. Parm Gill): Thank you. Any further discussion on the motion? Seeing none, are members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Babikian, Des Rosiers, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

All those in favour of schedule 1, section 50, as amended, please raise your hands.

Ayes

Babikian, Des Rosiers, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Now we're moving to schedule 1, section 51, and we're going to deal with government motion number 18 first: subsection 51(2) of schedule 1 to the bill.

Ms. Lindsey Park: I move that subsection 51(2) of schedule 1 to the bill be struck out and the following substituted:

"Dispute

"(2) If a First Nation board is not satisfied that the funding is sufficient for the purposes described in clauses (1)(a) and (b),

"(a) the First Nation board and the minister may jointly apply to the commission chair to appoint a conciliation officer to attempt to resolve the matter; or

"(b) the First Nation board may give the minister written notice referring the matter to arbitration.

"Conciliation procedure

"(2.1) If the parties jointly apply to appoint a conciliation officer, subsections 226(2), (3), (4) and (6) apply to the conciliation, with necessary modifications.

"No arbitration while conciliation underway

"(2.2) After making a joint application under clause (2)(a), the First Nation board shall not give the minister written notice referring the matter to arbitration until a conciliation officer has been appointed, endeavoured to effect an agreement and reported to the commission chair and the commission chair has informed the parties of the conciliation officer's report."

The Chair (Mr. Parm Gill): Thank you, MPP Park. Any debate on the motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Babikian, Des Rosiers, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Moving to government motion number 19, subsection 51(3) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 51(3) of schedule 1 to the bill be amended by striking out

“the notice” and substituting “the notice described in clause (2)(b)”.

The Chair (Mr. Parm Gill): Any debate? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Babikian, Des Rosiers, Dunlop, Park, Rasheed, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Moving to—

Mr. Prabmeet Singh Sarkaria: Chair, can I move a motion for recess until 2 p.m., please?

The Chair (Mr. Parm Gill): Is there an agreement? We could have gone until 10:15, I think.

Mr. Prabmeet Singh Sarkaria: I think we’d like to move a motion until 2 p.m. My apologies, Chair.

Interjections.

The Chair (Mr. Parm Gill): Okay. Is there unanimous consent?

Mr. Prabmeet Singh Sarkaria: Yes, there is on this side.

The Chair (Mr. Parm Gill): Awesome. Thank you. We will adjourn until 2 p.m. in this room. Thank you.

The committee recessed from 0958 to 1400.

The Chair (Mr. Parm Gill): Good afternoon, everyone. The justice policy committee will now reconvene.

We’re going to start where we left off. We’ll start with government motion number 20, subsection 51(4) of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 51(4) of schedule 1 to the bill be struck out and the following substituted:

“Appointment by commission chair

“(4) The commission chair shall appoint an arbitrator if,

“(a) the First Nation board and the minister do not jointly appoint an arbitrator within the time period set out in subsection (3); or

“(b) the First Nation board and the minister jointly apply to the commission chair requesting the appointment of an arbitrator.”

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are we ready to vote?

Mr. Prabmeet Singh Sarkaria: Yes, sir.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Moving to motion number 21 from the government, section 51 of schedule 1 to the bill: MPP Dunlop.

Ms. Jill Dunlop: I move that section 51 of schedule 1 to the bill be amended by adding the following subsection:

“Fees and expenses

“(8) The Arbitration and Adjudication Commission shall pay the fees and any prescribed types of expenses of the arbitrator.”

The Chair (Mr. Parm Gill): Any debate? Any discussion on this motion? Seeing none, are members ready to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Perfect.

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

We’re now moving to schedule 1, section 51, as amended. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I know that at the beginning, we did a UC on everything being a recorded vote. But I was just wondering, for speeding up the process on the schedules where we have no amendments, if we can just go with “carried” rather than UC votes. For everything that has an amendment, we’ll go with a recorded vote.

Ms. Sara Singh: Can we just chat for one second and then just come back?

The Chair (Mr. Parm Gill): Yes, absolutely.

Ms. Sara Singh: Thank you.

Interjections.

Ms. Sara Singh: Okay. We’re in agreement.

Mr. Prabmeet Singh Sarkaria: Perfect. Thank you.

Interjections.

The Chair (Mr. Parm Gill): Just to clarify, MPP Sarkaria: Just the amendments that we’ll be voting on—a recorded vote?

Mr. Prabmeet Singh Sarkaria: Yes. When we do the sections where it’s like 52 to 61 plus, for all those we can just say “carried” rather than do the recorded vote for every single—but on the motions, we’ll have a recorded vote.

The Chair (Mr. Parm Gill): Is there unanimous agreement amongst the committee members? MPP Singh.

Ms. Sara Singh: If we could just maybe get some clarification: Where there are large sections of the legislation that you’d like us to put forward motions, and we agree on those, that’s fine, but where we will be presenting specific amendments, we can still vote on those. Is that correct?

Mr. Prabmeet Singh Sarkaria: On the record, yes.

Ms. Sara Singh: On the record.

Interjections.

Ms. Sara Singh: This morning, we had UC for recorded votes on everything, so that’s why.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: Yes. I believe, Madam Clerk, we had a discussion around that. Maybe you can explain it in more detail—I don’t know if that’s possible—to clarify it.

The Clerk of the Committee (Ms. Jocelyn McCauley): With this request, the recorded votes will only be on the amendments, not on the schedules and the

specific sections, and not when we choose to bundle those specific sections.

Ms. Sara Singh: That is fine with us, as long as that is the way that we are proceeding. We just want to make sure we're all on the same page here. I know we had the UC for the recorded votes this morning, just to make things simpler, but as long as we're on the same page as to how we're proceeding, that's fine with us. Thank you.

The Chair (Mr. Parm Gill): So do we have the unanimous consent of the committee?

Interjections: Yes.

The Chair (Mr. Parm Gill): Perfect. Thank you. So are the members prepared to vote on schedule 1, section 51?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Shall schedule 1, section 51, as amended, carry?

Mr. Prabmeet Singh Sarkaria: Carried.

The Chair (Mr. Parm Gill): Okay. There are no amendments to sections 52 to 61 of schedule 1. I therefore propose that we bundle these sections. Is there agreement? Thank you. Are we ready to vote on this?

Shall schedule 1, sections 52 to 61, inclusive, carry?

Mr. Prabmeet Singh Sarkaria: Carried.

The Chair (Mr. Parm Gill): Carried.

Moving to schedule 1, section 62: We're going to start with government motion 22, subsection 62(3) of schedule 1 to the bill.

Mr. Prabmeet Singh Sarkaria: I move that subsection 62(3) of schedule 1 to the bill be amended by striking out "routine administration" and substituting "day-to-day administration".

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, is everyone ready to vote on this?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Shall schedule 1, section 62, as amended, carry? Carried.

There are no amendments to sections 63 to 71 of schedule 1. I therefore propose that we bundle these sections. Is there agreement to do that?

Mr. Prabmeet Singh Sarkaria: Agreed.

The Chair (Mr. Parm Gill): Thank you very much. Shall schedule 1, sections 63 to 71, inclusive, carry? Carried.

Moving to schedule 1, section 72, NDP motion number 23, clause 72(7)(b) of schedule 1 to the bill: MPP Lindo.

Ms. Laura Mae Lindo: I move that clause 72(7)(b) of schedule 1 to the bill be amended by striking out "and" at the end of subclause (i) and by adding the following subclauses:

"(iii) lesbian, gay, bisexual, trans, queer, questioning and two-spirit people, and

"(iv) people with mental health issues and developmental or other disabilities; and"

The Chair (Mr. Parm Gill): Any debate on the motion? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: Once again, I appreciate the members bringing this forward. We support this in principle, but as discussed previously, training regarding respect for the groups specified in the proposed amendment would already be included in the requirements for training with respect to human rights and training that promotes recognition and respect for Ontario's diverse, multiracial and multicultural character.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: Again, in this particular amendment, we're looking at the OPP advisory council, and it's really important for us to make sure that we specify the training that's required within the human rights umbrella, because there are differences in the relationships between lesbian, gay, bisexual, trans, queer, questioning and two-spirit people and police services—as well as people with mental health issues and developmental or other disabilities as such. Those communities have asked explicitly to have explicit mention of training so that the needs they have and the security that they also deserve to feel is recognized in legislation that's as important as this.

The Chair (Mr. Parm Gill): MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: I will be supporting this amendment because First Nation, Inuit and Métis peoples are specifically identified in 72(7)(b)(ii), so there's no problem with listing additional ones; otherwise, everything would be in human rights. In particular, it's very important that mental health issues and developmental or other disabilities have been raised multiple times—about an issue in oversight and necessity of training. So, because we've already made an exception by listing one group, it might be appropriate to list the others.

The Chair (Mr. Parm Gill): Thank you. MPP Singh?

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Ms. Sara Singh: As we discussed earlier, again, being a little bit more specific with the language in the legislation ensures that those groups are receiving the additional oversight and protection that they deserve and that they have asked for numerous times. These are very specific subsets of the populations that have interactions with the police, which they require additional training for in interacting with those communities. That is why we've asked that this amendment be included for those groups—again, to ensure that they are completely protected in their interactions with all police officers.

The Chair (Mr. Parm Gill): MPP Yarde?

Mr. Kevin Yarde: I just want to add to that. Our language is consistent with the recommendations of the Justice Tulloch report. Some of those groups—I don't mind naming them—have either a crisis of confidence in the police, such as Pride with the Village serial killings, and institutions of the police who are frequently or unfortunately at the heart of incidents with the police that result in SIU investigations.

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost. Shall schedule 1, section 72, carry? Carried.

There are no proposed amendments to sections 73 to 78 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement to do that? Perfect.

Shall schedule 1, sections 73 to 78, inclusive, carry? Carried.

Moving to schedule 1, section 79, government motion number 24, clause 79(2)(b) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that clause 79(2)(b) of schedule 1 to the bill be struck out and the following substituted:

“(b) comply with any investigations conducted by the complaints director or the SIU director and any inspections conducted by the inspector general; and”

The Chair (Mr. Parm Gill): Any discussion on this motion? Are members prepared to vote on this?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Perfect.

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Moving to government motion number 25, clause 79(3)(b) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that clause 79(3)(b) of schedule 1 to the bill be struck out and the following substituted:

“(b) comply with any investigations conducted by the complaints director or the SIU director and any inspections conducted by the inspector general; and”

The Chair (Mr. Parm Gill): Any debate on the motion? MPP Yarde.

Mr. Kevin Yarde: We’d like to seek clarification from the government side in terms of what they’re putting forth here.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: Sure. Thank you very much, Mr. Chair. The amendment would clarify the use of the terms “inspection” and “investigation” as appropriate, requiring the chief of police to comply with any investigations conducted by the complaints director or the SIU director, and any inspections conducted by the inspector

general. This is also a parallel amendment to the previous motion, motion 24.

The Chair (Mr. Parm Gill): Any further discussion? MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: The clarification is that the inspector general does inspections and the other ones do investigations, so the reason for the change in the wording from the previous bill is to reflect that difference in wording.

The Chair (Mr. Parm Gill): Any further discussion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Perfect.

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Shall schedule 1, section 79, as amended, carry? Carried.

Moving to schedule 1, section 80, we’re going to deal with NDP motion number 26, subsection 80(2) of schedule 1 to the bill. MPP Yarde.

Mr. Kevin Yarde: Yes, thank you, Chair. I have my colleague Jennifer French. She’ll be speaking to this motion.

Ms. Jennifer K. French: I can’t move it because I’m not subbed in.

Ms. Sara Singh: I’ll step in.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: I’d like to move this motion.

I move that subsection 80(2) of schedule 1 to the bill be amended by adding the following paragraph:

“9. Notifying the public of admittance to a long-term-care home of an individual who,

“i. has been convicted of a sex offence, or

“has been found not criminally responsible of a sex offence on account of mental disorder.”

The Chair (Mr. Parm Gill): MPP Singh, can I ask you to repeat number 9? Actually, it would be better if you could just read the whole thing again.

Ms. Sara Singh: It’s not a problem. I will do that again.

I move that subsection 80(2) of schedule 1 to the bill be amended by adding the following paragraph:

“9. Notifying the public of admittance to a long-term-care home of an individual who,

“i. has been convicted of a sex offence, or

“ii. has been found not criminally responsible of a sex offence on account of mental disorder.”

Interjection.

The Chair (Mr. Parm Gill): There was apparently another word missed. Can you just repeat starting from 9, please? Just that sentence.

Ms. Sara Singh: “9. Notifying the public of the admittance to a long-term care home of an individual who,” and I’ll stop there.

The Chair (Mr. Parm Gill): Thank you so much. Any discussion on this? MPP French.

Ms. Jennifer K. French: Thank you very much. I'm pleased to join the committee today and speak to this amendment, which was so eloquently read by my colleague.

This is a long-standing issue, unfortunately, based on a horrendous crime in Oshawa back in 2008. Some of you may have seen the W5 exposé on what had happened. "W5 Investigates Cases of Sexual Assault in Ontario Nursing Homes" was the title.

Back in 2008, some families received the terrible news that their loved ones, their aging parents, had been sexually assaulted and violated by an individual who was on probation at the time of the sexual assaults. He was someone who had been convicted of sexual offences and was on probation at the time of his being moved into a long-term-care facility. He assaulted women who were in the care of the long-term-care homes. Their families were notified that this had happened to four women. I know some of the individuals who have to live with the knowledge that their beloved parents were not kept safe and there was nothing that could have been done to prevent it at that time, which brings us to this.

I would like to read into the record part of—so it's in part, not in whole—a resolution that passed our Oshawa city council back in June 2016 at their meeting. Actually, I beg your pardon; this was endorsed by the region on June 29. It was a resolution of the city of Oshawa.

"Whereas we have an aging population; and,

"Whereas many families are responsible for the care of both or one parent; and,

"Whereas these parents have provided protection and endless love to their children throughout all stages of their lives; and,

"Whereas many of these parents are placed in private or publicly run long-term-care facilities; and,

"Whereas many are dealing with physical and mental health issues, Alzheimer's and dementia; and,

"Whereas many are unable to speak or protect themselves from violent acts, sexual assaults or theft of personal property; and ...

"Whereas there is no screening done on these residents or history of crimes committed currently or in the past; and,

"Whereas some still have active probation or protection orders against them; and,

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"Whereas many seniors have become the most vulnerable due to lack of ability to speak up;

"Therefore be it resolved, that the council of the city of Oshawa supports the protection and care of all long-term-care workers and residents, and requests the federal and provincial governments require that appropriate disclosure of any history or active cases of violence, sexual assault etc. be made for any person being placed in any of these facilities...."

This is a private member's bill that I have been pursuing, but now that we have this act open and the opportunity

to present amendments—therefore if this were to pass, I wouldn't have to go forward with a private member's bill and this could just be changed.

Staff had not known that they had a known registered and still-on-probation sex offender. Caregivers do have a duty of care. When you think about all of the people who might be interacting with someone—in this case, this man had a known history and was still on probation, and that information had not needed to be communicated to the caregivers at the home. When you think about all the individuals who come into contact with our aging residents, from personal support workers who bathe them or have individuals in vulnerable situations, to their neighbours and all of the staff in between—we are not suggesting that someone be precluded from care on the grounds of their history. But when there is, in this case, a current probation order that no one knew about—he just quietly moved into this home and was able to assault his elderly neighbours.

In this case, this gives the police the opportunity to make it clear to the home, or to come up with the right path forward to disclose that information in a way, of course, that is appropriate. Right now, the police do not have that opportunity.

We need to protect vulnerable people. This needs to stop. Families trust their elderly parents to the care of the province. They should be able to trust that they will be safe and will not be sexually assaulted.

I humbly ask the government to support this amendment today.

The Chair (Mr. Parm Gill): Any further discussion on this? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: Thank you for that, Ms. French. I really appreciate you coming to the committee as well, and sharing that experience with us and the work you have been doing on this issue, including your PMB.

Just a note of clarification: Subsection 80(2), which outlines what we're speaking to today, actually provides the chief of police the authority to disclose pertinent personal information to the public for the purpose of protecting the public in accordance with the regulations.

Also, to the extent that a chief of police believes this disclosure must be made to protect the members of the public, the chief of police would already be authorized to make disclosure under section 80 in accordance with the regulations.

The Chair (Mr. Parm Gill): Any further discussion? MPP French.

Ms. Jennifer K. French: What we're suggesting here—we're being specific regarding the admittance to a long-term-care home. The chief of police would have the discretion, or could make the decisions around the disclosure and who would be relevant to have this information.

By no means are we suggesting that we put up a poster. By no means are we suggesting that we preclude anyone in the province of Ontario from appropriate care. This is not suggesting that anyone be screened and therefore kept

from accessing long-term care. That would not be appropriate.

But for the long-term-care facility and its staff and the caregivers to not know when someone was—in this case—on current probation orders in 2008—for them to not know, for them to not be able to design or devise protocols, or whatever it is that they felt was professionally appropriate—the families certainly wish that they had known. Again, there is no pathway for anyone to know.

As you said, you're looking for clarification on how this is different. The police did not notify the facility because they didn't have to or perhaps because the systems and pathways in place right now didn't flag that this is an individual on probation who is moving residences and therefore it needs to be communicated. This spells it out and makes it a responsibility to appropriately care for and protect our vulnerable seniors.

The Chair (Mr. Parm Gill): MPP Lindo, and then we'll go to MPP Park.

Ms. Laura Mae Lindo: I would just add to my colleague's comments that usually when there's such a serious offence, and a breakdown in our systems arises, when we find ourselves in an opportune situation like this to actually rectify that to ensure that it does not happen again, it's one of those moments where we can all come together for that broader protection of, in this case, our seniors, and also support the surviving family members, who are dealing with this traumatic experience. It's not meant to suggest that the chief of police, for instance, wouldn't choose to do this or chose not to or any of that; it's just an opportunity to learn from errors in the past and ensure that in legislation in the future we take seriously the issues that these Ontarians have faced.

I just wanted to say for the record that I fully support this amendment.

The Chair (Mr. Parm Gill): We'll go to MPP Park. No? You're okay?

Back to MPP French.

Ms. Jennifer K. French: Just one more additional piece, and then I promise I'll wrap it up—well, maybe. This is an opportunity to be proactive, that those who have offended and have been convicted or have been found not criminally responsible of a sex offence on account of mental disorder—this is a proactive step in the interest of safety.

The Long-Term Care Homes Act in Ontario requires homes to report any violent incidents and call police to investigate, but that, of course, is after something has happened. We do our best to keep our seniors safe, but at the same time—well, do we do our best to keep our seniors safe? We make sure that police are contacted after the fact, that families would be contacted after the fact, but that is, of course, as we have seen—and it is a lived experience of people who continue to hurt in the wake of this horrific case. We have an opportunity to prevent that.

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

All those in favour of NDP motion number 26, please raise your hands.

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost. Shall schedule 1, section 80, carry? Carried.

We're going to go to government motion number 27, on subsection 81(1) of schedule 1 to the bill. MPP Park.

Ms. Lindsey Park: I move that subsection 81(1) of schedule 1 to the bill be amended by striking out "member of a police service" in the portion before clause (a) and substituting "member of a police service, other than a deputy chief of police".

The Chair (Mr. Parm Gill): Any further debate? Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: Yes, I'd like a point of clarification here. That excludes, basically, deputy chiefs of police from the SIU ambit of investigation. I wonder why, and what is the alternative oversight for deputy chiefs of police?

The Chair (Mr. Parm Gill): MPP Park?

Ms. Lindsey Park: I'll just add some clarification for the committee. This amendment would prevent a deputy chief of police from being investigated by his or her chief for internal purposes when an internal investigation is required as a result of an SIU investigation under section 81. Pursuant to the amendment in motion 29, which is coming, the board would investigate the deputy chief instead for this purpose.

1430

The Chair (Mr. Parm Gill): Any further discussion on this motion? MPP Lindo.

Ms. Laura Mae Lindo: Sorry; I'm also seeking further clarification. Why would it be that the board would investigate, as opposed to the SIU, in a situation like that? I'm just trying to figure out the rationale behind the amendment.

The Chair (Mr. Parm Gill): MPP Park?

Ms. Lindsey Park: To clarify, it's not saying that the board would investigate instead of the SIU. The SIU uses various different people to help with investigations. This is an example where they've asked a specific police chief to investigate something. Many people would perceive it as being improper that a police chief would investigate their deputy, because it's too close. This is to prevent that closeness in who is investigating who.

The Chair (Mr. Parm Gill): Any further discussion? Seeing none, are the members prepared to vote? Okay.

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): Carried.

Moving to government motion number 28, on section 81 of schedule 1 to the bill: MPP Babikian.

Mr. Aris Babikian: I move that section 81 of schedule 1 to the bill be amended by adding the following subsection:

“Outside investigation

“(2.1) The chief of police may request that a person who is not a member of a police service investigate a member of a police service for the purposes set out in subsection (1) and report back to their finding if the chief of police determines that it is necessary to have such a person conduct the investigation, including if it is necessary to obtain special expertise or to ensure public confidence in the investigation.”

The Chair (Mr. Parm Gill): MPP Babikian, can I just get you to repeat, starting at the third line in section (2.1), “and report back”? Just that line, if you can repeat that line right in the middle.

Mr. Aris Babikian: “And report back on their findings if the chief of the police determines that it is necessary”—

The Chair (Mr. Parm Gill): Okay, we’re going to have to do it one more time, if you don’t mind, please.

Mr. Aris Babikian: Okay: “and report back on their findings if the chief of police determines that it is necessary to have such a person”—

The Chair (Mr. Parm Gill): Thank you. We’re good. Thank you so much.

Any debate on this motion? MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: Yes. I want to say that I will vote in favour of this amendment, because I think it is particularly important to have outside investigation at times, particularly to ensure public confidence in investigations. So I am in favour of this amendment.

The Chair (Mr. Parm Gill): Any further discussion on the motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 28, please raise your hands.

Carried.

Moving to government motion number 29, on section 81 of schedule 1 to the bill: We will go to MPP Romano.

Mr. Ross Romano: I move that section 81 of schedule 1 to the bill be amended by adding the following subsections:

“Chief of police or deputy chief of police

“(4) If the incident being investigated involves a chief of police or deputy chief of police of a police service maintained by a police service board, the police service

board shall investigate the matter as described in subsection (1), and subsections (1) to (3) apply to the investigation, with necessary modifications.

“Commissioner or deputy commissioner

“(5) If the incident being investigated involves the commissioner or a deputy commissioner, the minister shall investigate the matter as described in subsection (1), and subsections (1) to (3) apply to the investigation, with necessary modifications.”

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are the members prepared to vote on this motion?

Mr. Prabmeet Singh Sarkaria: Sorry; my apologies, Mr. Chair. I didn’t hear that.

The Chair (Mr. Parm Gill): Are the members prepared to vote on this motion?

Mr. Prabmeet Singh Sarkaria: Yes, Mr. Chair, we are prepared to vote.

The Chair (Mr. Parm Gill): Perfect. All those in favour of government motion number 28, please raise your hands.

Interjection.

The Chair (Mr. Parm Gill): It’s 29; sorry.

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 29, please raise your hands.

Carried.

Shall schedule 1, section 81, as amended, carry? Carried.

Moving to schedule 1, section 82: We’re going to move to NDP motion 30, on subsection 82(1) of schedule 1 to the bill. MPP Lindo.

Ms. Laura Mae Lindo: I move that subsection 82(1) of schedule 1 to the bill be amended by adding the following clause:

“(h.1) complying with any investigations conducted by the complaints director, the SIU director or the inspector general;”

The Chair (Mr. Parm Gill): Any discussion on this motion? MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: Yes. I will be voting in favour of this amendment because this is one issue that has arisen often, and one of the complaints was the difficulty in securing compliance and co-operation from officers in pursuing an investigation by the SIU.

The Chair (Mr. Parm Gill): Any further debate on the motion? Seeing none, are the members prepared to vote? Perfect.

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

Shall schedule 1, section 82, carry? Carried.

Moving to schedule 1, section 83: We're going to deal with government motion number 31, on clause 83(1)(e) of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that clause 83(1)(e) of schedule 1 to the bill be amended by striking out "has completed" in the portion before subclause (i) and substituting "has successfully completed".

The Chair (Mr. Parm Gill): Any discussion on the motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Lindo, Park, Romano, Sarkaria, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): Unanimous; carried.

Moving to NDP motion number 32, on subclause 83(1)(e)(i) of schedule 1 to the bill: MPP Singh.

Ms. Sara Singh: I move that subclause 83(1)(e)(i) of schedule 1 to the bill be struck out and the following substituted:

"the training prescribed by the minister, including techniques to de-escalate conflict situations and any other matters prescribed by the minister."

The Chair (Mr. Parm Gill): My apologies, MPP Singh. Can you start that—

Ms. Sara Singh: Did I miss something?

The Chair (Mr. Parm Gill): You missed "(i)".

Ms. Sara Singh: I thought I did. Okay, I'll do it again. I move—it's my birthday; can I get a break?

I move that subclause 83(1)(e)(i) of schedule 1 to the bill be struck out and the following substituted:

"(i) the training prescribed by the minister, including techniques to de-escalate conflict situations and any other matters prescribed by the minister."

The Chair (Mr. Parm Gill): Thank you. Any debate on the motion? Seeing none, are the members prepared to vote on the motion?

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

Moving to NDP motion number 33, on subclause 83(1)(e)(iii) of schedule 1 to the bill: Mr. Yarde.

1440

Mr. Kevin Yarde: I move that subclause 83(1)(e)(iii) of schedule 1 to the bill be amended by striking out "and" at the end of subclause (A) and by adding the following subclauses:

"(C) lesbian, gay, bisexual, trans, queer, questioning and two-spirit people, and

"(D) people with mental health issues and developmental or other disabilities;"

The Chair (Mr. Parm Gill): MPP Yarde, can I get you to repeat the first portion, just starting with "I move"?

Mr. Kevin Yarde: I move that subclause 83(1)(e)(iii) of schedule 1 to the bill be amended by striking out "and" at the end of subclause (A)—

Interjection: It's sub-subclause.

Mr. Kevin Yarde: Sub-subclause. I'll do it again. I'll have to take my glasses off.

I move that subclause 83(1)(e)(iii) of schedule 1 to the bill be amended by striking out "and" at the end of sub-subclause (A) and by adding the following sub-subclauses:

The Chair (Mr. Parm Gill): Thank you so much. Any discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

Moving to NDP motion number 34, section 83 of schedule 1 to the bill: MPP Lindo.

Ms. Laura Mae Lindo: I move that section 83 of schedule 1 to the bill be amended by adding the following subsection:

"Transition, training

"(8) A person whose appointment as a police officer was continued pursuant to subsection (7) shall complete the training referred to in clause (1)(e) within two years after the day on which this section comes into force."

The Chair (Mr. Parm Gill): Any debate on the motion? MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: I will be voting in favour of this amendment because I think it does provide for a guarantee that all police officers are not exempt from the training and must complete it. I think it's reasonable to expect them, when they are transitioned over, to complete the training within two years.

The Chair (Mr. Parm Gill): Thank you very much. MPP Singh, I believe.

Ms. Sara Singh: Thank you. Yes, this motion—that's exactly what we're seeking to do, just to provide some timelines to ensure that in addition to new members who are coming in to police forces, existing members also receive the training that has been mandated.

The Chair (Mr. Parm Gill): MPP Yarde.

Mr. Kevin Yarde: We should also note that this is the same length of time that municipalities require to develop community plans. That's why it wouldn't be onerous.

The Chair (Mr. Parm Gill): Any further discussion on the motion? Seeing none, are the members prepared to vote?

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

I move to government motion number 35, section 83 of schedule 1 to the bill. MPP Dunlop.

Ms. Jill Dunlop: I move that section 83 of schedule 1 to the bill be amended by adding the following subsection:

“Same, duty of chief of police

“(8) The chief of police of a police officer described in subsection (7) shall ensure that the officer successfully completes the training described in subclauses (1)(e)(ii) and (iii) within three years after the day this subsection comes into force.”

The Chair (Mr. Parm Gill): Any discussion? MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: Can I ask why you excluded the de-escalation training from this? Because you say (1)(e)(ii) and (iii), and therefore that excludes (e)(i), which is the de-escalation training.

The Chair (Mr. Parm Gill): MPP Yarde.

Mr. Kevin Yarde: Were they going to respond?

The Chair (Mr. Parm Gill): I did not see a hand up, so I'm going to go to you.

Mr. Kevin Yarde: Okay, that's a non-answer, then. Also, we would like to mention that the amendments require here under the subsection—the police would receive training after only three years. What's this going to do is, it's going to permit newly appointed police to patrol communities for three years before receiving any human rights and equity training. We think that's incorrect. It shouldn't be like that.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: I would just like to also ask two different questions. One is around de-escalation and why it was excluded, as my colleague had asked, because that's very, very important. We know that there's often a combination of race and ethnicity and mental health issues that have arisen to make the policing of particular groups troubling at times.

My other question is around the three years for training. I just get nervous that, given we're talking about public safety at a time when we are in a crisis when it comes to the relationship and the desire to build trust between our police services and marginalized communities, three years without receiving any human rights or equity training is potentially dangerous.

Also, because we've just gone through a number of amendments where the government side has not voted in favour of the specific training that's required, I'm very, very nervous about what this may say to the public or what that demonstrates to the public, if we're now saying that, for three years, no training is even needed.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: On the same lines of my colleague here, I would just like some clarity from the government side in terms of how we decided on three years as a benchmark for that training. If they're able to provide that rationale for us, that would be helpful.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I'll clarify one point. The de-escalation training is a part of basic constable training that every officer goes through.

The other point I would like to make is that this is within three years. This amendment would actually require the chief of police to ensure that existing police officers successfully complete training related to human rights, systemic racism, diversity and the rights and culture of Indigenous people within three years of the subsection coming into force.

The Chair (Mr. Parm Gill): Any further discussion? MPP Park.

Ms. Lindsey Park: I'll just also add—I know that there are a couple of questions about why subsection (e)(i) is not highlighted in this amendment. The reason is, as far as I understand it, to not repeat basic training. Already, de-escalation training is part of basic training. For new officers, it makes sense that they go through that as part of their basic training, but those who have already completed it wouldn't need to do it again under this plan.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: I appreciate some of the clarifications. Can, perhaps, government members clarify for us why the LGBTQ community is not included, or other individuals? I know that MPP Sarkaria mentioned diversity training, but there's no mention of inclusion training. Again, that's why those amendments that we put forward around individuals specifically with disabilities would reference not only diversity training but inclusion training as well.

The Chair (Mr. Parm Gill): MPP Romano.

Mr. Ross Romano: We've already discussed similar provisions in discussions earlier this morning, so I'll just repeat that answer again with respect to that issue.

Ms. Sara Singh: Do you want to repeat it for the record? Do you mind?

Mr. Ross Romano: We have it already on the record earlier today. Thank you.

Ms. Sara Singh: Okay; thank you.

The Chair (Mr. Parm Gill): Any further discussion on the motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): Carried.

Shall schedule 1, section 83, as amended, carry? Carried.

There are no proposed amendments to sections 84 to 89 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement to do that?

1450

Mr. Prabmeet Singh Sarkaria: Yes, agreed.

The Chair (Mr. Parm Gill): Thank you. Shall schedule 1, sections 84 to 89, inclusive, carry? Carried.

Moving to schedule 1, section 90, we're going to deal with government motion number 36, on subsection 90(1) of schedule 1 to the bill. MPP Babikian.

Mr. Aris Babikian: I move that subsection 90(1) of schedule 1 to the bill be struck out and the following substituted:

“Police cadets

“(1) If authorized by the policies of the police service board, a chief of police may appoint employees of the board who are under the direction of the chief of police as police cadets to undergo training.”

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are the members prepared to vote on the motion?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 36, please raise your hands. Carried.

Moving to government motion number 37, on subsection 90(2) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 90(2) of schedule 1 to the bill be struck out and the following substituted:

“Same

“(2) If authorized by the policies of the minister, the commissioner may appoint persons employed under part III of the Public Service of Ontario Act, 2006, who are under the direction of the commissioner as police cadets to undergo training.”

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are the members prepared to vote on the motion?

Mr. Prabmeet Singh Sarkaria: Yes, we are.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 37, please raise your hands.

Carried.

Moving to government motion 38, on subsection 90(3) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 90(3) of schedule 1 to the bill be struck out.

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, are the members prepared to vote on the motion?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 38, please raise your hands.

Carried.

Shall schedule 1, section 90, as amended, carry? Carried.

Schedule 1, section 91: Any discussion on this? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Shall schedule 1, section 91, carry? Carried.

We're going to deal with government motion number 39, on clause 92(1)(f) of schedule 1 to the bill. MPP Park.

Ms. Lindsey Park: I move that clause 92(1)(t) of schedule 1 to the bill be amended by striking out “has completed” in the portion before subclause (i) and substituting “has successfully completed”.

The Chair (Mr. Parm Gill): MPP Park, can you just repeat the first line, please?

Ms. Lindsey Park: I move that clause 92(1)(t)—

The Chair (Mr. Parm Gill): It's an F, I believe, not—

Ms. Lindsey Park: It's maybe written wrong here. Yes, it looks like it should be “(f).” It's written wrong in my notes here.

I'll repeat it again for the record?

The Chair (Mr. Parm Gill): Yes, please.

Ms. Lindsey Park: I move that clause 92(1)(f) of schedule 1 to the bill be amended by striking out “has completed”—

The Chair (Mr. Parm Gill): Perfect. Thank you so much.

Any discussion on this motion? Seeing none, are the members prepared to vote on the motion?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

We're going to deal with NDP motion number 40, subclause 92(1)(f)(iii) of schedule 1 to the bill. MPP Lindo.

Ms. Laura Mae Lindo: I move that subclause 92(1)(f)(iii) of schedule 1 to the bill be amended by striking out “and” at the end of sub-subclause (A) and by adding the following sub-subclauses:

“(C) lesbian, gay, bisexual, trans, queer, questioning, and two-spirit people, and

“(D) people with mental health issues and developmental or other disabilities;”

The Chair (Mr. Parm Gill): Thank you very much. Any discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

Shall schedule 1, section 92, as amended, carry? Carried.

There are no proposed amendments to sections 93 to 96 of schedule 1. I therefore propose that we bundle these sections. Is there agreement in the committee? Thank you.

Are we prepared to vote on this? Shall schedule 1, sections 93 to 96, inclusive, carry? Carried.

We’re moving to schedule 1, section 97.

Mr. Ross Romano: Excuse me, Mr. Chair.

The Chair (Mr. Parm Gill): Sorry, MPP Romano.

Mr. Ross Romano: Just for the record, I’m not sure if I heard sections 92 to 96 under the last schedule or 93 to 96.

The Chair (Mr. Parm Gill): We voted on all of those inclusive, from section 93 to 96.

Mr. Ross Romano: And schedule 1, section 92?

Mr. Prabmeet Singh Sarkaria: Yes, that was done—

Mr. Ross Romano: Separately? Okay.

The Chair (Mr. Parm Gill): Back to schedule 1, section 97: We’re going to deal with NDP motion number 41, subsection 97(10) of schedule 1 to the bill. MPP Yarde.

Mr. Kevin Yarde: I move that subsection 97(10) of schedule 1 to the bill be struck out.

The Chair (Mr. Parm Gill): Any discussion on the motion? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

Shall schedule 1, section 97, carry? Carried.

Moving to schedule 1, section 98, we’re going to deal with government motion number 42—

Mr. Prabmeet Singh Sarkaria: Sorry. My apologies, Mr. Chair.

The Chair (Mr. Parm Gill): Yes, MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: Just for a point of clarification, it was schedule 1, section 97, right? We thought we might have heard differently.

The Chair (Mr. Parm Gill): We’re currently on schedule 1, section 98.

Mr. Prabmeet Singh Sarkaria: Perfect.

The Chair (Mr. Parm Gill): We’re going to deal with government motion number 42, section 98 of schedule 1 to the bill. MPP Romano.

Mr. Ross Romano: I move that section 98 of schedule 1 to the bill be amended by adding the following subsection:

“Notice of action

“(2.1) A special constable employer that takes any action under clause (2)(c) shall immediately notify the police service board, or the commissioner, who appointed the special constable of the action taken.”

1500

The Chair (Mr. Parm Gill): Thank you very much. Any discussion on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Moving on to government motion number 43, clause 98(5)(b) of schedule 1 to the bill: MPP Dunlop.

Ms. Jill Dunlop: I move that clause 98(5)(b) of schedule 1 to the bill be struck out and the following substituted:

“(b) the special constable employer becomes aware of any information that might reasonably affect an assessment of whether the special constable meets the criteria set out in subsection 92(1).”

The Chair (Mr. Parm Gill): Any debate on the motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Shall schedule 1, section 98, as amended, carry? Carried.

There are no proposed amendments to sections 99 to 101 of schedule 1. I therefore propose that we bundle these sections. Is there agreement to do that?

Mr. Prabmeet Singh Sarkaria: Agreement.

The Chair (Mr. Parm Gill): Thank you. Shall schedule 1, sections 99 to 101, inclusive, carry? Carried.

Moving to schedule 1, section 102, we’re going to deal with government motion number 44, section 102 of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that section 102 of schedule 1 to the bill be amended by adding the following subsection:

“Continuation in office

“(2.1) The Lieutenant Governor in Council may, by order, authorize a person appointed as the inspector general to continue to hold office after expiry of his or her term of office until the earlier of,

“(a) nine months after the expiry of his or her term of office; or

“(b) the day a successor is appointed.”

The Chair (Mr. Parm Gill): TY. Any discussion on this motion? Seeing none, are the members prepared to vote on this motion?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): Carried.

Moving on to NDP motion number 45, clause 102(4)(b) of schedule 1 to the bill: I’m going to go to MPP Lindo.

Ms. Laura Mae Lindo: I move that clause 102(4)(b) of schedule 1 to the bill be amended by striking out “and” at the end of subclause (i) and by adding the following subclauses:

“(iii) lesbian, gay, bisexual, trans, queer, questioning and two-spirit people, and

“(iv) people with mental health issues and developmental or other disabilities; and”

The Chair (Mr. Parm Gill): Thank you. Any discussion on this motion? MPP Singh.

Ms. Sara Singh: I just wanted to make sure that members opposite understand that each of the motions, while they have given us responses to these amendments earlier, deal with different subsections and different training for different individuals within the police services. One blanket response is really not going to be enough, so I’d appreciate some clarification on why you wouldn’t want this motion to be adopted.

The Chair (Mr. Parm Gill): Any further discussion from members? Seeing none, are the members prepared to vote on this motion?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

Moving to NDP motion number 46, section 102 of schedule 1 to the bill: MPP Yarde.

Mr. Kevin Yarde: I move that section 102 of schedule 1 to the bill be amended by adding the following subsection:

“Officer of the assembly

“(9) Despite anything in this section, within five years after this section comes into force, the minister shall ensure that the inspector general shall be an officer of the assembly and the Lieutenant Governor in Council may make regulations”—should I do it again?

The Chair (Mr. Parm Gill): You can continue on.

Mr. Kevin Yarde: Okay: “the minister shall ensure that the inspector general shall be an officer of the assembly and the Lieutenant Governor in Council may make regulations governing any transitional matters related to this subsection.”

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, are members prepared to vote on this motion?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

Shall schedule 1, section 102, as amended, carry? Carried.

There are no proposed amendments to sections 103 to 105 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement to do that? Thank you.

Shall schedule 1, sections 103 to 105, inclusive, carry? Carried.

Moving to schedule 1, section 106, we’re going to deal with government motion 47, on clause 106(3)(a) of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that clause 106(3)(a) of schedule 1 to the bill be amended by adding “or inspection” after “investigation”.

The Chair (Mr. Parm Gill): Any discussion on this motion? MPP Yarde.

Mr. Kevin Yarde: I just wanted a little bit further clarification from the government as to the limits that the IG will be entitled to.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: The provision ensures that it is clear that the provision is meant to capture both inspections conducted by the IG and investigations of other kinds under the Community Safety and Policing Act.

The Chair (Mr. Parm Gill): Any further discussion on this motion? MPP Yarde.

Mr. Kevin Yarde: Okay, well, he can just read it, but I’d like to get further clarification. By adding whether the inspector general—investigation of misconduct involving, say, for instance, the OPP—if you think it would be in the public interest if there is another inspection which would potentially further limit the IG.

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): Carried.

Shall schedule 1, section 106, as amended, carry? Carried.

Moving to schedule 1, section 107, we're going to deal with government motion number 48, on clause 107(3)(a) of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that clause 107(3)(a) of schedule 1 to the bill be amended by adding "or inspection" after "investigation".

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): Carried.

Shall schedule 1, section 107, as amended, carry? Carried.

There are no proposed amendments to sections 108 to 110 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement to do that? Perfect.

Shall schedule 1, sections 84 to 89, inclusive, carry? No, sorry; I think I've got a typo here. Sorry; let me repeat that.

Shall schedule 1, sections 108 to 110, inclusive, carry? Carried.

Moving to schedule 1, section 111, we're going to deal with NDP motion number 49, on section 111 of schedule 1 to the bill. MPP Lindo.

1510

Ms. Laura Mae Lindo: I move that section 111 of schedule 1 to the bill be amended by adding the following subsection:

"Limit on certain persons

"(1.1) The proportion of persons who were any of the persons referred to in section 152 and that are appointed as investigators or as a class of investigators prescribed by the minister shall not exceed 25 per cent."

The Chair (Mr. Parm Gill): Any further discussion on the motion? MPP Yarde.

Mr. Kevin Yarde: This continues to deal with oversight and accountability. This is something we believe should be in the bill and is consistent, as well, with the Tulloch report.

The Chair (Mr. Parm Gill): Any further discussion? Seeing none, are the members prepared to vote on this motion?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Romano, Park, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

Moving to NDP motion number 50, on clause 111(3)(b) of schedule 1 to the bill: MPP Singh.

Ms. Sara Singh: I move that clause 111(3)(b) of schedule 1 to the bill be amended by striking out "and" at the end of subclause (i) and by adding the following subclauses:

"(iii) lesbian, gay, bisexual, trans, queer, questioning and two-spirit people, and

"(iv) people with mental health issues and developmental or other disabilities; and"

The Chair (Mr. Parm Gill): Any discussion on this motion? MPP Yarde.

Mr. Kevin Yarde: I just want to add further that we continue to list these marginalized groups, and we feel that with these provisions put into the amendments, it actually provides protection for them.

Mr. Parm Gill: MPP Singh.

Ms. Sara Singh: Again, I'd like to clarify for the committee that this training is for the inspector general's staff, so this is a different subgroup of individuals that we were requesting the training for with this amendment.

The Chair (Mr. Parm Gill): Any further discussion on this motion? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: Once again, I appreciate the members bringing this forward. We support this in principle; however, training regarding respect for the groups specified in the proposed amendment would already be included in the requirements for training with respect to human rights and training that promotes recognition and respect for the diverse, multiracial and multicultural character of Ontario society. Bill 68 requires training regarding concepts of the nature of Ontario society, human rights and systemic racism, rather than training regarding particular people, which is inconsistent with the framework of the act.

In regulation, we can ensure that specific communities and groups are identified and that their specific concerns are addressed. The training that is already required by the act directly aligns with the principle found in the declaration of principles in section 1 of the act; namely, the need to be sensitive to the pluralistic, multiracial character of Ontario society. I know that we've had multiple discussions on this, but I do believe that what we've spoken to with specific regard to human rights training is covered within this piece of legislation.

The Chair (Mr. Parm Gill): We're going to go to MPP Singh.

Ms. Sara Singh: Thank you very much, MPP Sarkaria. I just want to clarify that we are not looking for additional diversity training here. These are subsets of a population that are not identified. For example, we have listed in this piece of legislation a specific group, the First Nations community, which is also covered under those human rights codes; however, they have been specified through this piece of legislation, so we're requesting that these additional groups, who have been continuously marginalized in our province, be outlined and that specific training be developed in dealing with these specific subsets of the population.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: I would just like to add to Ms. Singh's comments that the purpose of adding the marginalized groups isn't to just list various marginalized groups within the province, but to speak explicitly to those that have had tumultuous relationships when it comes to feeling safe in Ontario. There are actual cases that provide support for that.

This is again an opportunity for us to come together and demonstrate to Ontarians that we are in fact wanting to make sure that those specific realities and concerns with public safety are being addressed, hence adding lesbian, gay, bisexual, trans, queer, questioning and two-spirit people as well as people with mental health issues and developmental or other disabilities.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: I just want to point out that diversity training is one aspect of training that needs to happen. There is also inclusion training, which is a different aspect of training. None of that is actually referenced in this legislation.

By naming these groups, we're moving past just diversity training and moving towards diversity and inclusion training, which is very different training than what you're outlining in this legislation.

I don't know if committee members know the difference between the types of training that we're discussing.

The Chair (Mr. Parm Gill): MPP Yarde.

Mr. Kevin Yarde: I just wanted to add to that further that, happily, the majority of interactions with police do not end in death, but it's clear that these interactions are increasing. The police also say so as well. It's clear that the police and those who respond to these incidents from the oversight bodies need more supports, and that can start through the right training.

I want to give one of the examples. I know my colleague Laura Mae was about to mention that. One example is O'Brien Christopher-Reid. He was a young man, a chemical engineering student, who suffered from mental illness. During an interaction with police in 2004, he was killed. The coroner's inquest was in 2007. That was 12 years ago. What they recommended in this inquest into his death was, they agreed and recommended that Toronto police improve training for officers dealing with people in mental health crisis, and focus more on de-escalation

tactics and less on confrontation. That's why we need this put in this bill, this amendment.

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost. Shall schedule 1, section 111, carry? Carried.

There are no proposed amendments to sections 112 to 120 of schedule 1. I therefore propose that we bundle these sections. Is there agreement to do that?

Mr. Prabmeet Singh Sarkaria: Agreed.

The Chair (Mr. Parm Gill): Thank you. Shall schedule 1, sections 112 to 120, inclusive, carry? Carried.

Moving to schedule 1, section 121, we're going to deal with government motion number 51, section 121 of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that section 121 of schedule 1 to the bill be amended by striking out the portion before clause (a) and substituting the following:

"Referral to other chief of police

"121. If the inspector general is notified under subsection 120(3) or (5) that a criminal offence may have been committed,"

The Chair (Mr. Parm Gill): Any discussion on this motion? MPP Yarde.

Mr. Kevin Yarde: I'd just like further clarification, Chair, whether with this motion—it's still not clear whether it restricts the IG. Or is it more expansive, according to you?

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: It will ensure that any allegations of criminal conduct that are brought to the inspector general's attention under the mandatory reporting provisions in the act will get referred to an appropriate police service for investigation.

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): The motion is carried.

Moving on to NDP motion number 52, clause 121(a) of schedule 1 to the bill: MPP Yarde.

1520

Mr. Kevin Yarde: I move that clause 121(a) of schedule 1 to the bill be struck out and the following substituted:

“(a) the inspector general may refer the matter to the chief of police of an unrelated police service; and”

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): The motion is lost.

Shall schedule 1, section 121, as amended, carry? Carried.

There are no proposed amendments to sections 122 to 129 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement? Agreed.

Shall schedule 1, sections 122 to 129, inclusive, carry? Carried.

Moving on to schedule 1, section 130, dealing with NDP motion number 53, section 130 of schedule 1 to the bill: MPP Lindo.

Ms. Laura Mae Lindo: I move that section 130 of schedule 1 to the bill be amended by adding the following subsection:

“Officer of the assembly

“(3) Despite anything in this section, within five years after this section comes into force, the minister shall ensure that the complaints director shall be an officer of the assembly and the Lieutenant Governor in Council may make regulations governing any transitional matters related to this subsection.”

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, are the members prepared to vote on this motion?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Shall schedule 1, section 130, carry? Carried.

Moving to schedule 1, section 131, is there any debate on this? Seeing none, are we prepared to vote on schedule 1, section 131?

Shall schedule 1, section 131, carry? Carried.

Moving to schedule 1, section 132, we’re going to deal with NDP motion number 54, clause 132(2)(b) of schedule 1 to the bill. MPP Singh.

Ms. Sara Singh: I move that clause 132(2)(b) of schedule 1 to the bill be amended by striking out “and” at the end of subclause (i) and by adding the following sub-clauses:

“(iii) lesbian, gay, bisexual, trans, queer, questioning and two-spirit people, and

“(iv) people with mental health issues and developmental or other disabilities; and”

The Chair (Mr. Parm Gill): Any debate on this motion? MPP Yarde.

Mr. Kevin Yarde: I just wanted to reiterate that our language, once again, is consistent with the recommendations of Justice Tulloch, which the government purports to follow, and it speaks to specific groups who have either a crisis of confidence—for example, Pride and the Village serial killings—in the institutions of the police or who are frequently, unfortunately, at the heart of incidents with the police that result in SIU investigations.

The Chair (Mr. Parm Gill): Thank you. MPP Singh.

Ms. Sara Singh: I just want to point out that this time, the training is for the complaints director, so this is again a different subset of the population. I would just also like to point out for committee members that the type of training that the Ontario Human Rights Commission provides or that may be mandated doesn’t always outline the different types of disabilities that people have and how police should interact with them. So again, this is going a step further than what is being asked of officers, complaint directors and the IG, and just taking a little bit more time and being a little bit more in-depth with the type of training that they are receiving when serving vulnerable people in our communities.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: I also wanted to add, for the record, that when we do inclusion training correctly, we have really great gains. That trust is actually created and becomes the foundation of the legislation before us.

In this particular situation, where we’re talking about the complaints director, one of my concerns is that if we rely on generic human rights training, we’ll miss the opportunity to speak about how human rights should be addressed in the nuanced jobs that you have as part of the police service. I think it’s really important for us to recognize that a front-line officer would not necessarily have the exact same training with regard to the queer community as somebody who is the complaints director or the staff in that, because they wouldn’t necessarily have the same relationship with these communities.

As somebody who has provided equity training to police services, I’m just asking that the government side take seriously these concerns, because they are concerns that haven’t just come from marginalized communities but also from various levels of policing. I think it’s important for us to keep reiterating the importance of doing this training right.

The Chair (Mr. Parm Gill): Thank you very much. MPP Singh.

Ms. Sara Singh: I know this specific amendment doesn't necessarily deal with front-line officers. But I think that many people in the community around law enforcement have asked for these additional pieces of training, so that they can do their jobs more effectively, be able to engage with those communities and ensure that they're building that trust and accountability that they would like. So these are actually amendments that are coming forward from the community. They would like this clarification in how they're addressing and dealing with those communities specifically.

The Chair (Mr. Parm Gill): MPP Yarde.

Mr. Kevin Yarde: I think, as well, if the government is serious about fulfilling Justice Tulloch's recommendations, they'll support this motion.

The Chair (Mr. Parm Gill): Any further discussion from members? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Shall schedule 1, section 132, carry? Carried.

There are no proposed amendments to sections 133 to 135 of schedule 1. I therefore propose that we bundle these sections. Is there agreement?

Mr. Prabmeet Singh Sarkaria: Agreed.

The Chair (Mr. Parm Gill): Thank you. Shall schedule 1, sections 133 to 135, inclusive, carry? Carried.

Moving down to schedule 1, section 136, we're going to deal with NDP motion number 55, subsection 136(4) of schedule 1 to the bill. I'll go to MPP Yarde.

Mr. Kevin Yarde: I move that subsection 136(4) of schedule 1 to the bill be struck out and the following substituted:

"Limit on certain persons

"(4) The proportion of persons who were any of the persons referred to in section 152 and that are appointed as investigators or as a class of investigators prescribed by the minister shall not exceed 25 per cent."

The Chair (Mr. Parm Gill): Thank you, MPP Yarde. Any further discussion on this motion? We'll go to MPP Lindo.

Ms. Laura Mae Lindo: Thank you, Mr. Speaker—you've got a new role now.

The Chair (Mr. Parm Gill): There you go.

Ms. Laura Mae Lindo: Thank you, Mr. Chair. I just wanted to add that this is a really important amendment, given that many of the communities that have had tense relationships with police services have come to us and said

that they want to rebuild that trust. This has been one of the suggestions to do this.

Again, I hope that we can come together to support this amendment, so that we can show to the folks in Ontario that we are (a) hearing them, (b) listening to them, and (c) recognizing that their concerns are real.

If we support this, we're taking ourselves into a space where we're actually building inclusive police services and providing safety to all communities.

The Chair (Mr. Parm Gill): Thank you. MPP Yarde.

Mr. Kevin Yarde: Once again, I want to reiterate that this is consistent with Justice Tulloch. It has been a long-held situation in over-policed communities, such as the Jane and Finch area. People are concerned about police accountability and civilian control.

If the government is serious about supporting Justice Tulloch's recommendations, they'll support this amendment.

1530

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Romano, Park, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Moving to NDP motion number 56, on clause 136(5)(b) of schedule 1 to the bill: MPP Lindo.

Ms. Laura Mae Lindo: I move that clause 136(5)(b) of schedule 1 to the bill be amended by striking out "and" at the end of subclause (i) and by adding the following subclauses:

"(iii) lesbian, gay, bisexual, trans, queer, questioning and two-spirit people, and

"(iv) people with mental health issues and developmental or other disabilities; and"

The Chair (Mr. Parm Gill): Further discussion on this motion? MPP Singh.

Ms. Sara Singh: Again, I'm just going to reiterate to government members the importance of this amendment outlining specific training for staff members and the importance of making sure these communities are identified and that they know additional training measures are being put in place to build that trust and accountability that those communities are looking for.

The Chair (Mr. Parm Gill): Any further discussion? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Romano, Park, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Shall schedule 1, section 136, carry? Carried.

Moving down to schedule 1, section 137: any debate, any discussion on this? Seeing none, are the members prepared to vote? Shall schedule 1, section 137, carry? Carried.

Schedule 1, section 138: We're going to deal with government motion number 57, on subsection 138(1) of schedule 1 to the bill. MPP Dunlop.

Ms. Jill Dunlop: I move that subsection 138(1) of schedule 1 to the bill be amended by striking out "enter and search a place that is owned or occupied by a police service board" and substituting "enter and search a place that is used by a police service or owned or occupied by a police service board".

The Chair (Mr. Parm Gill): Any debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Romano, Park, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 57, please raise your hands.

I declare the motion carried.

Moving on to government motion number 58, on subsection 138(7) of schedule 1 to the bill: MPP Park.

Ms. Lindsey Park: I move that subsection 138(7) of schedule 1 to the bill be amended by striking out "under oath" in the portion before clause (a) and substituting "under oath or affirmation".

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Romano, Park, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 58, please raise your hands.

I declare the motion carried.

Shall schedule 1, section 138, as amended, carry? Carried.

Moving to schedule 1, section 139: We're going to deal with government motion number 59, on subsection 139(1) of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 139(1) of schedule 1 to the bill be amended by striking out "under oath" in the portion before clause (a) and substituting "under oath or affirmation".

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 59, please raise your hands.

I declare the motion carried.

Shall schedule 1, section 139, as amended, carry? Carried.

There are no proposed amendments to sections 140 to 146 of schedule 1. I, therefore, propose that we bundle these sections. Is there an agreement to do that?

Shall schedule 1, sections 140 to 146, inclusive, carry? Carried.

Moving to schedule 1, section 147, we're going to deal with government motion number 60, on paragraphs 1 and 2 of subsection 147(4) of schedule 1 to the bill. MPP Romano.

Mr. Ross Romano: I move that paragraphs 1 and 2 of subsection 147(4) of schedule 1 to the bill be struck out and the following substituted:

"1. Selecting the members of and maintaining a register or registers of arbitrators who are available for appointment to conduct an arbitration under part VIII.

"2. Selecting the members of and maintaining a roster of adjudicators who are available for appointment to hold hearings under this act."

The Chair (Mr. Parm Gill): MPP Romano, can you please read—in number (1), it's "part XIII" at the end.

Mr. Ross Romano: Oh, part XIII; excuse my Roman numeral abilities: "part XIII." Sounds fine?

The Chair (Mr. Parm Gill): Yes, perfect, thank you.

Any debate on this motion? Seeing none, are the members prepared to vote on this motion?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 60, please raise your hands.

I declare the motion carried.

Moving to government motion number 61, on clauses 147(5)(a) and (b) of schedule 1 to the bill: MPP Romano.

Mr. Ross Romano: I move that clauses 147(5)(a) and (b) of schedule 1 to the bill be struck out and the following substituted:

"(a) a committee to select members of and maintain a register or registers, as prescribed, of arbitrators who are available for appointment to conduct an arbitration under part XIII;

"(b) a committee to select members of and maintain a roster, as prescribed, of adjudicators who are available for appointment to hold hearings under this act; and"

The Chair (Mr. Parm Gill): Is there debate on this motion? Seeing none, are the members prepared to vote on this motion?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 61, please raise your hands.

I declare the motion carried.

Shall schedule 1, section 147, as amended, carry? Carried.

There are no proposed amendments to sections 148 to 156 of schedule 1. I, therefore, propose that we bundle these sections together. Is there an agreement? Thank you.

Shall schedule 1, sections 148 to 156, inclusive, carry? Carried.

Mr. Prabmeet Singh Sarkaria: Point of order, Mr. Chair.

The Chair (Mr. Parm Gill): Yes, MPP Sarkaria?

Mr. Prabmeet Singh Sarkaria: If agreeable, do you think we could take a five-minute recess?

The Chair (Mr. Parm Gill): Is there agreement amongst all committee members to take—

Interjections.

The Chair (Mr. Parm Gill): We will reconvene at 3:45 p.m. sharp.

The committee recessed from 1540 to 1546.

The Chair (Mr. Parm Gill): Thank you very much. The justice policy committee will now reconvene and we'll pick up from where we left off.

We're down to schedule 1, section 157, and we're going to deal with Liberal motion number 62, subsection 157(2) of schedule 1 to the bill. MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: I move that subsection 157(2) of schedule 1 to the bill be amended by adding "by an investigator" after "cause the complaint to be investigated".

The Chair (Mr. Parm Gill): Any discussion on this motion?

M^{me} Nathalie Des Rosiers: Yes. This is part of a series of amendments proposing to ensure that complaints are investigated by the complaints director and not by the police chief. This is part of demands from many of the interveners that came. As well, in my own experience, having dealt with many complainants, if it's trivial, they go to the police station first and get the reward or get a hearing. If they come to the complaints director, or what was the old IPRD, by that time they have already lost a little bit of the sense that they will be treated fairly by the police chief. So in order to enhance and support public confidence—we have said before in this committee that it's important that the public has confidence that the police does not police itself but that a degree of distance be there to ensure that people have confidence that they are being heard and that their complaints are treated seriously.

That's the reason for this small amendment and the remainder of my contribution.

The Chair (Mr. Parm Gill): Thank you very much. Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Des Rosiers, Lindo, Sara Singh, Yarde.

Nays

Babar, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Shall schedule 1, section 157, carry? Carried.

Schedule 1, section 158: Any discussion on this? Seeing none, are the members prepared to vote?

Shall schedule 1, section 158, carry? Carried.

Schedule 1, section 159: The independent Liberal member has filed a notice with respect to section 159 of schedule 1. Any debate? MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: I would like to re-emphasize that this is part of a vision that I think has been developed over the years in Ontario that ensuring that independence of the investigation is part of public confidence.

There is a question of resources, but in my experience, the OIPRD was able to indeed implement some small dispute resolutions to facilitate easy and early disputes. We should encourage that. It's a small price to pay for the public confidence that many communities need to feel toward the complaint mechanism.

So I urge you to interject or explain why this proposal—which I think was a little bit part of a vision that is supported by Justice Tulloch's report to ensure, to the extent possible, that all investigations are done by an external body to the police itself.

The Chair (Mr. Parm Gill): Any further discussion on this? Seeing none, are the members prepared to vote?

Shall schedule 1, section 159, carry? Carried.

Moving on to schedule 1, section 160: any debate? Seeing none, are the members prepared to vote?

Shall schedule 1, section 160, carry? Carried.

Moving on to schedule 1, section 161, we're going to deal with Liberal motion number 63, on subsection 161(3) of schedule 1 to the bill.

M^{me} Nathalie Des Rosiers: My fellow members of committee will be pleased, since I've lost the vote on my proposal—most of the amendments from motion 63 to 83 were consequential to the proposal; therefore, I will withdraw them.

The Chair (Mr. Parm Gill): Thank you very much.

Ms. Lindsey Park: I'm sorry; which numbers are they?

M^{me} Nathalie Des Rosiers: It's 63—

The Chair (Mr. Parm Gill): Can I just recommend, MPP Des Rosiers, that we will withdraw them as we come to them?

M^{me} Nathalie Des Rosiers: Okay. I just want to advertise my good intentions to save you some time.

The Chair (Mr. Parm Gill): Thank you very much; we appreciate it.

Are the members prepared to vote on this?

Shall schedule 1, section 161, carry? Carried.

Moving on to schedule 1, section 162: Is there any debate on this? Seeing none, are the members prepared to vote?

Shall schedule 1, section 162, carry? Carried.

Moving on to schedule 1, section 163: We're going to deal with government motion number 64, on subsection 163(3) of schedule 1 to the bill. MPP Sarkaria?

Mr. Prabmeet Singh Sarkaria: I move that subsection 163(3) of schedule 1 to the bill be amended by striking out "the complaints director shall, if advised by a crown attorney or prosecutor to do so" and substituting "the complaints director shall consult a crown attorney or prosecutor and, if advised by a crown attorney or prosecutor to do so".

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 163, as amended, carry? Carried.

Moving on to schedule 1, section 164: We're going to deal with Liberal motion number 65. MPP Des Rosiers?

M^{me} Nathalie Des Rosiers: This is withdrawn.

The Chair (Mr. Parm Gill): Withdrawn. Thank you very much.

Any debate on this section?

Interjection.

The Chair (Mr. Parm Gill): The Liberal member has withdrawn the motion. I'm just asking if there's any debate on the section itself. Seeing none, are the members prepared to vote? Shall schedule 1, section 164, carry? Carried.

Moving on to schedule 1, section 165: We're going to deal with Liberal motion number 66.

M^{me} Nathalie Des Rosiers: Withdrawn.

The Chair (Mr. Parm Gill): Liberal motion number 67.

M^{me} Nathalie Des Rosiers: Withdrawn.

The Chair (Mr. Parm Gill): Liberal motion number 68.

M^{me} Nathalie Des Rosiers: Withdrawn.

The Chair (Mr. Parm Gill): Liberal motion number 69.

M^{me} Nathalie Des Rosiers: Withdrawn.

The Chair (Mr. Parm Gill): Any debate on this section? Seeing none, are the members prepared to vote? Shall schedule 1, section 165, carry? Carried.

Moving on to schedule 1, section 166: We're going to deal with Liberal motion number 70.

M^{me} Nathalie Des Rosiers: Withdrawn.

The Chair (Mr. Parm Gill): Motion number 71 from the Liberals.

M^{me} Nathalie Des Rosiers: Withdrawn.

The Chair (Mr. Parm Gill): Motion number 72 from the Liberals.

M^{me} Nathalie Des Rosiers: Withdrawn.

The Chair (Mr. Parm Gill): Motion number 73 from the Liberals.

M^{me} Nathalie Des Rosiers: Withdrawn.

The Chair (Mr. Parm Gill): Any debate on this section? Seeing none, are the members prepared to vote on this? Shall schedule 1, section 166, carry? Carried.

Moving on to schedule 1, section 167—

M^{me} Nathalie Des Rosiers: Withdrawn.

The Chair (Mr. Parm Gill): So motion number 74 is withdrawn?

M^{me} Nathalie Des Rosiers: Yes.

The Chair (Mr. Parm Gill): Seventy-five?

M^{me} Nathalie Des Rosiers: Seventy-five and 76 are equally withdrawn.

The Chair (Mr. Parm Gill): Equally withdrawn, 75 and 76.

We're going to move to government motion number 77, on subsections 167(3) and (4) of schedule 1 to the bill. MPP Dunlop.

Ms. Jill Dunlop: I move that subsections 167(3) and (4) of schedule 1 to the bill be struck out and the following substituted:

"Complainant may require review if investigation by chief of police

"(3) In the case of an investigation conducted by a chief of police, the complainant may, no later than 30 days after notice of the determination is given to the complainant, apply to the complaints director for a review of the determination, on notice to the chief of police and to the person who was the subject of the investigation.

"Review by complaints director

"(4) On receiving an application under subsection (3), the complaints director shall review the determination, taking into account any material provided by the complainant, the chief of police or the person who was the subject of the investigation, and shall endeavour to ensure to complete the review no later than 30 days after the application is made."

The Chair (Mr. Parm Gill): Any discussion on this motion from the government? Seeing none, are the members prepared to vote? Perfect.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Des Rosiers, Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 167, as amended, carry? Carried.

Moving on to schedule 1, section 168: We're going to deal with Liberal motion number 78. MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: Motions 78, 79 and 80 are all withdrawn.

The Chair (Mr. Parm Gill): Seventy-eight and 79 are both withdrawn. Is there any discussion on this section? Seeing none, are the members prepared to vote? Shall schedule 1, section 168, carry? Carried.

Moving on to schedule 1, section 169: Is there any debate on this section? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

1600

The Chair (Mr. Parm Gill): Shall schedule 1, section 169, carry? Carried.

Schedule 1, section 170: I just want to confirm that MPP Des Rosiers withdrew motion number 80.

M^{me} Nathalie Des Rosiers: That's withdrawn.

The Chair (Mr. Parm Gill): Is there any discussion on this section? Seeing none, are the members prepared to vote? Shall schedule 1, section 170, carry? Carried.

Schedule 1, section 171: any discussion on this section? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Shall schedule 1, section 171, carry? Carried.

Schedule 1, section 172: We're going to deal with government motion number 81, subsection 172(1) of schedule 1 to the bill. MPP Romano.

Mr. Ross Romano: I move that subsection 172(1) of schedule 1 to the bill be struck out and the following substituted:

“Costs of investigations

“By investigator

“(1) If the regulations made by the minister so provide, the cost of an investigation conducted by an investigator about the conduct of a police officer, other than a police officer who is a member of the Ontario Provincial Police, or of a special constable employed by the Niagara Parks Commission, shall be paid in accordance with those regulations by the police service board that employs the police officer or the Niagara Parks Commission, as the case may be, except in such circumstances as those regulations may specify.”

The Chair (Mr. Parm Gill): Thank you, MPP Romano. Is there any discussion? We'll go to MPP Des Rosiers first.

M^{me} Nathalie Des Rosiers: Yes, I'd like to have some clarification. My reading of this amendment—it looks like we're substituting “prescribed by the minister” for regulatory power. I'd like to have some clarification as to the purpose for this change in the wording.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: I was also just asking for a little bit of clarification around the ultimate goals, or the potential opening of this to an unnecessary burden on municipalities to pay for these investigations. I just wanted

to make sure that I was understanding the goal of this change or amendment.

The Chair (Mr. Parm Gill): Any further discussion? MPP Yarde.

Mr. Kevin Yarde: It was the same. I was going to mention that it's still too ambiguous. We need clarification on who is going to pay for this.

The Chair (Mr. Parm Gill): MPP Romano.

Mr. Ross Romano: Thank you for the questions. The proposed amendment would ensure that the requirement to pay costs under the subsection would not apply unless and until the regulations specify how such costs are to be calculated—time, manner of payment etc.—and the circumstances in which the requirement does not apply.

The Chair (Mr. Parm Gill): MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: How does the current wording differ from the previous wording that's in the bill? The previous wording was about prescribing by the minister, which would be the same as what you're suggesting. I'm just asking why you are changing the wording.

Mr. Ross Romano: I'm just going to maintain the previous answer. My apologies, but I think that it's fairly clear.

The Chair (Mr. Parm Gill): Thank you very much. I just want to remind the members, if you can please just raise your hand to be recognized, I would appreciate that.

Any further discussion on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Perfect.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Des Rosiers, Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to Liberal motion number 82, subsections 172(2) to (5) of schedule 1 to the bill: MPP Des Rosiers.

M^{me} Nathalie Des Rosiers: This is withdrawn, as well as notice of motion 83.

The Chair (Mr. Parm Gill): Motion number 82 is withdrawn. Thank you very much.

Are we prepared to vote on this? Shall schedule 1, section 172, as amended, carry? Carried.

Moving to schedule 1, section 173, we're going to deal with government motion number 83, subsection 173(4) of schedule 1 to the bill. MPP Park.

Ms. Lindsey Park: I move that subsection 173(4) of schedule 1 to the bill be amended by adding “including any statement made by a subject official within the meaning of that act in an investigation under this part” at the end.

The Chair (Mr. Parm Gill): Further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Des Rosiers, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 173, as amended, carry? Carried.

Schedule 1, section 174: Is there any debate on this section? Seeing none, are the members prepared to vote? Shall schedule 1, section 174, carry? Carried.

Moving to schedule 1, section 175, the independent Liberal member has filed a notice with respect to section 175 of schedule 1. Any debate? Seeing none, are the members prepared to vote on this? Shall schedule 1, section 175, carry? Carried.

There are no proposed amendments to sections 176 to 198 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement to do this? Agreed.

Shall schedule 1, sections 176 to 198, inclusive, carry? Carried.

Moving down to schedule 1, section 199, we're going to deal with NDP motion number 84, subsection 199(2) of schedule 1 to the bill. MPP Yarde.

Mr. Kevin Yarde: I move that subsection 199(2) of schedule 1 to the bill be struck out and the following substituted:

"Same, if crown attorney, prosecutor consulted re criminal investigation

"(2) If a matter that is or may be the subject of an investigation under this part is or becomes the subject of an investigation of an offence referred to in subsection (1) and a crown attorney or prosecutor has been consulted, the chief of police, police service board or minister, as applicable, shall, if advised by the crown attorney or prosecutor to do so, postpone the commencement of the investigation under this part, or suspend it, for as long as is necessary in the crown attorney's or prosecutor's opinion to avoid interfering with the investigation."

The Chair (Mr. Parm Gill): Further debate on this? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: We will be voting for this motion. The amendment would make this provision consistent with the parallel provisions regarding investigations conducted by the complaints director in subsection 163(2) of the act that provides that the suspension or postponement continues for as long as the crown attorney or prosecutor believes necessary.

The Chair (Mr. Parm Gill): Did I see, MPP Yarde, your hand up?

Mr. Kevin Yarde: No further response.

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Interjection: Put 'em high, guys. I want to see those hands up.

Ayes

Baber, Babikian, Dunlop, Lindo, Park, Romano, Sarkaria, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): It's great to see cooperation. It is carried.

We're going to move to motion 85 from the government, subsection 199(3) of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 199(3) of schedule 1 to the bill be amended by striking out "the chief of police, police service board or minister, as applicable, shall, if advised by a crown attorney or prosecutor to do so" and substituting "the chief of police, police service board or minister, as applicable, shall consult a crown attorney or prosecutor and, if advised by a crown attorney or prosecutor to do so".

1610

The Chair (Mr. Parm Gill): Further debate on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to NDP motion number 86, section 199 of schedule 1 to the bill: MPP Yarde.

Mr. Kevin Yarde: I'll read this one since I'm on a roll.

I move that section 199 of schedule 1 to the bill be amended by adding the following subsection:

"No delay

"(4) For the purposes of subsections (2) and (3), a crown attorney or prosecutor shall provide advice with respect to a postponement within a reasonable time."

The Chair (Mr. Parm Gill): Any further debate on this motion? MPP Yarde.

Mr. Kevin Yarde: Thank you. Were they going to say something?

Interjections: No.

Mr. Kevin Yarde: We believe that a time limit is a reasonable expectation in this process, and that's basically it.

The Chair (Mr. Parm Gill): Any further discussion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Shall schedule 1, section 199, as amended, carry? Carried.

Moving on to schedule 1, section 200, we're going to deal with government motion number 87, subsection 200(2) of schedule 1 to the bill. MPP Park.

Ms. Lindsey Park: I move that subsection 200(2) of schedule 1 to the bill be struck out and the following substituted:

“Restriction on use of combined disciplinary measures

“(2) The disciplinary measures described in paragraphs 1, 2 and 3 of subsection (1) may not be imposed in combination with each other in respect of a single act or omission that constitutes misconduct or unsatisfactory work performance.

“Same, prescribed limitations

“(2.1) The disciplinary measures described in paragraphs 1, 2 and 3 of subsection (1) may not be imposed in combination with each other if the combined effect of the disciplinary measures would exceed the prescribed limitations, if any.”

The Chair (Mr. Parm Gill): Any further debate on government motion number 87? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 200, as amended, carry? Carried.

Moving on to schedule 1, subsection 201, we're going to discuss government motion number 88, subsection 201(1) of schedule 1 to the bill. MPP Romano.

Mr. Ross Romano: I move that subsection 201(1) of schedule 1 to the bill be amended by,

(a) striking out “disciplinary measure” in the portion before clause (a) and substituting “disciplinary measure or combination of disciplinary measures”;

(b) striking out “reasonable information” in clause (a) and substituting “relevant information”; and

(c) striking out “disciplinary measure” in clause (a) and substituting “disciplinary measure or measures”.

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion number 89, subsection 201(2) of schedule 1 to the bill: MPP Dunlop.

Ms. Jill Dunlop: I move that subsection 201(2) of schedule 1 to the bill be amended by striking out “disciplinary measure” in the portion before clause (a) and substituting “disciplinary measure or combination of disciplinary measures”.

The Chair (Mr. Parm Gill): Any discussion? MPP Singh.

Ms. Sara Singh: I think we're just looking for some further clarification on the addition of the language.

The Chair (Mr. Parm Gill): Further discussion? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: It will ensure that references to disciplinary measures are clear and include the possibility of multiple disciplinary measures where permitted.

The Chair (Mr. Parm Gill): Any further discussion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to motion number 90 from the government, subsection 201(3) of schedule 1 to the bill: MPP Babikian.

Mr. Aris Babikian: I move that subsection 201(3) of schedule 1 to the bill be struck out and the following substituted:

“Consent to disciplinary measures

“(3) The police officer referred to in clause (1)(a) may consent to the imposition of the disciplinary measure or measures after receiving the notice and, if such a consent is given, the police officer shall not request a hearing regarding the disciplinary measure or measures under subsection (6).”

The Chair (Mr. Parm Gill): Any further debate on this motion? MPP Yarde.

Mr. Kevin Yarde: I just need further clarification on the rationale for this amendment.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: The amendment would clarify that the procedures relating to disciplinary measures apply to individual disciplinary measures as well as permitted combinations of disciplinary measures.

The Chair (Mr. Parm Gill): Any further discussion? MPP Singh.

Ms. Sara Singh: I didn't hear you very clearly. I'm sorry, MPP Sarkaria. Can you just repeat it a little slower for us?

Mr. Prabmeet Singh Sarkaria: Sure. No worries.

Ms. Sara Singh: I appreciate that.

Mr. Prabmeet Singh Sarkaria: The amendment would clarify that the procedures relating to disciplinary measures apply to individual disciplinary measures as well as permitted combinations of disciplinary measures.

Ms. Sara Singh: Thank you very much.

The Chair (Mr. Parm Gill): Any further debate on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving to government motion number 91, subsection 201(4) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 201(4) of schedule 1 to the bill be amended by striking out “disciplinary measure” and substituting “disciplinary measure or measures”.

The Chair (Mr. Parm Gill): Any further discussion on this motion? MPP Yarde.

Mr. Kevin Yarde: I’m just trying to get the rationale behind this one as well, just maybe further clarification.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: It ensures that references to disciplinary measures are clear and include the possibility of multiple disciplinary measures where permitted. The amendment clarifies that a police officer may revoke his or her consent to the imposition of a disciplinary measure or multiple disciplinary measures.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: Sorry, MPP Sarkaria. Just some further clarity: Are there particular stakeholders who are concerned about the disciplinary measures? Again, maybe just some clarification for us on why these amendments are being made with respect to those disciplinary measures.

The Chair (Mr. Parm Gill): Thank you, MPP Singh. Is there any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion number 92, subsection 201(5) of schedule 1 to the bill: MPP Park.

1620

Ms. Lindsey Park: I move that subsection 201(5) of schedule 1 to the bill be struck out and the following substituted:

“Exercise of powers

“(5) After complying with subsection (1) and, if applicable, subsection (2) and considering the response, if any, the chief of police, police service board or minister may implement the proposed disciplinary measure or measures, impose a lesser disciplinary measure or combination of disciplinary measures or rescind their intention to implement the disciplinary measure or measures.”

The Chair (Mr. Parm Gill): Any further discussion? MPP Yarde.

Mr. Kevin Yarde: It appears that this amendment allows a chief of police or a board or a commissioner, at the minister’s discretion, to impose a lesser disciplinary measure than that determined as the result of a finding of misconduct. So for us, Mr. Chair, it’s not clear, the purpose here, as the finding would be determined by the police service.

The Chair (Mr. Parm Gill): Any further debate on this motion? MPP Lindo.

Ms. Laura Mae Lindo: I’m also just trying to understand. Am I correct in understanding that this amendment then means that the minister would be able to implement a lesser disciplinary measure, even after the police service has determined what the disciplinary measure should be? I’m just trying to understand, again, for clarity.

The Chair (Mr. Parm Gill): Further discussion? MPP Romano.

Mr. Ross Romano: It’s simply ensuring that references to disciplinary measures are clear and include the possibility of multiple measures. It’s not singular in nature. There could be multiple disciplinary measures, where permitted.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: Yes, I’d just like to clarify: The minister cannot reduce the chief of police’s disciplinary measures. That was stated by the member opposite.

Ms. Laura Mae Lindo: Thank you. That was my question.

The Chair (Mr. Parm Gill): Thank you very much. MPP Park.

Ms. Lindsey Park: And I’ll just clarify: It’s helpful to look at what the current subsection is that’s being replaced. There’s not much of a change at all happening here, when you read them side by side.

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving down to government motion number 93, subsection 201(6) of schedule 1 to the bill: MPP Romano.

Mr. Ross Romano: I move that subsection 201(6) of schedule 1 to the bill be struck out and the following substituted:

“Hearing

“(6) The police officer who is the subject of the disciplinary measure or measures may apply to the commission chair to appoint an adjudicator to hold a hearing regarding

the disciplinary measure or measures within 30 days after the day the application was received.”

The Chair (Mr. Parm Gill): Further debate on this motion? MPP Yarde.

Mr. Kevin Yarde: This appears to be a minor change to the provision. I’m just curious about the rationale for that change.

Mr. Ross Romano: It ensures that references to disciplinary measures are clear and include the possibility of multiple disciplinary measures, where permitted.

The Chair (Mr. Parm Gill): Any further discussion on this? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 93, please raise your hands. Seeing none, I declare the motion carried.

Moving on to motion number 94 from the government, subsection 201(7) of schedule 1 to the bill: We’re going to go to MPP Dunlop.

Ms. Jill Dunlop: I move that subsection 201(7) of schedule 1 to the bill be amended by striking out “disciplinary measure” at the end and substituting “disciplinary measure or measures”.

The Chair (Mr. Parm Gill): Any further debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Motion number 95, from the government, on subsection 201(9) of schedule 1 to the bill: MPP Babikian.

Mr. Aris Babikian: I move that subsection 201(9) of schedule 1 to the bill be struck out.

The Chair (Mr. Parm Gill): Further discussion on this motion? MPP Singh.

Ms. Sara Singh: Perhaps just some clarity from the government side on what the intention here is?

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: It would address concerns from front-line officers that the imposition of disciplinary measures before a challenge to those measures has been resolved at a hearing would impose significant hardships on them.

The Chair (Mr. Parm Gill): Any further debate? MPP Yarde.

Mr. Kevin Yarde: I just wanted further clarification on what he means by “hardships.”

The Chair (Mr. Parm Gill): MPP Sarkaria, possibly? Seeing none—MPP Lindo.

Ms. Laura Mae Lindo: I feel very badly for this. I literally could not hear you. Could you just repeat what you read? I’m very, very sorry.

The Chair (Mr. Parm Gill): MPP Sarkaria, would you like to reread?

Mr. Prabmeet Singh Sarkaria: It addresses concerns from our front-line police officers that the imposition of disciplinary measures before a challenge to those measures has been resolved at a hearing would impose significant hardships on them.

Ms. Laura Mae Lindo: So the desire is to reduce hardships for police officers. Interesting.

The Chair (Mr. Parm Gill): Any further discussion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 95, please raise your hands.

I declare the motion carried.

Moving to motion number 96 from the government, on subsection 201(10) of schedule 1 to the bill: MPP Romano.

Mr. Ross Romano: I move that subsection 201(10) of schedule 1 to the bill be amended by striking out “a disciplinary measure set out in subsection 200(1)” at the end and substituting “a disciplinary measure or any combination of disciplinary measures that a chief of police could impose under subsection 200(1)”.

The Chair (Mr. Parm Gill): Any discussion on this motion? MPP Yarde.

Mr. Kevin Yarde: With this one here—I’m just taking a look here—I just need further clarification on the rationale behind this amendment.

Mr. Ross Romano: Again, similar to the previous, it’s referring to multiple disciplinary measures and the possibility of that.

The Chair (Mr. Parm Gill): Any further discussion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 96, please raise your hands.

I declare the motion carried.

On to motion number 97, from the government, on subsection 201(11) of schedule 1 to the bill: MPP Park.

Ms. Lindsey Park: I move that subsection 201(11) of schedule 1 to the bill be amended by striking out “a disciplinary measure set out in subsection 200(1)” at the end and substituting “a disciplinary measure or any combination of disciplinary measures that a chief of police could impose under subsection 200(1)”.

The Chair (Mr. Parm Gill): Any further discussion on motion number 97? MPP Yarde.

Mr. Kevin Yarde: With this subsection here, subsection 201(11) of schedule 1 to the bill, I just need further clarification as to the reasoning behind this one.

The Chair (Mr. Parm Gill): MPP Lindo?

Ms. Laura Mae Lindo: I understand that we're trying to substitute anywhere where it says "a disciplinary measure" with a combination of disciplinary measures, in case that has happened; I totally get it. I'm just curious to know: If we're trying to insert in the legislation the possibility that there would be multiple disciplinary measures, why wouldn't we want to be proactive and make sure that there's adequate training for the officers so that they don't actually have multiple disciplinary measures? I'm all for legislation making changes that make more sense in the community and within police services; I just want to make sure that we're using this opportunity to be proactive. I'm curious to know if there is some context that can be provided as to why we want to make sure that "multiple disciplinary measures" is included within the legislation instead of just "disciplinary measure."

1630

The Chair (Mr. Parm Gill): Further debate? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 97, please raise your hands.

I declare the motion carried.

Moving on to NDP motion number 98, on subsection 201(11) of schedule 1 to the bill: MPP Lindo.

Ms. Laura Mae Lindo: I move that subsection 201(11) of schedule 1 to the bill be struck out and the following substituted:

"Order

"(11) If, following the hearing, the adjudicator determines that the chief of police, police service board or minister, as applicable, has shown, on a balance of probabilities, that the conduct of the police officer constitutes misconduct or unsatisfactory work performance, the adjudicator may impose a disciplinary measure set out in subsection 200(1)."

The Chair (Mr. Parm Gill): This motion attempts to delete the subsection previously amended by the committee. I therefore rule that this motion is out of order, as it is inconsistent with a decision that the committee has made regarding an earlier amendment.

Moving on to motion number 99 from the government, on subsection 201(12) of schedule 1 to the bill: MPP Dunlop.

Ms. Jill Dunlop: I move that subsection 201(12) of schedule 1 to the bill be amended by striking out "disciplinary measure" and substituting "disciplinary measure or measures".

The Chair (Mr. Parm Gill): Further debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 99, please raise your hands.

I declare the motion carried.

Shall schedule 1, section 201, as amended, carry? Carried.

Moving on to schedule 1, section 202: I'm going to go to government motion number 100, on subsection 202(2) of schedule 1 to the bill. MPP Babikian.

Mr. Aris Babikian: I would recommend adding "for engaging in conduct that constitutes unsatisfactory work"—

The Chair (Mr. Parm Gill): MPP Babikian, I think we're at the wrong motion. We're trying to deal with motion number 100.

MPP Romano.

Mr. Ross Romano: Add "for engaging in conduct that constitutes unsatisfactory work performance" after "employment" in the portion before clause (a).

The Chair (Mr. Parm Gill): Could you move the motion again, please, Mr. Romano?

Mr. Ross Romano: Add "for engaging in conduct that constitutes unsatisfactory work performance" after "employment" in the portion before clause (a).

Interjection.

Mr. Ross Romano: I move that subsection 202(2) of schedule 1 to the bill be amended by adding "for engaging in conduct that constitutes unsatisfactory work performance" after "employment" in the portion before clause (a).

The Chair (Mr. Parm Gill): Any debate on this motion? Seeing none, are we prepared to vote on this motion?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 100, please raise your hands.

I declare the motion carried.

Moving to government motion 101, on subsection 202(4) of schedule 1 to the bill: MPP Babikian.

Mr. Aris Babikian: I move that subsection 202(4) of schedule 1 to the bill be struck out and the following substituted:

"Parties

"(4) The parties to the hearing are,

"(a) the chief of police;

"(b) the police officer; and

"(c) if the application arose as a result of an investigation under part X, the complainant in the investigation, if any.

"Same, complaints director

"(4.1) The complaints director is a party to the hearing if the complaints director directed the chief of police to initiate the hearing and the chief of police declines to participate as a party."

The Chair (Mr. Parm Gill): MPP Babikian, can you please repeat 4(c)?

Mr. Aris Babikian: “(c) if the application arose as a result of an investigation under part X, the complainant in that investigation, if any.”

The Chair (Mr. Parm Gill): Thank you very much. Is there any debate on this motion? MPP Yarde.

Mr. Kevin Yarde: Reading this, it seems a little bit concerning. It looks like it’s giving the chiefs a right to veto the complaints director when it comes to complaints in a hearing. So I want to know: What was the rationale behind this amendment, especially since it doesn’t deal with oversight at all?

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to motion 102 from the government, on subsection 202(5) of schedule 1 of the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 202(5) of schedule 1 to the bill be struck out and the following substituted:

“Examination of evidence

“(5) Before the hearing, the police officer and the complainant, if any, shall each be given an opportunity to examine any physical or documentary evidence that will be produced or any report whose contents will be given in evidence.”

The Chair (Mr. Parm Gill): Any further debate on this motion? MPP Yarde.

Mr. Kevin Yarde: I just needed to know why the government is putting forward this change.

The Chair (Mr. Parm Gill): Any further discussion on this? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 102, please raise your hands. I declare the motion carried.

Dealing with motion number 103 from the government, on subsection 202(6) of schedule 1 to the bill.

Interjection.

The Chair (Mr. Parm Gill): Is there a point of order? MPP Singh.

Ms. Sara Singh: Yes, sorry, Chair. Just a point of order, trying to see if anyone else would like a short recess, if everyone is agreeable to it.

Interjection.

Ms. Sara Singh: No? Okay. I see that you’re looking for cues from your staff. All right.

Mr. Prabmeet Singh Sarkaria: Is five minutes—

Ms. Sara Singh: Five minutes?

Mr. Prabmeet Singh Sarkaria: Five minutes is fine.

Ms. Sara Singh: We can do five minutes. That’s fine; whatever. I’m sure everyone just needs a couple of minutes to come back to this. I’m looking at Jill; I know she’s agreeing.

The Chair (Mr. Parm Gill): Is there agreement amongst all committee members?

Mr. Prabmeet Singh Sarkaria: For five minutes? Yes.

Ms. Lindsey Park: I think we should debate it for 10 minutes.

Ms. Sara Singh: Yes. We can settle on eight minutes, if everyone—

The Chair (Mr. Parm Gill): Okay, we’ll take a six-minute break. Be back at 4:45, please. Thank you very much.

The committee recessed from 1639 to 1646.

The Chair (Mr. Parm Gill): The justice policy committee now will reconvene, and we will carry on from where we left off. We’re going to deal with government motion number 103, subsection 202(6) of schedule 1 to the bill. MPP Romano.

Mr. Ross Romano: I move that subsection 202(6) of schedule 1 to the bill be struck out and the following substituted:

“Same

“(6) For greater certainty, subsection (5) applies in addition to any applicable disclosure requirement in the procedures or rules for adjudication hearings established by the regulations, in the Statutory Powers Procedure Act or otherwise at law.”

The Chair (Mr. Parm Gill): Any debate on this? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I just wanted to say that it provides the flexibility to make regulations requiring additional disclosure between parties to a disciplinary hearing, to ensure a fair hearing process.

The Chair (Mr. Parm Gill): Any further debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion number 104, subsection 202(7) of schedule 1 to the bill: MPP Romano.

Mr. Ross Romano: I move that subsection 202(7) of schedule 1 to the bill be amended by striking out “disciplinary measure” and substituting “disciplinary measure or measures”.

The Chair (Mr. Parm Gill): Any further debate on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

We're going to deal with NDP motion number 105 next, which deals with subsections 202(8) and (9) of schedule 1 of the bill. MPP Yarde.

Mr. Kevin Yarde: I move that subsections 202(8) and (9) of schedule 1 to the bill be struck out and the following substituted:

“Order

“(8) If, following the hearing, the adjudicator determines that it has been shown, on a balance of probabilities, that the police officer has engaged in conduct that constitutes misconduct or unsatisfactory work performance and that demotion or termination of the officer's employment is an appropriate response, the adjudicator may make an order to impose one of the following disciplinary measures:

“1. Terminate the police officer's employment.

“2. Direct that the police officer's employment be terminated in seven days unless he or she resigns before that time.

“3. Demote the police officer, specifying the manner and period of the demotion.

“Same

“(9) If, following the hearing, the adjudicator determines that the chief of police has shown, on a balance of probabilities, that the police officer has engaged in conduct that constitutes misconduct or unsatisfactory work performance but that demotion or”....

The Chair (Mr. Parm Gill): I believe there is—

Ms. Sara Singh: Is there a page missing? Oh, they have it.

Mr. Kevin Yarde: We don't have it.

Interjections.

The Chair (Mr. Parm Gill): There's a little bit of information missing. We're going to get it to you.

Mr. Kevin Yarde: I'll just read that last paragraph.

The Chair (Mr. Parm Gill): Yes, please. Thank you.

Mr. Kevin Yarde: “Same

“(9) If, following the hearing, the adjudicator determines that the chief of police has shown, on a balance of probabilities, that the police officer has engaged in conduct that constitutes misconduct or unsatisfactory work performance but that demotion or termination of the officer's employment is not an appropriate response, the adjudicator may make an order to impose a disciplinary measure set out in subsection 200(1).”

The Chair (Mr. Parm Gill): Thank you very much. Is there further debate on this motion? Seeing none—MPP Singh.

Ms. Sara Singh: I really hope that we can work with the government benches to put this amendment in place. We think that just making sure that there's a little bit more clarity around when an investigation can occur is important, and having it be a little bit more clear that it needs to

be more than just this balance of probabilities. There needs to be a real, justified concern for the police to investigate.

The Chair (Mr. Parm Gill): Further discussion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Sarkaria, Romano.

The Chair (Mr. Parm Gill): I declare the motion lost.

Moving on to government motion number 106, subsection 202(9) of schedule 1 of the bill: MPP Romano.

Mr. Ross Romano: I move that subsection 202(9) of schedule 1 to the bill be amended by striking out “a disciplinary measure set out in subsection 200(1)” at the end and substituting “a disciplinary measure or any combination of disciplinary measures that a chief of police could impose under subsection 200(1)”.

The Chair (Mr. Parm Gill): Further discussion on this motion? MPP Yarde.

Mr. Kevin Yarde: I just need to get the government's rationale for the need for this change. What was the reason for this?

The Chair (Mr. Parm Gill): Further discussion? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: The amendment would clarify that the adjudicator may impose an individual disciplinary measure as well as permitted combinations of disciplinary measures, if demotion or termination of the officer's employment is determined not to be appropriate. This would make this provision consistent with the chief's ability to impose one or more disciplinary measures.

The Chair (Mr. Parm Gill): Further discussion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion number 107, subsection 202(10) of schedule 1 of the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 202(10) of schedule 1 to the bill be struck out.

The Chair (Mr. Parm Gill): Further debate on this motion? MPP Yarde.

Mr. Kevin Yarde: Just looking at this amendment here, with regard to disciplinary measures, it's not completely clear to us how the government explains how they're going to adjudicate the body.

The Chair (Mr. Parm Gill): Further discussion? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: We're moving that this subsection be struck out as the amendment is consequential to motion 106. Therefore, it's no longer necessary.

The Chair (Mr. Parm Gill): Further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion number 108, subsections 202(12) and (14) of schedule 1 to the bill: MPP Romano.

Mr. Ross Romano: I move that subsections 202(12) and (14) of schedule 1 to the bill be amended by striking out "(5) to (10)" wherever it appears and substituting in each case "(5) to (9)".

The Chair (Mr. Parm Gill): Further discussion on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 202, as amended, carry? Carried.

Dealing with schedule 1, section 203: any debate on this section? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

The Chair (Mr. Parm Gill): Shall schedule 1, section 203, carry? Carried.

Schedule 1, section 204: Is there any discussion on this section? Seeing none, are the members prepared to vote?

Shall schedule 1, section 204, carry? Carried.

Moving on to schedule 1, section 205, we're going to go to government motion number 109, subsection 205(1) of schedule 1 to the bill. MPP Romano.

Mr. Ross Romano: I move that subsection 205(1) of schedule 1 to the bill be struck out and the following substituted:

"Agreement to disciplinary measure after public complaint

"(1) A chief of police may impose a disciplinary measure or any combination of disciplinary measures that a chief of police could impose under subsection 200(1) on a police officer who is a member of the chief's police service, other than a deputy chief of police, if the officer consents to the imposition of the measure or measures as a result of an informal resolution under section 169."

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion number 110, subsection 205(2) of schedule 1 to the bill: MPP Park?

Ms. Lindsey Park: I move that subsection 205(2) of schedule 1 to the bill be struck out and the following substituted:

"Procedure, etc. inapplicable

"For greater certainty, section 201, including, in particular, the ability to withdraw consent to a disciplinary measure or measures and the availability of an adjudication hearing, does not apply to a disciplinary measure or measures imposed under subsection (1) of this section."

The Chair (Mr. Parm Gill): MPP Park, can I please request you to read the second paragraph again, starting with (2)?

Ms. Lindsey Park: Sure.

"(2) For greater certainty, section 201, including, in particular, the ability to withdraw consent to a disciplinary measure or measures and the availability of an adjudication hearing, does not apply to a disciplinary measure or measures imposed under subsection (1) of this section."

The Chair (Mr. Parm Gill): Thank you very much; I appreciate it. Is there any debate on this motion? Seeing none, are the members prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 205, as amended, carry? Carried.

Moving on to schedule 1, section 206, we're going to deal with government motion number 111, subsection 206(1) of schedule 1 to the bill. MPP Dunlop.

Ms. Jill Dunlop: I move that subsection 206(1) of schedule 1 to the bill be amended by striking out "impose a disciplinary measure" and substituting "impose a disciplinary measure or combination of disciplinary measures".

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, are we prepared to vote?

Mr. Prabmeet Singh Sarkaria: Yes.

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 111, please raise your hands. I declare the motion carried.

Moving on to government motion number 112, subsection 206(2) of schedule 1 to the bill: MPP Sarkaria.
1700

Mr. Prabmeet Singh Sarkaria: I move that subsection 206(2) of schedule 1 to the bill be amended by striking out “impose a disciplinary measure” and substituting “impose a disciplinary measure or combination of disciplinary measures”.

The Chair (Mr. Parm Gill): Any debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 112, please raise your hands. I declare the motion carried.

Shall schedule 1, section 206, as amended, carry? Carried.

Moving on to schedule 1, section 207, we’re going to deal with government motion number 113: subsection 207(1) of schedule 1 to the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 207(1) of schedule 1 to the bill be amended by adding “and” at the end of clause (a) and by striking out clause (b).

The Chair (Mr. Parm Gill): Any discussion on this motion? Seeing none, are we prepared to vote on this?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 113, please raise your hands. I declare the motion carried.

Moving on to motion number 114 from the government: subsection 207(2) of schedule 1 to the bill. We’re going to go to MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 207(2) of schedule 1 to the bill be amended by,

(a) striking out “may” in the portion before clause (a) and substituting “shall”;

(b) adding “and” at the end of clause (a); and striking out clause (b).

The Chair (Mr. Parm Gill): Can you please read (c) again?

Mr. Prabmeet Singh Sarkaria: “Striking out clause”—

The Chair (Mr. Parm Gill): Starting with the letter (c)? Sorry.

The Chair (Mr. Parm Gill): Oh: “(c) striking out clause (b).”

The Chair (Mr. Parm Gill): Awesome. Thank you so much.

Any debate on this motion from the government? MPP Lindo.

Ms. Laura Mae Lindo: Thank you so much, and thank you for also giving me a new role, because you said, “From the government? MPP Lindo.” I’m taking that one—a win. You have to have some fun in the midst of difficult things.

The Chair (Mr. Parm Gill): Absolutely.

Ms. Laura Mae Lindo: Here is my question, in all sincerity: My understanding of this amendment means that we would require that records be expunged after the five years. I’m curious to know why we would now require it with something as strong as “shall”—it means they must—as opposed to “may.” To be honest, there are going to be moments where those records, in fact, need to be kept for longer, especially, again, when we’re dealing with a situation where this legislation is providing an opportunity for us to rebuild the trust in some communities. I do think that requiring that records be expunged may not, in fact, provide that end.

The Chair (Mr. Parm Gill): Any further discussion? MPP Singh and then MPP Yarde.

Ms. Sara Singh: Just to pick up on my colleague’s point: I would like to hear from the government members some of the rationale for the changes and why we would want to expunge those records. Again, when the purpose of this piece of legislation is to ensure accountability and transparency are restored in police services, why would we put in place a measure that would reduce that?

The Chair (Mr. Parm Gill): MPP Yarde.

Mr. Kevin Yarde: I was just going to mention the same thing that MPP Singh mentioned.

The Chair (Mr. Parm Gill): Any further discussion? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I’d just like to say that the next motion will deal with many of the questions being presented.

The Chair (Mr. Parm Gill): Any further discussion on this motion? Seeing none, are we prepared to vote on the motion?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion number 115, section 207 of schedule 1 to the bill: MPP Romano.

Mr. Ross Romano: I move that section 207 of schedule 1 to the bill be amended by adding the following subsections:

“Extension

“(2.1) Despite subsection (2), a record described in that subsection may be retained in a police officer’s employment record for longer than five years if,

“(a) the officer consents to the extension; or

“(b) the adjudicator orders that the five-year period be extended after conducting a hearing under this section.

“Hearing

“(2.2) A chief of police may apply to the commission chair to appoint an adjudicator to hold a hearing within 30 days after the day the application was received to determine whether a record should be retained for longer than five years as a result of extenuating circumstances.

“Notice

“(2.3) A chief of police who makes an application under subsection (2.2) shall provide written notice of the application to the police officer who is the subject of the record.

“Parties

(2.4) The chief of police and the police officer are the parties to the hearing.

“Settlement

“(2.5) The chief of police and the police officer may settle the matter, and the settlement may provide for the extension of the retention period.

“Order

“(2.6) After the hearing, the adjudicator may order that the record be retained for such longer period as the adjudicator may specify if he or she determines that extenuating circumstances warrant such an extension.”

The Chair (Mr. Parm Gill): Any debate on this motion? We’re going to go to MPP Singh.

Ms. Sara Singh: I’d just like some clarity on why we would include an officer consenting to this information being extended on record. If maybe the government benches can help us understand how that, for the public, will restore accountability and trust, when the officer themselves is the one making that decision.

The Chair (Mr. Parm Gill): Further discussion on this motion? MPP Lindo.

Ms. Laura Mae Lindo: I also just want to reiterate what my colleague has just stated. In a situation where we’re asking to maintain these records, it does seem odd that the officer would have to consent to that extension, which on the flip side means that they could say, “No, I do not consent.” Then that extension wouldn’t be there.

Again, this legislation, to my knowledge—what the public has voiced to us is that they want this to support a more transparent system, a system where everybody feels safe and heard. This seems to defeat that purpose, because the person would likely not consent to this extension. If we could get some clarity about the context or what it is that is the rationale for this, that would be fantastic.

The Chair (Mr. Parm Gill): Further debate on this motion? MPP Yarde.

Mr. Kevin Yarde: I need to third that as well. Having an officer consent to an extension—I mean, either they’re going to say yes or they’re going to say no. I’m not sure why the government put this in there. We do need clarification. I know they’re quiet on the other side, but we would appreciate an answer.

The Chair (Mr. Parm Gill): Further discussion on this motion? MPP Lindo.

Ms. Laura Mae Lindo: Again, for the record, I can understand the adjudicator ordering that the five-year period be extended after conducting the hearing under this section, so I do want to be clear that the concern that’s being raised is that, what if the officer then says, “No, I don’t want to grant this extension”? How is that going to rebuild the trust? How is that a transparent system of oversight?

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I’ll do a brief clarification here. If the officer doesn’t consent, then it does go to a hearing.

The Chair (Mr. Parm Gill): Further debate on this motion? MPP Singh.

Ms. Sara Singh: Perhaps you can just clarify for us, then, where in this amendment it indicates that if the officer does not agree, it would be sent to a hearing.

The Chair (Mr. Parm Gill): Further debate?

Ms. Sara Singh: Because I can appreciate the clarification, but if it’s not in the legislation then we aren’t actually clarifying it and other officers or people in the public would not have that knowledge.

The Chair (Mr. Parm Gill): MPP Yarde had his hand up first.

Mr. Kevin Yarde: I just wanted to reiterate what MPP Singh said. If it’s not in the amendment, where is it?

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: So if you look at (2.1)(a) or (2.1)(b) on the motion in front of us, “or (b),” that clarifies that point that was being brought forward by the members opposite.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: Again, I’m very sorry that I have to go back and repeat, but I know that we’re striving for clarity in legislation. The way that I’m reading this it says that the officer would have to consent to the extension, so having their records held for longer than the five years, because we’ve just passed an amendment that said at the five-year mark it would have to be expunged or the adjudicator orders that the five-year period be extended after conducting a hearing under this section. That doesn’t indicate that it would have to go to a hearing if the officer didn’t consent; it just says that post-hearing, the officer would have to consent to having the records remain and not be expunged. If you could clarify, it would be so greatly appreciated.

1710

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I think it’s very clear from the piece of legislation, if we read it out loud, what we have put forward, so there’s no further clarification here other than, “Read the section.”

The Chair (Mr. Parm Gill): Any further debate on this motion? MPP Lindo.

Ms. Laura Mae Lindo: I just want to say, for the record, that we are here authentically trying to gain clarity. When we ask for clarity and we’re just told, “No, it’s clear enough,” that isn’t engendering any kind of trust or telling the people of Ontario that we’re trying to work together.

The questions aren't because we just want to ask questions; we're literally asking for some clarity. If we had clarity, we would be able to make a decision about the best way to proceed. So if somebody could just explain to us where it is stated within the legislation that if an officer does not consent to this extension, it would automatically go to a hearing, it would be greatly appreciated.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: Yes, and if I can just add to that: I think perhaps if it said "the officer consents to the extension; and/or," then we would have some clarity around that being a second option. At the moment, it seems like it's one or the other. It doesn't seem like both options are available.

Ms. Lindsey Park: It's very clear. Just read the full section.

The Chair (Mr. Parm Gill): MPP Park.

Ms. Lindsey Park: I would encourage all members of the committee to read the amendment, which includes subsections (2.2), (2.3), (2.4), (2.5) and (2.6), which sets out the process for said hearing.

The Chair (Mr. Parm Gill): We're going to go to MPP Baber.

Mr. Roman Baber: Yes, so section (2.2) provides for the mechanism by which the chief of police would apply for such an order. To MPP Singh's point: If, in fact, we were to adopt your language and get the "and/or," then you would need both conditions satisfied. In fact, it would be a more onerous process. It would not be in the interest of what you're looking to accomplish.

Here we're providing an alternative, that if the officer does not consent, he can go to a hearing. If you're suggesting to add the "or" and the "and", then you need the officer's consent always. Respectfully, I would submit to you that you would not want the "and" in there, because an officer may refuse.

The Chair (Mr. Parm Gill): MPP Sarkaria next and then we'll go to MPP Singh.

Mr. Prabmeet Singh Sarkaria: I think the government side has been very clear on this. No further debate on this from us. Thank you.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: I just want to thank Mr. Baber for the clarification. I think, again, if we look at what the purpose of this bill is that your government is sharing with the public, it is to restore accountability and trust. I think having these additional mechanisms in place helps restore that accountability and trust. If the public is aware that there are multiple mechanisms in place that they can make sure that, one, an officer is consenting, and two, there is another body that consents to that information being held for a longer time—I think, again, that we're just adding that layer. I understand that it might be onerous, but we're trying to restore public accountability here for people in this province.

I understand that we're shutting down the debate, but I think it's important. Again, for communities that are over-policed, those types of differentiating aspects in the language are important for understanding that there are

different mechanisms and processes in place to have their voices heard.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: Again, I also know that we've been told that the government is no longer going to debate, but truly, this is just a question. When I read this, and I'm told that the officer consents to the extension—that's the only way that the records would be retained over the five years—then I guess what I'm missing is whether or not that's an application that is going forward in order for the hearing, and the details written underneath (2.2) would then take effect.

Again, this is a sincere, sincere question, because if the officer must consent to the extension, or the flip side, if the officer does not consent to the extension and is providing some form of an application that would then go forward—so somebody is actually deciding whether or not that's appropriate—that would be a very different mechanism.

I'm seeking clarity to know whether or not that is what this is supposed to be addressing, or whether or not an officer could merely say, "I do not consent," and then everything is done and that consent takes precedence.

The Chair (Mr. Parm Gill): Thank you very much. Further discussion? MPP Park.

Ms. Lindsey Park: I don't think there's anything more to say. I don't understand what you don't understand, so I don't know how to explain it any differently. We're doing our best, but we think it's very clear.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: Perhaps I'll ask a question. If the officer does not agree to their information being stored or kept on record, will this automatically trigger the adjudicator to go forward with the additional processes, or does an application need to be made now by someone else in order to start the process with the adjudicator?

The Chair (Mr. Parm Gill): MPP Yarde.

Mr. Kevin Yarde: Yes, we're going to go round and round with this, because we're still not getting any answers. I think, for clarity, I'm going to read it:

"Extension

"(2.1) Despite subsection (2), a record described in that subsection may be retained in a police officer's employment record for longer than five years if,

"(a) the officer consents to the extension; or

"(b) the adjudicator orders that the five-year period be extended after conducting a hearing under this section."

It's right there. There's no ambiguity there. If the officer consents to the extension, fine. If he doesn't, then he doesn't. That is our concern.

The Chair (Mr. Parm Gill): Thank you very much. MPP Park.

Ms. Lindsey Park: All I can say is, if you didn't understand the section walking into this committee hearing, you should have consulted a lawyer beforehand, because to us it's very clear.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: Unfortunately, most of the people who would be in an interaction with a police officer, with police services, may not have the benefit of

consulting a lawyer to understand the legislation that's going to determine the reality of their—

Interruption.

Interjection: It's an Amber Alert.

Ms. Laura Mae Lindo: It's an Amber Alert?—that may actually have a very large impact on their lived reality.

I am going to choose to take the high road and go back to the best way to try and explain, when we have complicated material in front of us, for other people to be able to engage in the debate. I would like to have an example. For instance, an officer has been disciplined. Their records are being held. We get to the five-year mark. What I'm trying to understand from this legislation is whether or not it's sufficient for an officer to simply say, "I do not want these records maintained," in order for it to be done, or whether or not there is an application process of some kind that an officer who had been disciplined—we get to the five-year mark—would have to complete that would then require that a hearing ensue.

It's literally to have clarity, because we will have constituents in all of our ridings who will ask us these questions, and I would hate to have to tell them, "The government dismissed your questions and concerns, shut down debate, and I'm not able to explain to you what would happen."

The Chair (Mr. Parm Gill): Further debate on this motion? Seeing none, are we prepared to vote on this?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion number 116, subsection 207(3) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 207(3) of schedule 1 to the bill be amended by striking out "subsections (1) and (2)" wherever it appears and substituting in each case "subsections (1) to (2.6)".

The Chair (Mr. Parm Gill): Thank you very much. Further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

1720

Shall schedule 1, section 207, as amended, carry? Carried.

Moving on to schedule 1, section 208, is there any discussion on this section? Seeing none, shall schedule 1, section 208, carry? Carried.

On to schedule 1, section 209: Any discussion on this section? Seeing none, shall schedule 1, section 209, carry? Carried.

Schedule 1, section 210: We're going to deal with NDP motion number 117, paragraph 2 of subsection 210(1) of schedule 1 to the bill. MPP Yarde.

Mr. Kevin Yarde: I move that paragraph 2 of subsection 210(1) of schedule 1 to the bill be struck out and the following substituted:

"2. The police officer is in custody or is" in "subject to conditions of judicial interim release, or conditions imposed under section 499 of the Criminal Code (Canada), that prevent the officer from performing the usual duties of a police officer."

The Chair (Mr. Parm Gill): MPP Yarde, can I just request that you please read the first line of number 2?

Mr. Kevin Yarde: Certainly. "2. The police officer is in custody or is subject to conditions of judicial interim release, or conditions imposed under"—

The Chair (Mr. Parm Gill): Awesome. Thank you so much. I appreciate it.

Is there any debate on this motion, number 117 from the NDP? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. We're dealing with NDP motion number 118, subsection 210(2) of schedule 1 to the bill. MPP Singh.

Ms. Sara Singh: I move that subsection 210(2) of schedule 1 to the bill be struck out and the following substituted:

"Unable to perform duties

"(2) A suspension without pay imposed under paragraph 2 of subsection (1) on a police officer who is subject to conditions of judicial interim release ends once the police officer is able to perform the usual duties of a police officer again."

The Chair (Mr. Parm Gill): Further discussion on this motion? Seeing none, are the members prepared to vote on this?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Moving on to NDP motion 119, clause 210(10)(a) of schedule 1 to the bill: MPP Singh.

Ms. Sara Singh: I move that clause 210(10)(a) of schedule 1 to the bill be struck out and the following substituted:

“(a) the suspension is under paragraph 2 of subsection (1) and the officer believes that the conditions of judicial interim release to which he or she is subject do not prevent him or her from performing the usual duties of a police officer; or”

The Chair (Mr. Parm Gill): Further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Shall schedule 1, section 210, carry? Carried.

There are no proposed amendments to sections 211 to 218 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement to do that? Agreed.

Shall schedule 1, sections 211 to 218, inclusive, carry? Carried.

Moving on to schedule 1, section 219, we’re going to deal with government motion number 120: subsection 219(4) of schedule 1 to the bill. MPP Dunlop.

Ms. Jill Dunlop: I move that subsection 219(4) of schedule 1 to the bill be struck out and the following substituted:

“Parties

“(4) The member making the allegation, the police association and the police service are the parties to a conciliation or arbitration under this section.”

The Chair (Mr. Parm Gill): Further debate on the motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to motion number 121 from the government: subsection 219(5) of schedule 1 of the bill. Mr. Romano.

Mr. Ross Romano: I move that subsection 219(5) of schedule 1 to the bill be struck out and the following substituted:

“Arbitration

“(5) If matters remain in dispute after the conciliation, any party may give the commission chair and the other parties a written notice referring the matters to arbitration.”

The Chair (Mr. Parm Gill): Further debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 219, as amended, carry? Carried.

Moving on to schedule 1, section 220, we’re going to deal with NDP motion 122: section 220 of schedule 1 of the bill. MPP Yarde.

Mr. Kevin Yarde: I move that section 220 of schedule 1 to the bill be amended by striking out the portion before paragraph 1 and substituting the following:

“Restriction on membership in police association

“220. The following members of the police service shall not, unless the member is a senior officer, become or remain members of a police association.”

The Chair (Mr. Parm Gill): Further discussion on this? Seeing none, are the members prepared to vote?

Ayes

Lindo, Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Moving on to government motion number 123 section 220 of schedule 1 of the bill: MPP Romano.

Mr. Ross Romano: I move that section 220 of schedule 1 to the bill be struck out and the following substituted:

“Restriction on membership in police association

“Application

“220. (1) This section applies to the following members of a police service:

“1. The chief financial officer, however that person is described.

“2. The chief administrative officer, how that person is described.

“3. The chief human resources executive, however that person is described.

“4. The general counsel, however that person is described.

“5. Any person employed in a confidential capacity in relation to labour relations.

“Restriction

“(2) A member of a police service described in subsection (1) shall not become or remain a member of a police association if his or her position would likely give rise to a conflict of interest in respect of labour relations matters.”

The Chair (Mr. Parm Gill): MPP Romano, can I please request if you can kindly read 220(1), paragraph 2?

Mr. Ross Romano: “2. The chief administrative officer, however that person is described.”

The Chair (Mr. Parm Gill): Thank you so much. Any discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

1730

Shall schedule 1, section 220, as amended, carry? Carried.

Moving on to schedule 1, section 221: any debate on this section? Seeing none, are the members prepared to vote? Shall schedule 1, section 221, carry? Carried.

Moving on to schedule 1, section 222, we're going to deal with government motion number 124: subsection 222(1) of schedule 1 of the bill. MPP Romano.

Mr. Ross Romano: I move that subsection 222(1) of schedule 1 to the bill be amended by striking out the portion before paragraph 1 and substituting the following:

“Dispute re person’s status

“(1) A person may apply to the commission chair to appoint an arbitrator to decide any of the following disputes if the person’s rights or obligations under this part are affected by the subject matter of the dispute:”

The Chair (Mr. Parm Gill): Any debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 222, as amended, carry? Carried.

There are no proposed amendments to sections 223 to 227 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement from the committee? Agreed. Shall schedule 1, sections 223 to 227, inclusive, carry? Carried.

Moving on to schedule 1, section 228, we're going to deal with government motion number 125: section 228 of schedule 1 of the bill. MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that section 228 of schedule 1 to the bill be amended by adding the following subsection:

“Appointment of seized arbitrator

“(1.1) If an arbitrator is seized of the matter to which the dispute relates, the commission chair may instead appoint” the “arbitrator to decide the matter, and subsections 229(2) and (4) to (8) apply with necessary modifications as if the arbitrator were a one-person arbitration board.”

The Chair (Mr. Parm Gill): MPP Sarkaria, can I request you to please read the second line of (1.1). Thank you.

Mr. Prabmeet Singh Sarkaria: “The commission chair may instead appoint that arbitrator to decide the matter....”

The Chair (Mr. Parm Gill): Thank you very much. I appreciate it.

Any debate on this motion? MPP Yarde.

Mr. Kevin Yarde: We're just taking a look at this amendment, and we're still trying to get clarity with this one here as to what the purpose is for this amendment.

The Chair (Mr. Parm Gill): Further debate? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: This provides additional flexibility to parties involved in a dispute about a collective agreement arbitration decision or award to either have their dispute decided by the arbitrator who made the relevant decision or take the matter to a conciliator.

The Chair (Mr. Parm Gill): Further discussion on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 228, as amended, carry? Carried.

Moving on to schedule 1, section 229, dealing with government motion 126: paragraph 1 of subsection 229(6) of schedule 1 of the bill. MPP Romano.

Mr. Ross Romano: I move that paragraph 1 of subsection 229(6) of schedule 1 to the bill be amended by striking out “fees of any person” and substituting “fees and ... prescribed types of expenses of any person”

The Chair (Mr. Parm Gill): MPP Romano, can you please read the second line, starting with “striking out”?

Mr. Ross Romano: Striking out “fees of any person” and substituting “fees and ... prescribed types of expenses of any person”.

The Chair (Mr. Parm Gill): Thank you very much. Any discussion—

Interjection.

The Chair (Mr. Parm Gill): Oh, sorry about that, MPP Romano. You've got to do it one more time.

Mr. Ross Romano: Striking out “fees of any person” and substituting “fees and any prescribed types of expenses of any person”.

The Chair (Mr. Parm Gill): Thank you very much. I appreciate it. Any further discussion or debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion number 126, please raise your hands. I declare the motion carried.

Shall schedule 1, section 229, as amended, carry? Carried.

There are no proposed amendments to sections 230 to 249 of schedule 1. I therefore propose that we bundle these sections. Is there agreement? Thank you very much. Shall schedule 1, sections 230 to 249, inclusive, carry? Carried.

Moving on to schedule 1, section 250, motion from the government 127 on clause 250(7)(b) of schedule 1 to the bill: MPP Romano.

Mr. Ross Romano: I move that clause 250(7)(b) of schedule 1 to the bill be amended by striking out “consult with the members of the public, including youth” at the beginning and substituting “consult with members of the public, including youth, individuals who have received or are receiving mental health or addictions services”.

The Chair (Mr. Parm Gill): Any debate, discussion? We’ve got MPPs Singh and then Lindo.

Ms. Sara Singh: MPP Lindo can go first. That’s fine.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: Thank you, MPP Singh.

I’m just a little bit confused. This is a very important amendment, yet the government struck down any of the amendments that we put forward to have training for those who are experiencing mental health or addiction. I don’t understand why we don’t want our police services to be trained in this if, in fact, we’re asking that they consult with members of the community who are receiving mental health or addiction services.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: On the same lines, I would really like some clarity from our colleagues from the government benches with respect to this amendment. We tabled some amendments that included additional language, so we’re just trying to understand why this amendment would be so specific when we heard earlier that there was no need to be specific in identifying particular groups.

The Chair (Mr. Parm Gill): Further debate? MPP Romano.

Mr. Ross Romano: To the question: This ensures that people who are on the receiving end of mental health and addiction services are consulted in the determination of the community safety and well-being plans.

The Chair (Mr. Parm Gill): MPP Yarde.

Mr. Kevin Yarde: It goes back to what my colleagues just mentioned. You’re not putting it in our other amendments, but you’re putting it in this one—the need to consult with people with mental health. It is a little bit confusing as to why they’re picking and choosing where they can put mental health in the bill.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: I also just want to say for the record that, yes, this would be consulting with various members in a particular group for the community safety and well-being plans. But if we have that kind of consultation within this legislation, then that consultation should be broader to include the people who are actually part of the community safety and well-being plans. Police services should also be asked to consult, to work with,

these particular groups and to ensure that they are building that trust.

I would have to assume that part of why this amendment is being tabled is because we do want to rebuild that trust. All we’re asking is what the rationale would be to only require the community safety and well-being plans to require that consultation, but then not require that all of the players that would make this work would (a) have the same consultation and (b) have the same training so that we are all on the same page and we are building a safer community.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: Yes, just on a very similar point, I think that there’s a gap here in the legislation with respect to how we’re training those front-line officers, the boards and folks who are interacting with the public. This is consulting on the well-being plans. We’ve indicated that we want youth to be included but we don’t want other subsets of the population to be included in these conversations. Again, maybe or not—because it looks like you’re not going to give us clarity on why this was included. But what we’re trying to get to is that if we talk about training and we talk about consulting and if we’re trying to make sure that everyone is interacting in a way that’s more holistic and understanding how to interact with each other, we would include amendments for training so that those people are trained properly and, when they consult with the community, they’re already ahead of the game with respect to what the issues are in their communities.

1740

The Chair (Mr. Parm Gill): Further discussion? MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: What I’m getting from this conversation is that you don’t support this amendment.

The Chair (Mr. Parm Gill): MPP Lindo.

Ms. Laura Mae Lindo: Actually, it may be surprising, we do support the amendment. That’s not the issue. The concern that we have is, why are we only going one step when we could go a full mile? That’s part of where we are trying to gain some clarity.

In order for this particular section to function well, you need to make sure that all of the players who are doing this consultation are well trained and well versed in these kinds of issues. In fact, the best consultation happens when you have experts who have been trained in the areas that you’re trying to consult on actually conduct this. That’s where our question comes in. Of course, we support the minimal consultation that you’re allowing to be in the legislation. We were just hopeful that we would be able to work together so that that consultation would be more robust; then the legislation would be more effective.

The Chair (Mr. Parm Gill): Further discussion on this motion? Seeing none, are the members prepared to vote on this motion?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Shall schedule 1, section 250, as amended, carry? Carried.

There are no proposed amendments to sections 251 to 257 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement to do that? Shall schedule 1, sections 251 to 257, inclusive, carry? Carried.

Moving on to schedule 1, section 258, dealing with government motion 128: subsection 258(2) of schedule 1 to the bill. MPP Romano.

Mr. Ross Romano: I move that subsection 258(2) of schedule 1 to the bill be amended by striking out “public interest” at the end and substituting “public interest, including a charitable donation”.

The Chair (Mr. Parm Gill): Further discussion on this motion? MPP Yarde.

Mr. Kevin Yarde: This is, I think, probably the most bewildering part of the legislation. The motion adding that a charitable donation can allow the police to—the police can sell these items primarily through the proceeds of crimes. I’m just curious and I’d like clarification from the government as to why they feel like they had to put this in the legislation.

The Chair (Mr. Parm Gill): MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: Just to clarify, this would allow police service boards to donate proceeds of a permitted sale of property under the act to charity.

The Chair (Mr. Parm Gill): Further discussion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion number 129: subsection 258(3) of schedule 1 of the bill. MPP Dunlop.

Ms. Jill Dunlop: I move that subsection 258(3) of schedule 1 to the bill be struck out and the following substituted:

“Perishable property

“(3) If the property is perishable, it may, at any time without notice, be donated to a charitable organization or sold.”

The Chair (Mr. Parm Gill): Further debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion carried.

Dealing with government motion number 130, paragraphs 2 to 4 of subsection 258(4) of schedule 1 to the bill: MPP Romano.

Mr. Ross Romano: I move that paragraphs 2 to 4 of subsection 258(4) of schedule 1 to the bill be struck out and the following substituted:

“2. The sale shall be made using an in-person public auction, an online public auction or a public tender.

“3. In the case of an in-person public auction, at least 10 days’ notice of the time and place of the auction shall be published on the Internet, in accordance with the regulations made by the minister, if any.

“4. An online public auction must be open to bids from the public for at least seven days and may be extended until the property is sold.

“5. A public auction may be adjourned, repeatedly if necessary, until the property is sold.”

The Chair (Mr. Parm Gill): Any debate on the motion? MPP Yarde.

Mr. Kevin Yarde: I just need the government clarification of the rationale for this change in this amendment.

The Chair (Mr. Parm Gill): MPP Romano.

Mr. Ross Romano: It just modernizes the way the public can access public auctions for non-perishable property being sold by police service boards.

The Chair (Mr. Parm Gill): Further debate on the motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion 130, please raise your hands.

I declare the motion carried.

Shall schedule 1, section 258, as amended, carry? Carried.

Moving on to schedule 1, section 259: any discussion on this section? Seeing none, are we prepared to vote on this? Shall schedule 1, section 259, carry? Carried.

Schedule 1, section 260: any discussion on this section? Seeing none, are the members prepared to vote on this section? Shall schedule 1, section 260, carry? Carried.

Moving on to schedule 1, section 261, dealing with government motion 131, on subsection 261(1) of schedule 1 to the bill: MPP Sarkaria.

Mr. Prabmeet Singh Sarkaria: I move that subsection 261(1) of schedule 1 to the bill be amended by adding the following paragraph:

“58.1 governing the requirements and qualifications for a person to be appointed as an adjudicator;”

The Chair (Mr. Parm Gill): Any debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to motion 132 from the government, on paragraph 68 of subsection 261(1) of schedule 1 to the bill: MPP Park.

Ms. Lindsey Park: I move that paragraph 68 of subsection 261(1) of schedule 1 to the bill be amended by adding the following subparagraph:

“iii.1 ‘Day-to-day administration’.”

The Chair (Mr. Parm Gill): Any debate on this motion? Seeing none, are we prepared to vote on the motion?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): I declare the motion carried.

Moving on to government motion 133, on subparagraph 68 xi of subsection 261(1) of schedule 1 to the bill: MPP Dunlop.

Ms. Jill Dunlop: I move that subparagraph 68 xi of subsection 261(1) of schedule 1 to the bill be struck out.

The Chair (Mr. Parm Gill): Any discussion on this motion? MPP Yarde.

Mr. Kevin Yarde: I guess they’re just removing the phrase “day-to-day.” I’m just wondering what the rationale is for that.

Ms. Jill Dunlop: It’s consequential to motion 13.

The Chair (Mr. Parm Gill): Further discussion on this? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

Nays

Lindo, Sara Singh, Yarde.

The Chair (Mr. Parm Gill): I declare the motion carried.

Dealing with government motion 134, on subsection 261(2) of schedule 1 to the bill: MPP Romano.

1750

Mr. Ross Romano: I move that subsection 261(2) of schedule 1 to the bill be amended by adding the following paragraph:

“30.1 for the purposes of subsection 172(1),

“i. providing that the cost of an investigation conducted by an investigator about the conduct of a police officer, other than a police officer who is a member of the Ontario Provincial Police, or of a special constable employed by the Niagara Parks Commission shall be paid by the police

service board that employs the police officer or the Niagara Parks Commission,

“ii. governing the calculation of the cost of an investigation,

“iii. governing the payment of the cost of an investigation, including with respect to the time and manner of payment,

“iv. providing for circumstances in which the requirement to pay the cost of an investigation does not apply;”

The Chair (Mr. Parm Gill): Any debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion 134, please raise your hands.

I declare the motion carried.

Shall schedule 1, section 261, as amended, carry? Carried.

There are no proposed amendments to sections 262 to 264 of schedule 1. I therefore propose that we bundle these sections. Is there an agreement? Agreed. Shall schedule 1, sections 262 to 264, inclusive, carry? Carried.

Moving on to schedule 1, section 265, dealing with government motion 135, subsection 265(2) of schedule 1 to the bill: MPP Babikian.

Mr. Aris Babikian: I move that subsection 265(i) of schedule 1 to the bill be amended by striking out “two years” and substituting “one year”.

The Chair (Mr. Parm Gill): MPP Yarde.

Mr. Kevin Yarde: He said, “subsection 265(i).” It’s subsection 265(2).

The Chair (Mr. Parm Gill): MPP Babikian, can you please reread the motion?

Mr. Aris Babikian: I move that subsection 265(i) of schedule 1 to the bill—

Interjections.

Mr. Aris Babikian: Okay. I move that subsection 265(2) of schedule 1 to the bill be amended by striking out “two years” and substituting “one year”.

The Chair (Mr. Parm Gill): Is there further debate on this motion? Seeing none, are the members prepared to vote?

Ayes

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): All those opposed to government motion 135, please raise your hands.

I declare the motion carried.

Shall schedule, 1 section 265, as amended, carry? Carried.

Schedule 1, section 266: any debate or discussion on this section? Are the members prepared to vote? Shall schedule 1, section 266, carry? Carried.

Shall schedule 1, as amended, carry? Carried.

Moving on to schedule 2: There are no proposed amendments to sections 1 to 6 of schedule 2. I therefore propose that we bundle these sections. Is there agreement? Agreed. Shall schedule 2, sections 1 to 6, inclusive, carry? Carried.

Shall schedule 2 carry? Carried.

Moving on to schedule 3: There are no proposed amendments to sections 1 to 6 of schedule 3. I therefore propose that we bundle these sections. Is there agreement to do this? Agreed. Shall schedule 3, sections 1 to 6, inclusive, carry? Carried.

Shall schedule 3 carry? Carried.

Moving on to schedule 4: There are no proposed amendments to sections 1 to 67 of schedule 4. I therefore propose that we bundle these sections. Is there an agreement? Agreed. Shall schedule 4, sections 1 to 67, inclusive, carry? Carried.

Shall schedule 4 carry? Carried.

Schedule 5: There are no proposed amendments to sections 1 to 4 of schedule 5. I therefore propose that we bundle these sections. Is there an agreement? Agreed. Shall schedule 5, sections 1 to 4, inclusive, carry? Carried.

Schedule 5, section 5: We're dealing with NDP motion 136, on clause 5(6)(b) of schedule 5 to the bill. MPP Singh?

Ms. Sara Singh: I move that clause 5(6)(b) of schedule 5 to the bill be amended by striking out "and" at the end of subclause (i) and by adding the following subclauses:

"(iii) lesbian, gay, bisexual, trans, queer, questioning and two-spirit people, and

"(iv) people with mental health issues and developmental or other disabilities; and"

The Chair (Mr. Parm Gill): Further debate on this motion? MPP Yarde?

Mr. Kevin Yarde: As we've been saying all day, these recommendations are all consistent with the Tulloch report. These groups that MPP Singh mentioned are marginalized groups, and it is definitely important to have them in the bill and in these amendments so that they are covered.

The Chair (Mr. Parm Gill): MPP Singh.

Ms. Sara Singh: If I can just add that, again: This time, the training is for the SIU investigators. During the committee hearing process we heard a number of times that individuals, both in the community as well as in law enforcement, wanted to ensure that we had trained investigators as a part of the SIU. So these amendments are to enhance the type of training that those investigators will have in order to, again, restore transparency and accountability between the SIU and members of the public.

The Chair (Mr. Parm Gill): Further discussion from members of the committee? MPP Yarde.

Mr. Kevin Yarde: I'm just going to add to what MPP Singh mentioned: that there is a lot of concern in many of these communities that have been marginalized, particularly racialized communities—and the concern that there isn't enough separation between the SIU and the oversight body in the police when the SIU are responding to an incident. That's why we feel that this is very important to be in this amendment. So, definitely, we have to have it in here.

The Chair (Mr. Parm Gill): Further discussion on the motion? Seeing none, are the members prepared to vote?

Ayes

Sara Singh, Yarde.

Nays

Baber, Babikian, Dunlop, Park, Romano, Sarkaria.

The Chair (Mr. Parm Gill): I declare the motion lost. Shall schedule 5, section 5, carry? Carried.

We're at 5:59. We've pretty much come to the end of our time; it's almost 6 o'clock. We are going to adjourn the committee till Thursday, March 21, 9 a.m., room number 151, right here.

Thank you, everyone, for your co-operation. We made a lot of progress. Let's hope we can continue this on Thursday.

The committee adjourned at 1800.

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Vice-Chair / Vice-Président

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Mr. Roman Baber (York Centre / York-Centre PC)

Mr. Aris Babikian (Scarborough–Agincourt PC)

M^{me} Nathalie Des Rosiers (Ottawa–Vanier L)

Ms. Jill Dunlop (Simcoe North / Simcoe-Nord PC)

Mr. Parm Gill (Milton PC)

Ms. Lindsey Park (Durham PC)

Mr. Ross Romano (Sault Ste. Marie PC)

Mr. Prabmeet Singh Sarkaria (Brampton South / Brampton-Sud PC)

Ms. Sara Singh (Brampton Centre / Brampton-Centre ND)

Miss Monique Taylor (Hamilton Mountain ND)

Mr. Kevin Yarde (Brampton North / Brampton-Nord ND)

Substitutions / Membres remplaçants

Ms. Laura Mae Lindo (Kitchener Centre / Kitchener-Centre ND)

Mr. Kaleed Rasheed (Mississauga East–Cooksville / Mississauga-Est–Cooksville PC)

Also taking part / Autres participants et participantes

Ms. Jennifer K. French (Oshawa ND)

Clerk / Greffière

Ms. Jocelyn McCauley

Staff / Personnel

Mr. Eric Chamney, legislative counsel